

**BOARD AGENDA
SPECIAL MEETING
SIOUX CITY COMMUNITY SCHOOL DISTRICT
APRIL 14, 2004—5:00 P.M.**

Call to Order

President James called the special meeting to order at 5:01 p.m. Present: Directors Batcheller, Daane, James, Jorgensen, Kruse, Mounts, and Peterson.

Approval of Agenda

Director Mounts moved and Director Batcheller seconded the motion to approve the agenda. The motion carried 7-0.

Approval of/Adjourn to Closed Session

Director Peterson moved and Director Mounts seconded the motion to go into a closed session to discuss the purchase of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property. The minutes and the tape recording of a session closed under this paragraph shall be available for public examination when the transaction discussed is completed as provided in Section 21.5(j) of the Code of Iowa. The motion carried 7-0, and the board adjourned to closed session at 5:02 p.m.

Return to/Adjourn From Open Session

Director Batcheller moved and Director Kruse seconded the motion to return to and adjourn from open session. The motion carried 7-0, and the special meeting adjourned at 6:37 p.m.

**HEARING
SIOUX CITY COMMUNITY SCHOOL DISTRICT
APRIL 14, 2004—6:00 P.M.**

Call to Order/Pledge of Allegiance

President James called the hearing to order at 6:37 p.m. Present: Directors Batcheller, Daane, James, Jorgensen, Kruse, Mounts, and Peterson.

Hearing and Discussion

President James stated that notice was provided that a hearing would be held April 14, 2004, at 6:00 p.m. local time. The hearing is held for the purpose of taking public comment on the miscellaneous exterior repairs at East and North High Schools.

Any interested party may appear and file objections and any information for or against same will be heard on the above-named project with the final decision of the Board of Education a matter of record. No citizens addressed the board.

Recommendation

Director Kruse moved and Director Daane seconded the motion that the Board of Education authorize the seeking of bids for the miscellaneous exterior repairs at East and North High Schools. The motion carried 7-0.

Adjourn

Director Batcheller moved and Director Mounts seconded the motion to adjourn the hearing. The motion carried 7-0, and the hearing adjourned at 6:40 p.m.

**HEARING
SIOUX CITY COMMUNITY SCHOOL DISTRICT
APRIL 14, 2004—6:00 P.M.**

Call to Order

President James called the hearing to order at 6:40 p.m. Present: Directors Batcheller, Daane, James, Jorgensen, Kruse, Mounts, and Peterson.

Hearing and Discussion

President James stated that notice was provided that a hearing would be held April 14, 2004, at 6:00 p.m. local time. The hearing is held for the purpose of taking public comment on the North Middle School irrigation and landscape proposal.

Any interested party may appear and file objections and any information for or against same will be heard on the above-named project with the final decision of the Board of Education a matter of record. No citizens addressed the board.

Recommendation

Director Jorgensen moved and Director Mounts seconded the motion that the Board of Education authorize the seeking of bids for the North Middle School irrigation and landscape proposal. The motion carried 6-1, with Director Daane voting no.

Adjourn

Director Batcheller moved and Director Mounts seconded the motion to adjourn the hearing. The motion carried 7-0, and the hearing adjourned at 6:43 p.m.

**BUDGET HEARING
SIOUX CITY COMMUNITY SCHOOL DISTRICT
EDUCATION SERVICE CENTER
APRIL 14, 2004—6:00 P.M.**

Call to Order

President James called the hearing to order at 6:43 p.m. Present: Directors Batcheller, Daane, James, Jorgensen, Kruse, Mounts, and Peterson.

Hearing and Discussion

President James stated that notice was provided that a budget hearing would be held April 14, 2004, at 6:00 p.m. local time.

Any interested party may appear and file objections and any information for or against same will be heard on the above-named project with the final decision of the Board of Education a matter of record. No citizens addressed the board.

Hearing on the Proposed Sioux City School Budget Summary for Fiscal Year 2004-2005

The Board of Education reviewed the proposed budget summary for 2004-2005 on March 23, 2004.

