

**SPECIAL MEETING
SIOUX CITY COMMUNITY SCHOOL DISTRICT
EDUCATION SERVICE CENTER
MARCH 23, 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 (arrived at 5:04 p.m.), James, Jorgensen, Kruse, Mounts, and Peterson.

Approval of Agenda —Director Batcheller moved and Director Peterson seconded the motion to approve the agenda. The motion carried 6-0.

Approval of/Adjourn to Closed Session—Director Kruse moved and Director Peterson seconded the motion to go into a closed session to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation as provided in Section 21.5(c) of the Code of Iowa; and also to conduct a strategy meeting of a public employer concerning bargaining of employee organizations as provided in Section 20.17(3) of the Code. The motion carried 6-0, and the board went into closed session at 5:02 p.m.

Return To Open Session—Director Batcheller moved and Director Mounts seconded the motion to return to open session. The motion carried 7-0, and the board returned to open session at 6:07 p.m.

Ratification of Settlement—Director Mounts moved and Director Daane seconded the motion to ratify the tentative settlement reached between the parties in the case of Walde v. Sioux City Community School District, that we authorize Mrs. James to execute all documents necessary to effectuate this settlement, and that we authorize Mr. Stoneburg to issue settlement checks in accordance with the instructions of counsel. The motion carried 5-2, with Directors Batcheller and Kruse voting no.

Adjourn—Director Kruse moved and Director Batcheller seconded the motion to adjourn the special meeting. The motion carried 7-0, and the special meeting adjourned at 6:08 p.m.

**REGULAR MEETING
SIOUX CITY COMMUNITY SCHOOL DISTRICT
EDUCATION SERVICE CENTER
MARCH 23, 2004—6:00 P.M.**

Call to Order/Pledge of Allegiance—President James called the regular meeting to order at 6:08 p.m. Present: Directors Batcheller, Daane, James, Jorgensen, Kruse, Mounts, and Peterson.

Approval of Agenda—Director Batcheller moved and Director Jorgensen seconded the motion to approve the agenda as amended. The motion carried 7-0.

Citizen Input—Flora Lee addressed the board regarding the cut-off figures for upper level class sizes for foreign languages and accounting classes, as well as high numbers of students in certain areas of the curriculum.

Board Member Reports

Director Kruse: Finance Oversight Committee met yesterday. There are three vacancies on this committee, and the deadline for application is March 25, 2004.

Director Peterson: Read to students at Hawthorne. The Women of Excellence banquet was wonderful, and our own Jean Peters was selected as one of six Women of Excellence. Attended part of the REACH training. The Career and Tech Education Advisory Committee meeting was very good. The tech prep position is still very much a necessary position in this district.

President James: Heard a couple of high school youngsters give their speeches which they will give this Saturday in competition.

President James announced that future meetings would be held as follows:

District Advisory Committee—March 25, 2004—5:00 p.m.—ESC

Board Finance Committee—March 30, 2004—12:00 p.m.—ESC

Board Policy Committee—April 6, 2004—11:45 a.m.—ESC

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

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

Superintendent Williams' Report

He and Bruce Johnson met with the Superintendent's Student Advisory Council and other students at North High School last week.

Attended regional development meeting luncheon.

Read to students at Whittier yesterday.

Thursday attended a symphony youth concert that was similar to the public concert on Saturday, which was spectacular

Last Saturday attended the Siouxland Multi-cultural Leadership Training Program with Caroline Donaway at which Latinos new to this area asked questions in regard to education. It was very enjoyable.

One week ago was a snow day that we will make up on April 13, 2004.

Consent Action Items—Director Kruse moved and Director Batcheller seconded the motion to approve the consent action items which consisted of the minutes of the March 9, 2004, board meeting; the Human Resources Report; and the Finance Report. The motion carried 7-0.

Donation to District—Dale McKinney, InVision Architecture, donated a copy of *Pictorial History* and *Sioux City History* books to each elementary school. Director Batcheller moved and Director Kruse seconded the motion to accept this gift. The motion carried 7-0, and the board expressed their appreciation.

