

FINANCE/LEISURE/LEGISLATIVE AGENDA

February 21, 2018 @ 12:00 p.m.

City Hall Council Chambers






1615 1st Avenue, South Sioux City, Nebraska

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Members: Bruce Davis, Oscar Gomez, Carol Schuldt, Jack Ehrich.

A current copy of the Open Meetings Act is posted on the north wall in the rear of the Council Chambers and is available for review by all citizens in attendance. A sign-in sheet is available at the entrance to the Council Chambers. We ask your assistance by signing in as this is a Federal Grant requirement. It is strictly voluntary to complete the sign-in sheet.

The City of South Sioux City reserves the right to adjust the order of items on this agenda if necessary and may elect to take action on any of the items listed.

1. **FINANCE – Chairman Bruce Davis**
 - a. **Utility Appeals.**
 - b. **2500 G Street Lease.** Carried over from last meeting. Committee requested that market value information be researched and brought back to the committee.
 - c. **Tower Space - Internet Exchange Request.**
 - d. **Authorized City Signer(s) in Clerk/Treasurer’s Absence.**
2. **LEISURE – Chairman Jack Ehrich**
 - a. **Klasey Park Batting Cages.**
 - b. **May 26 - SD Kayak Challenge.**
 - c. **LIME Bikes.**
 - d. **Futures Softball Agreement.** [Hyperlink](#)
3. **LEGISLATIVE – Chairwoman Carol Schuldt**
 - a. **Legislative Bills.** [Hyperlink](#)
4. **MISCELLANEOUS AND UNFINISHED BUSINESS**
 - a. **SSC Public Library Policies.** [Hyperlink](#). Carried over from last meeting. Committee requested that the changes be explained.
 - b. **Employee Bonus.** Carried over from last meeting.
5. **PUBLIC COMMENT PERIOD**
 - i. Every citizen speaking at the meeting shall begin his or her remarks by stating his or her name and postal address.
 - ii. All citizens’ remarks shall be directed to the Chairperson, who shall determine by whom any appropriate response shall be made.
 - iii. Individuals wishing to address the Committee are asked to limit their comments to five minutes.
6. **UPCOMING EVENTS**
 -  **Council Meetings – Feb. 26 , 2018 @ 5:00 p.m., City Hall.**
 -  **Public Works Meetings –March 5 & 19, 2018 @ 5:00 p.m., City Hall.**
 -  **Finance Meetings- March 7 & 21, 2018 @ 12:00 p.m. City Hall.**
 -  **CDA Meetings – Feb. 22, 2018 @ 11:00 a.m., City Hall.**
 -  **League of NE Municipalities Mid-winter Conf.; Feb. 26 & 27, 2018; Cornhusker Marriott; Lincoln, NE.**

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Futures Softball Agreement

AGREEMENT

THIS AGREEMENT is made and entered into this 26th day of February 2018, By and between the CITY OF SOUTH SIOUX CITY, DAKOTA COUNTY, NEBRASKA (hereinafter “City”) and the “FUTURES” (hereinafter “Association”).

WITNESS:

The parties hereby agree as follows:

- 1. Term:** The term of this Agreement shall be for a period commencing on March 1, 2018 and terminated by either party on August 31, 2018. Either party may terminate this Agreement for any reasons by providing thirty (30) days notice in writing of intention to terminate.
- 2. Premises** The City hereby grants to the Association certain rights and privileges, hereinafter specifically set forth, regarding the use of park facilities known as Riverview Complex Fields 4-5.
- 3. Obligations and Rights.**
 - (1) Association**
 - a. Provide the City with a list of current board members, current addresses and telephone numbers.
 - b. Provide the City with a current copy of teams, requested practice times, league and tournament schedules. Said information should be provided to the City on March 1 of the current year. Final field scheduling will be at the discretion of the South Sioux City Parks & Recreation Department although every attempt will be made to provide adequate playing time for all parties requisition filed use.
 - c. All operational expense, include janitorial, upkeep and minor repair expenses not otherwise listed as “City responsibility” shall be duty of the Association.
 - d. Keep premises and adjoining property clean and free of debris at all times, to be completed by 10:00 p.m. game days. In addition, a clean-up day will be held at the beginning of the season to coincide with the community wide clean-up, halfway through the season and another one at the end of the season.
 - e. Provide additional portable restrooms when requested by the City.
 - f. Provide the Parks and Recreation Department with current copies of the keys to all locks on the premises.
 - g. Make no major changes, modifications or alterations without the written permission from the Parks and Recreation Department.
 - h. At no time assign to others its rights set out in this agreement.
 - i. Association operating expenses are solely the responsibility of the Association. Gate fees and sponsor sign fields for operation expenses are not to be obtained from the use of the facilities without the express written consent of the City Council.
 - j. Any person operating a motor vehicle owned by the city of South Sioux City must be an employee of the City with a valid operator’s license.