President James stated that notice was given in the Sioux City Journal on April 2, 2004, that a budget hearing would be held on April 14, 2004, at 6:00 p.m. local time.

Any person who is subject to the school tax levy shall be heard in favor of or in opposition to the proposed budget or any part thereof. The internal budget is an operating guide for both estimating receipts and controlling expenditures so line items can be adjusted during the year. If the budget adoption can be approved at this time, the Business Office will complete the required forms for certification.

Citizen Input

Janeese Martin, Director, Taxpayers Research Council (TRC), asked that no tax increase be passed for businesses, commercial and industrial property. The superintendent stated that a full-scale presentation was made by he and William Stoneburg to the TRC a few weeks ago, and that if we did not have a

tax increase for businesses, we would need to cut another \$1 million from our budget.

Action Needed on 2004-2005 Proposed Budget

Director Jorgensen moved and Director Mounts seconded the motion that the Board of Education adopt the 2004-2005 proposed budget on the joint recommendation of the superintendent and the chief financial officer of the district. The motion carried 7-0.

Adjourn

Director Batcheller moved and Director Kruse seconded the motion to adjourn the hearing. The motion carried 7-0, and the budget hearing adjourned at 7:05 p.m.

**REGULAR MEETING
SIOUX CITY COMMUNITY SCHOOL DISTRICT
EDUCATION SERVICE CENTER
APRIL 14, 2004—6:00 P.M.**

Call to Order

President James called the regular meeting to order at 7:05 p.m. Present: Directors Batcheller, Daane, James, Jorgensen, Kruse, Mounts, and Peterson.

Approval of Agenda

Director Kruse moved and Director Batcheller seconded the motion to approve the agenda. The motion carried 7-0.

Citizen Input

Director Batcheller stated that he had received a letter from Jason Kruse of Briar Cliff University asking the schools to raise money for school supplies and over the counter medicines for Iraqi children. Asked the district to align themselves with this project. The board endorsed this project, and Mr. Kruse will be contacted, and an e-mail sent to all principals.

Board Member Reports

Director Kruse: Board Finance Committee continues to meet. Last financial policies will be completed soon.

Director Jorgensen: Two weeks ago attended a program with Directors Daane and James at Woodrow Wilson Middle School with a wonderful lunch served and being entertained by a Lewis and Clark presentation. Thanked Pete Hathaway and Nancy Ferdig for hosting us.

Director Jorgensen: Attended the National School Boards Association conference and attended some really interesting sessions. Unfortunately, many good ones ran concurrently.

Director Mounts: Attended the National School Boards Association conference and primarily attended sessions related to education for Hispanic and Native American students. Met with some board members of the Black Feet Nation in Montana, and will be in touch with them in the future.

Director Mounts: Also attended a meeting with the PLATO Learning, Inc. about one week ago. Excited about this in regard to achievement for students. Will meet with them again in Washington, DC, as they will help us to find funding for this. Could be a large part of the answer to improving the achievement gap.

Director Daane: Attended the National School Boards Association conference school law tracks session and picked up a lot of information. Lots of good information on special education, and attended a new member session as well.

President James: Woodrow Wilson Middle School lunch wasn't the usual lunchtime. It's prepared by a group of students who serve lunch every Tuesday. Very well done and very tasty.

President James noted that future meetings are scheduled as follows:

Educational Equity Committee—April 20, 2004—11:30 a.m.—Central Campus

Board Finance Committee—April 20, 2004—12:00 p.m.—ESC

Board Policy Committee—April 21, 2004— 11:45 a.m.—ESC

District Advisory Committee—April 22, 2004— 5:00 p.m.—ESC

Finance Oversight Committee—April 26, 2004— 8:00 a.m.—421 Nebraska Street

Superintendent William's Report

Superintendent Williams: Attended the National School Boards Association conference. For him one of the highlights was the human relations dinner on Sunday evening bringing together people concerned about the children in their district of all ethnicities. This was followed by a reception where we met with the NSBA officers. The president-elect is a friend of his from Montana. She's a sharp lady.