Closure of Herbert Hoover and Woodrow Wilson Middle Schools—Director Kruse moved and Director Daane seconded the motion to approve the closure of Herbert Hoover and Woodrow Wilson Middle Schools at the close of the 2003-2004 school year. The motion carried 7-0.

Roberts' Stadium —Attorney Dan Moore addressed the board regarding allegations of violations of the Iowa open meetings law with regard to Roberts' Stadium. He read from a prepared statement.

Dan Moore was designated as the moderator for the discussion on Roberts' Stadium. Director Peterson stated that the full board was not made aware of this concept until November 2003 and Director Daane stated that the process was a benefit to the district and the public. None of the meetings held were secret. After every one of these meetings, Director Daane called the activities supervisors, Thomas Peterson, and other members of the Friends of Roberts Stadium Committee. He asked the public to understand that a mistake was made in good faith and the intention was always to put together something worthy for public discussion.

Board comments regarding this issue were as follows:

President James stated that she received an idea paper at a meeting in November about what we might do. When she left the meeting, the press was there and so it certainly wasn't a secret meeting.

Director Kruse stated that being she's served on the Board Finance Committee, the intent has always been more of a search to find out the possibilities to think outside the box. Deliberation would have been in each of their minds, not at the meetings.

The final meetings were for questions/answers to do the best job they could. Thought as Director Jorgensen moved to the other side (Morningside College), he wasn't with us any longer. No intent to do anything illegal or wrong.

Director Batcheller said that there was no intent to circumvent public input. Constantly sought to get public ideas and thoughts. Concept that it was a done deal and already over and done with is not right as some meetings went over seven hours in length. No decisions were made, no considerations were made, communications and clarifications were had.

Dan Moore stated that the March 8 and 11, 2004, meetings were over four hours in length. This is what he did February 4, 2004, with the Morningside College attorney. The Board Finance Committee was not present for the entire period (7:00 a.m. to 1:30 p.m.). The public hearing will be held April 6, 2004, at 6:00 p.m., when the board accepts a proposal. The vote will be taken on one proposal on April 14, 2004, at 6:00 p.m. We're all in this together as a community and we want what is best for the community.

Director Mounts has recused herself from this process, but stated she had attended one meeting in November (she was late). Was told Walt Fiegel died that day. Only comment she made was that activities supervisors all have access to this material.

The board will conduct the vote on April 14, 2004, as not all board members can attend on Tuesday, April 13, 2004.

Citizen input was received from the following:

Barbara Benson—Supportive of proposal from Morningside College after having studied both proposals. Roberts' Stadium represents a huge burden in the future if we don't have a way to maintain it. This is an opportunity to focus on kids in regard to teachers and class sizes. Positive move to have Morningside College make the investment and have our two entities collaborate and our students be able to use the stadium as scheduled in the documents. How secure is the funding support from the Friends of Roberts' Stadium Committee?

Frank Fisher—Very dismayed when he first heard of this concept. Feels the district would lose by this sale/lease back. Feels the stadium is not in as bad of shape as the district has stated—in particular the lighting system.

Bob Prince—Spoke as co-chair of the Friends of Roberts' Stadium Committee. Their plan is not perfect, but it shows that there is another way to go. He asked the board to give them more time to dialogue regarding the strengths of their proposal. Feels we need this property and that we do utilize it.

Director Batcheller—Asked questions in regard to the Friends of Roberts' Stadium Committee proposal, and made corrections on the concessions information listed in

their proposal (at public school events, the district receives all concession receipts). Director Kruse also had questions regarding their proposal.

Larry Clausen—Spoke in regard to the placement of property on the Historic Register where grants could be secured.

Dan Moore stated that he had called Bob Prince to go over their proposal. He now publicly affirms this request.

Chris Prince—Appreciated Dan Moore's offer of help today. Not had the time that Morningside College has had to draw together a comprehensive business plan to show how the facility can be maintained.

Randy Bradley—Feels some of the comments directed toward Morningside College are offensive. Has heard all the stories. Feels Morningside College wants stadium to improve it to the tune of \$2.35 million. Doing just minimal repairs at Roberts' Stadium is just not good enough anymore.