Regrettable that we had an 18-inch snowfall. Several people at the NSBA convention came up and mentioned the 18-inch snowfall in Sioux City. Now is the last drive toward the end of school. This is a very intensive month and a half, which culminates in graduation.

Consent Action Items

Director Batcheller moved and Director Mounts seconded the motion to approve the consent action items that consisted of the minutes of the board

meetings held March 23 and April 6, 2004; the human resources report; and the finance report. The motion carried 7-0.

2004-2005 Professional Development Calendar

Director Mounts moved and Director Kruse seconded the motion to approve the 2004-2005 professional development calendar. The motion carried 7-0.

Bruce Johnson, on behalf of the professional development committee, presented Judy Keith with a plaque in appreciation for her dedication, leadership, and ongoing support of professional development in the Sioux City schools, 2004. Mrs. Keith will retire at the end of the current school year.

Asphalt Repair Bids

Director Batcheller moved and Director Peterson seconded the motion to award the bid for asphalt repair to the low bidder, Barkley Asphalt, in the amount of \$115,220.00 for Clark (\$8,010), Emerson (\$23,980), Smith (\$21,810), Sunnyside (\$1,350), and Nodland (\$6,780) Elementary Schools; and North (\$39,480) and East High Schools (\$13,810). The motion carried 7-0.

Roof Repair Bids

Director Kruse moved and Director Batcheller seconded the motion to award the bid for roof repair to the low bidders as follows: Winkler Roofing, Inc. in the amount of \$44,698.00 for Bryant Elementary (\$28,850.00) and McKinley Elementary (\$15,848.00); Ida Grove Roofing in the amount of \$2,293.00 (Smith Elementary); Enfield Roofing, Inc., in the amount of \$27,700.00 (West High); and JC Roofing in the amount of \$94,490.00 (East High); for a grand total of \$169,181.00. The motion carried 7-0.

Fire Alarm Phase III

Director Peterson moved and Director Batcheller seconded the motion to accept the plans, specifications, and the estimated cost of \$155,800, as well as to set April 27, 2004, at 6:00 p.m. local time, for the public hearing on the Fire Alarm Phase III project (locations include Bryant, Hawthorne, Washington and Whittier Elementary Schools). The motion carried 7-0.

Electrical Service Replacement Phase II

Director Mounts moved and Director Jorgensen seconded the motion to accept the plans, specifications, and the estimated cost of \$120,600, as well as

to set April 27, 2004, at 6:00 p.m. local time, for the public hearing on the Electrical Service Replacement Phase II (locations include Longfellow, McKinley, and Washington Elementary Schools). The motion carried 7-0.

Grant/Riverview Schools Demolition

Director Mounts moved and Director Peterson seconded the motion to accept the plans, specifications, and the estimated cost of \$252,000 for the Grant School demolition and \$277,000 for the Riverview School demolition. Riverview Elementary separation specifications, demolishing the old three-story section, and putting up a new wall on the 1959 addition, providing heat, electricity, sewer and water to the addition which will be left standing; estimated at \$313,000 without mechanical and electrical, as well as set April 27, 2004, at 6:00 p.m. local time, for the public hearing. The motion carried 7-0.

Purchase of Property

Director Batcheller moved and Director Mounts seconded the motion to approve the purchase of the western portion (the Northwest quarter (NW 1/4) of the Southwest quarter (SW 1/4) of Section twenty-three (23), except therefrom the following tract heretofore conveyed to the Independent School District of Sioux City, described as follows: Beginning at a point on the South line of the Northwest quarter (NW 1/4) of the Southwest quarter (SW 1/4) of said Section twenty-three (23), which is three hundred fifty-three (353) feet East of the West line of said Northwest quarter (NW 1/4) of the Southwest quarter (SW 1/4); thence North at right angles a distance of three hundred (300) feet; thence East at right angles a distance of five hundred (500) feet; thence South at right angles a distance of three hundred (300) feet to the South line of said Northwest quarter (NW 1/4) of the Southwest quarter (SW 1/4); thence West along said South line to the place of beginning, and except therefrom that part platted as Rolling Hills Addition an Addition to Sioux City, Woodbury County, Iowa, the plat of said addition being filed December 19, 1961 and recorded in Plat Book 24, page 16, all in Township eighty-nine (89), North, Range forty-seven (47), West of the Fifth Principal Meridian, in the County of Woodbury and State of Iowa, consisting of approximately 29.56 acres, more or less, subject to a written survey by a land surveyor registered or licensed in the State of Iowa to be provided by Seller (hereinafter called the "Real Estate") of 4001—18th Street, Sioux City, Iowa 51105 in the amount of \$5,250.00 per acre. The motion carried 7-0.

Roberts Stadium Proposals

Directors Jorgensen and Mounts excused themselves from the table due to their affiliation with Morningside College.

Dan Moore, school attorney, addressed the board in regard to this issue. He indicated that on April 6, 2004, Director Daane asked a question regarding the bankruptcy issue. No definitive answer could or would be given. Afterward, Mr. Moore was contacted by the attorney for Morningside College to address this concern. The proposed lease would give the district the most protection, as confirmed by local attorney Frank Baron. Then Morningside College issued a press release indicating they proposed a 99-year lease instead of the district giving title to Morningside College. This is where we are as to what has occurred this week. Morningside College has been willing to modify their proposal to provide a lease and not seek title to the stadium. The other provisions of the Morningside College proposal would stay in effect, with the district keeping the title to Roberts Stadium. A cap on the CPI is also addressed. Mr. Moore asked the board to receive public comment on the proposal. In his mind, the lease proposal addresses concerns that have been stated by citizens. Mr. Moore asked for public input. Hasn't found any legality that would disallow Morningside College from adding this lease issue to their proposal.

Director Batcheller stated the board would want to see what the language would look like in regard to the lease from Morningside College and how this would play out in regard to a purchase proposal. Appreciated the ability to maintain ownership and still have the substantial gift from the donor.

Director Peterson stated that she does not want to vote on something she hasn't seen.

Director Kruse asked how this affects us on liabilities and if Morningside College would decide to change the usage of land on the west side of the stadium. Dan Moore stated that the Morningside College proposal states that the district and Morningside College will carry their own liability as in the past. Property insurance should be continued to be paid by the college but the district would be the main insured as the district maintains title. In regard to the parking lot, Morningside College cannot construct on those open areas without the approval of the school district.

Citizen Input Regarding Roberts Stadium Proposals

Jason Anderson: Read an e-mail he had sent to the board from himself and the Sioux City Growth Organization. In the e-mail, he asked the board to

vote for growth by leasing Roberts Stadium to Morningside College and to insure growth for the City of Sioux City.

Janeese Martin, Director, Taxpayer Research Council: Asked the board to accept the bid proposal from Morningside College as this bid allows for safeguards to the district, and now there is a guarantee on caps on the CPI. The lease will give us all of the benefits for the stadium without using taxpayer dollars.

Dick Benton: Congratulated Morningside College from changing length of agreement to 99 years. If not shorted down to 49 years for evaluation purposes should have a clause that the lease can be canceled for mismanagement. Questioned the \$40,000 to be paid to Morningside College. Feels Morningside College should drop the annual fee unless they will take care of all cleanups. Wants the Friends of Roberts Stadium Committee to clarify who pays to clean the stadium. Feels old transformers should be kept even if new light towers are installed.

Charese Yanney: Board has heard from many people over the past months and she thanked the board for the time they have put in. They are charged to be prudent and they have been prudent and responsible. Doesn't like debt, but when we have the opportunity to get rid of a liability, we should do so as Roberts Stadium is a liability and it is keeping money from going into our elementary schools. Makes it difficult to go out to the public if we pass up the \$2.35 million.

Bob Prince: Welcomes this change that shows that people are listening. Input has made a difference. Does not want the process killed tonight as this lease is not a minor change. Wants the board to see the proposal first before they vote. Neat to see that Morningside College is listening. The Friends of Roberts Stadium Committee continues to work on their process. Wants everyone to get together about what they're for not what they are against.

Carole Beck: Are we talking about a delayed vote so the board can study the proposal prior to their vote? Questions the \$40,000 annual fee to be paid to Morningside College.