Irving Jensen, Jr.—There is major deferred maintenance on this stadium. Takes exception to those who say there are no problems with the stadium. Why wouldn't the community accept \$2.35 million from an outside source, and save the money that people are willing to raise to assist students. There are only so many dollars in this community. When federal tax credits are used you are limited to what you can do. Take the money; it's a partnership.

Jerry Schmutte—Appreciates the board's consideration of the Morningside College proposal. To him this is a great opportunity for the athletes of Sioux City, whether at Morningside College or the public schools. Morningside College has tried to do their part to answer concerns from the public. It is a very positive image to have a well maintained stadium.

Bob Coacher—As a taxpayer, one of his concerns is do any assets not depreciated need to be taken from the books? Another concern is the \$40,000 usage fee which continues for five years and then would arise according to the CPI he calculated. Look closely at the impact on the taxpayer.

Dick Williams—Over the many meetings that have been held, field lighting seems to be a major issue, and he addressed the parts question and the rewiring of the system. Stated he had discussed stadium lighting with a company in Muscatine, Iowa, as well as companies who work on the steel and furnaces. Doesn't feel the stadium is in as much disrepair as some say.

Larry Clausen—Addressed the state historical register as opposed to the federal historic register. Feels the Board Finance Committee should have had only two

people attend meetings with Morningside College. Dan Moore respectfully disagreed with that.

Dick Benton—Read Morningside College bid today. Evolving into a better agreement but has a long way to go. Went through some points of the Morningside College bid with which he was in disagreement. Asked for a sunset clause on ten years. Feels we will double the district's expenses.

Richard Matousek—This stadium can be operated at a profit. Feels any other entity that knew how to operate it could make it a profit-making stadium. He has history with baseball groups and they make money for their parks.

Carole Beck—The stadium is not falling down. Attended the meetings and has learned a great deal. She doesn't feel this is a good proposition for the district.

William Prince—Thinks this is about stewardship of public dollars. At the Friends of Roberts' Stadium Committee meetings, did not hear anything negative about Morningside College. Pains him to see that the board thinks this is a dilapidated, old stadium. Believes Morningside College wants Roberts' Stadium to be a wonderful new asset for themselves.

Scott Godfrey—Frustrated with the process as to why the public was never informed of the financial issues regarding the stadium.

Dan Moore asked if he could now have the question answered regarding why wasn't the public informed of this earlier? Superintendent Williams stated that he approach Morningside College to see if they were possibly interested in the old East Middle School. It was the superintendent's idea not the board's idea. Why was he concerned about the future? From the day he came to Sioux City, he understood the pride in Roberts' Stadium, and was shown the facility on his first day. He was given a tour by Ray Rowe, who has stewarded the facility with minimal resources. Mr. Rowe talked to him about some of the things that needed to be done. The board asked if our property tax base had been a deterrent for us to confront the voters with a voted PPEL. We need it, but can't afford it. We have scant dollars to spend on the stadium. So, Mr. Williams looked for some ideas.

Mr. Williams stated that he appreciates all those who spoke. It was Ray Rowe who went with the engineer to view the stadium. The costs affixed to that report came later.

Flora Lee—Followed issue through the media, has an athletic family, but the board's primary concern is to educate children. We have cut 60 teachers over the past two years and five to seven teachers plus support staff this year. When things get tough, the Operation & Maintenance budget always gets cut. We need to look at

our priorities. Operation & Maintenance is not going to be a priority of our Legislature either. Let's look at what we're here about—the district goals and the 14,000 plus kids we serve. If we sell to Morningside College, it will still be in Sioux City.

Lynn Richardson—His frustration over this issue has been evident. Feels the students are in favor of saving the stadium, and indicated that a banner was hung at North High School and is being signed by students in favor of keeping the stadium.

Vernon Stolen—Rather own the stadium as it is then have it purchased by Morningside College and renovated. The Friends of Roberts' Stadium Committee is receiving donations from small donors too, not just large donors.

Thomas Peterson—Morningside College doesn't have money to pay us as appraised. They have \$2.35 million to upgrade it. But don't have the money to maintain it as seen in their proposal. The district doesn't have money to upgrade or maintain it. Need to go in as a team. Struggling point has been who is going to own the facility. Doesn't want to lose the \$2.35 million, but cooperatively can we pool our monies together and get this job done for Sioux City. Asked Morningside College to ask donor if they would entertain this idea to mediate.