Dick Williams: Feels Morningside College keeps making changes on their proposal. Encouraged the board to adopt the Friends of Roberts Stadium Committee proposal, as this group loves this stadium. Feels their proposal is the more beneficial to the school district.

Bob Coacher: Addressed the proposal change in regard to the usage fee and the CPI. Feels the reduction in the cap is good but there is no fee on the

Friends of Roberts Stadium Committee proposal. The Friends of Roberts Stadium Committee will do this by raising more funds.

Chris Prince: Reiterated that this whole process has been convoluted and the Friends of Roberts Stadium Committee cannot analyze this lease proposal in one day. The Friends of Roberts Stadium Committee is talking about zero annual payments after five years. They have some money raising projects that will blow this thing out of the water. Doesn't feel it is unreasonable to give the Friends of Roberts Stadium Committee more time.

Cathee Phillips: Attended Central, was on drill team, and marched at the stadium. Tried to address the usage fee to be charged by the college. Usage fee is not rent literally. It is to cover utilities, chemical application, mowing, etc. for which the district already pays. This should save the district \$10,000 per year. Friends say they are not charging after five years but these expenses are still going to have to be paid. Suggested as a taxpayer that the Morningside College proposal be accepted and initiate many of the things that the Friends of Roberts Stadium Committee want to do as fundraisers.

Tom Peterson: When the Friends of Roberts Stadium Committee and Morningside College first came to discuss proposals, they were asked to work together and get together. Knows all members of the Friends of Roberts Stadium Committee would not agree with him. Wants to make Roberts Stadium the best that it can be.

Bill Prince: First consideration when lease came through is that a 99-year lease is still a sale as it takes away all rights of ownership for he and his children. Was going to call for the board to vote straight up and down on this issue. Truly believes that there is room for a compromise here. The Friends of Roberts Stadium Committee and Morningside College together can very much win for this school district and this city. Always had the caveat of ownership but feels the lease is the same as an ownership transfer. Doesn't feel an up/down vote is for the best tonight. Wants to see the \$2.35 million end up at Roberts Stadium, as well as the funds that the Friends of Roberts Stadium Committee has raised. Doesn't feel it's a liability but a wonderful asset for this community.

John Reynders, President of Morningside College: Important that we set the record straight as to how the two amendments to the proposal ended on your desk. We listened to concerns of citizens. After last week, approached legal council to see if the donor would permit a 99-year lease to provide maximum security for the district. That seemed to be an issue last week. By no means were we trying to pull a fast one; by all intent did not want to delay this

process any longer. Truly believe that the amendment that you have in front of you that addresses the CPI issue and the lease satisfies those concerns.

Caroline Conkey: You have a big decision tonight. One of the concerns I bring is the 99-year lease. The district's building plan has changed over the years, as has the board. Feels this will happen with the college. This is too long to encumber boards.

Jim Johnson: Doesn't understand the conundrum here. We have a proposal from Morningside College that allows the district to do things we cannot afford, and another group that will generate additional funds. Vote on behalf of the Morningside College proposal subject to an acceptable lease. Likes the lease proposal as opposed to transfer. Need to have someone look at the management/operation of the stadium. Urged the board to make a decision this evening. Best served by taking the Morningside College proposal and continuing to work with the Friends of Roberts Stadium Committee in regard to the management issue.

Dick Benton: Asked if the board is planning to vote on this issue without seeing the lease.

William Stoneburg distributed the following information: income statement year ending June 30, 2003, and up to February 29, 2004; stadium costs for the past three years, including revenue and event expenses; and potential Roberts Stadium accounting.

Director Batcheller moved that the Sioux City Community School District accept the Morningside College proposal on Roberts' Stadium subject to the modification of the lease review and the CPI and any other language. This motion died for a lack of a second.

Director Batcheller moved and Director Kruse seconded the motion that the Board of Education request Morningside College to deliver to the Board its written lease proposal for Roberts Stadium incorporating the CPI cap arrangement and the retention of title by the school district, with such proposal to be reviewed and voted upon by the board within two weeks. Citizen input was received from Chris Prince in regard to why a vote was not taken on both proposals this evening, and that she doesn't agree with the proposal. The motion and second were withdrawn.

Director Batcheller moved and Director Peterson seconded the motion that the Board of Education accept the Morningside College proposal with the lease and CPI cap arrangement subject to review and approval by the board.

The motion carried 3-2 with Directors Daane and Peterson voting no, and Directors Jorgensen and Mounts abstaining.

Superintendent Williams expressed his appreciation to the citizens of this community. There has been passion. Tonight has been a good meeting. There is always the assumption and the assertion that votes are a done deal. One could tell by watching the meeting this evening that there are no done deals. Wants to address the Local Option Sales Tax hostage talk. To hold the future of the community hostage to any single issue is unconscionable and short-sided. If we do that with the state's second oldest set of school buildings, and then be prepared for there being no community long before the 99-year lease elapses. Be prepared to cut your nose off to spite your face. We can't let that happen. This community has been born of hopefulness. Both proposals were born of hopefulness. The one thing we have to preserve is hopefulness. We don't have the state's highest property tax base, but we got the Local Option Sales Tax passed by the Legislature and most of the other Iowa counties have seen the wisdom and passed it as well.

After the North High School Jazz Band came home with the state jazz band championship, a radio reporter asked him if he thought that the board was finally in a lose-lose situation where the community was so upset by the board that no matter what decision was made that we were in a lose-lose. His answer was that we will define whether we make this a lose-lose. No one else will define that for us.

Superintendent Williams asked if the Friends of Robert Stadium Committee is interested in working with the district to improve its management and to create the fund that would have absolved the \$40,000; if they would like to raise money to support the three high school or three middle schools.

Dan Moore asked the board to entertain that we pursue some kind of a management agreement with the Friends of Roberts Stadium Committee for the operation and management of the stadium for our events.

Director Batcheller moved and Director Daane seconded the motion to table the Friends of Roberts Stadium Committee proposal motion indefinitely. The motion carried 5-0, with Directors Jorgensen and Mounts abstaining.

Information/Discussion

Superintendent Williams stated that we have been invited to attend a hearing regarding the rezoning of land we own at the Nodland site. The City of Sioux City wishes to extend Lincoln way, build a significant retention

pond, and approve a development. This will be held Monday, April 19, 2004, at the City Council meeting. Dan Moore will represent the district.

Superintendent Williams brought to the attention of the board and public the graduation dates for 2004 and 2005. The graduation dates for 2004 are as follows: May 17—Central Campus, May 18—North High School, May 19—West High School; and May 20—East High School. For 2005, Central Campus graduates May 23; West High on May 24; East High on May 25; and North High on May 26.

Superintendent Williams presented revised board policies 501.8—Within District Transfers + AR501.8; 501.9—Open Enrollment Transfers; 401.5—Certification; 401.6—Personnel Records; 402.11—Horizontal Advancement on Salary Schedule; 402.13—Administrator Evaluation; 403.3—Discharge/Discipline of Non-certified Employees; 403.4—Employee Reduction In Force; 431.06—Conflict of Interest of Employees; 205.2—Professional Meetings and Association Membership; 305.4—Professional Development for Administrators; and 401.34—Nepotism and board policies for deletion: 402.6—Fringe Benefits; AR402.11—Horizontal Advancement on Salary Schedule; 404.11—Family and Medical Leave; and 405.10—Communicable Diseases.

President thanked the board for their hard work at this extremely difficult meeting. Mr. Williams thanked the board for their work and patience. He did not know what the outcome might be. He had no way of knowing what this issue was going to become. Not embarrassed by the idea or notion, but troubled that it has taken up so much time and been so contentious in the community.

Steve Crary and Tom Luxford thanked the board who worked so hard and does the right things even if we may not always agree with their decisions. This will be a win-win situation for the district.

Adjourn

Director Batcheller moved and Director Mounts seconded the motion to adjourn the regular meeting. The motion carried 7-0, and the regular meeting adjourned at 10:31 p.m.