Randy Bradley—Asked people to go to the City Council meeting on Monday in regard to the \$1 million to be given to the Siouxland Y. MidAmerican Air Museum was also given money. City has given money away to keep businesses in Sioux City.

Dan Moore thanked Morningside College and their attorneys, as well as the public. Stated that if he wishes he could bottle the passion of both the Friends of Roberts' Stadium Committee and Morningside College. After all is said and done, he hopes we can all come together to maintain and keep Roberts' Stadium as a showcase.

Director Daane moved that we defer acceptance or rejection of both proposals to April 14, 2004, at 6:00 p.m., publish notice of intent to sell pursuant to the Morningside College proposal, and set April 6, 2004, at 6:00 p.m., for another hearing on both proposals. Director Batcheller seconded the motion. The motion carried 5-0 (Directors Jorgensen and Mounts were absent from the table for this entire discussion).

Smaller Learning Communities Grant—Director Mounts moved and Director Jorgensen seconded the motion to approve the seeking of a Smaller Learning Communities grant. The motion carried 7-0.

East High School Boiler Replacement Bid—Director Kruse moved and Director Mounts seconded the motion to award the bid for the East High School boiler

replacement to the low bidder, R. H. Mullen Company, in the amount of \$275,368. The motion carried 7-0.

Purchase of One 35,000 Gross Vehicle Weight Dump Truck With Box— Director Batcheller recused himself from this action item. Director Daane moved and Director Peterson seconded the motion to award the bid for one 35,000 gross vehicle weight dump truck with box to the low bidder, Holcomb Freightliner, in the amount of \$60,850. The motion carried 6-0.

Landscape/Irrigation at North Middle School— Director Peterson moved and Director Batcheller seconded the motion to accept the plans, specifications, and the estimated cost, as well as set April 14, 2004, at 6:00 p.m., for the public hearing on the landscape/irrigation work at North Middle School. The motion carried 6-1 with Director Daane voting no.

East and North High Schools Miscellaneous Exterior Maintenance Repairs— Director Mounts moved and Director Peterson seconded the motion to accept the plans, specifications, and the estimated cost, as well as set April 14, 2004, at 6:00 p.m., for the public hearing on the East and North High Schools miscellaneous exterior maintenance repairs. The motion carried 7-0.

Approval of Expenditures Under E-Rate Program— Director Jorgenson moved and Director Mounts seconded the motion to accept the reimbursable funding through the Universal Service Administrative Company Schools and Libraries Division. The motion carried 7-0.

Board Policies— Director Kruse moved and Director Batcheller seconded the motion to approve for second and final reading revised Board Policies 801.2—Loans, Transfers, and Funds; 802—Cash or Equivalent in School Buildings; 802.1 (formerly 804.1)—Local-State-Federal-Miscellaneous Revenue; 807.4—Audit; 875.1—Unreserved Fund Balance and the deletion of 801.8—Transfer of Inactive Accounts; 804.2—Sale of Bonds; and 804.4—Gifts—Bequests. The motion carried 7-0.

June and July Board Meeting Dates/Assessment Work Session— Director Kruse moved and Director Batcheller seconded the motion to approve June 22 and July 13, 2004, at 6:00 p.m., as the dates for the June and July board meetings; and to set July 12, 2004, at 5:30 p.m., for the work session on assessment. The motion carried 7-0.

Discussion/Information

Bruce Johnson gave a power point presentation on professional development in our district. He also presented the 2004-2005 Professional Development Calendar. He

indicated that a lot of hard work and dedication has gone into this plan. Members of this committee were present.

Michael Pesky reported on North Middle School transportation. He stated that we need to receive our transportation requests as soon as we can in order to set the routes. He will address the board again in late April or early May.

Patty Pageler reported on the transportation area of the budget.

William Stoneburg reported that the board will certify the budget on April 14, 2004, at the regular board meeting. He went through the eight fund budgets to be certified.

Adjourn

Director Batcheller moved and Director Jorgensen seconded the motion to adjourn the meeting. The motion carried 7-0, and the regular meeting adjourned at 11:08 p.m.