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- k. All substantial improvements to the facility will be approved by the Parks and Recreation Board and the city Council.
- l. Make no scheduled maintenance arrangements without the written permission from the Parks and Recreation Department.
- m. Request for City maintenance shall be scheduled in advance through the City office at city hall; at which time a work order will be processed during the normal working hours from 8:00 a.m. – 5:00 p.m., Monday through Friday. Any work scheduled during call out hours will be charged at the call our rate. Normal working hours are from 7:00 a.m. – 4:00 p.m., Monday through Friday with the exception of holidays.
- n. Association shall provide the City with a certificate of insurance in the amount of \$1,000,000.00 general liability a \$1,000,000 per occurrence and a \$2,000,000 general aggregate general liability naming the City of South Sioux City as an additional insured.”**
- o. All league administration is the sole responsibility of the Association.
- p. The Association agrees that while using Riverview for league play, practices, and tournaments that we will not discriminate on the basis of disability, age, sex, and national origin.
- q. Assist the City’s maintenance for the year by paying \$300 per team; due March 1 of each year. ___1__ 12U Futures team(s). (as teams enter, payment is due).
- r. Any repairs and/or construction done without the prior written permission of the Parks and Recreation Department shall be the financial responsibility of the Association.
- s. Soft-tossing against the batting cage and any fences will not be condoned. Two warnings, either written or verbal, will void the contract; and the payments will be non-refundable due to the infraction.
- t. The Association understands that field preference, practice & game times will be given to the Cardinal Little League and Softball organizations first.
- u. The Association will indemnify and save the City harmless from all liability whatsoever on account of any damage or injury and from all liens, claims and demands arising out of the use of the premises or any repairs or alterations which Association may make upon said premises whether or not caused by negligence or breach of an obligation by the Association.
- v. Futures League will be responsible for the removal of trash placed in containers in dugouts; maintain and clean complex.
- w. Futures League is responsible for all damages caused by them. Futures League is responsible to report such damages to Parks and Rec or Cardinal Little League immediately after the incident. Depending on the severity of the damage, this contract can be terminated immediately.
- x. Futures League is responsible for the lights being turned on and off; failure to do so will result in a fine of \$25.00 per occurrence.

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- y. The Futures League is responsible for raking the pitching mounds and home plates on fields 4 and 5 prior to leaving and locking the fields. If there are other areas on the fields that deem raking, the Futures League is responsible to rake those areas also. Rakes are available on each field in the dugouts that are closest to the concession stand; the rakes are in the rafters of the dugouts. If the Futures League needs help to understand how to rake the fields, Cardinal Little League will demonstrate how the fields need to look prior to closing the complex down at night.

(2) City

- a. Routine grounds maintenance to include mowing and trimming of infield and outfield areas.
- b. Spring/Fall field maintenance to include: Add dirt, drag, shape, and install home plate and pitchers rubber/mound.
- c. Maintenance on roadways and parking lots.
- d. All utility expenses for scheduled games.
- e. Winterize water system to include open/close water main, valve, and blow out lines, empty traps and valves, put antifreeze in fixtures, and winterize hot water heater and irrigation lines.
- f. Major building repairs such as roof, electrical and plumbing.
- g. Provide off-field dirt supply to be used by the Association.
- h. Maintenance and repair of bleachers, field fencing and dugouts.
- i. Provide seeding, fertilization, and herbicides outside the ball diamond area.
- j. Schedule periodic inspections of the facilities. City staff, without the presence of the Association, may make entry.
- k. Letter of approval for all schedules to the Association.
- l. City will maintain a master field schedule.
- m. Schedule will be given priority on a first come, first serve basis.
- n. Specific maintenance on fields to be itemized. Such as dragging and filling of all fields.
- o. All equipment owned by the city will be an expense for the city if repairs are needed.

IN WITNESS WHEREOF, the parties have executed and attested to this Agreement as of the date first shown above.

**THE CITY OF SOUTH SIOUX CITY,
NEBRASKA,**
A municipal corporation.

ROD KOCH, MAYOR

FUTURES LEAGUE

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PRESIDENT

Address: _____

Phone: _____

End Futrues Softball Agreement

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Fiber

South Sioux City / FiberComm Tower Space/Internet Service Exchange Request

Attention:

Dan Feenstra
Technology Director, City of South Sioux City
125 E 26th St. South Sioux City, NE 68776
402-494-8328
DFeenstra@southsiouxcity.org

11/7/2017

Objective:

City of South Sioux City and FiberComm seek to engage in exchange of certain assets to benefit public and commercial connectivity and communications. Requesting City Council approval of the below described exchange.

Contribution: City of Sioux City

- Provide space and access to install and maintain (2) two Integrated radio/antenna Access Points and cabling on the north (0°) and south (180°) sides of the City Water Tower located adjacent 215 West 16th Street, South Sioux City, NE. See enclosed Access Point specifications.
- Provide space and minimal 120VAC power for FiberComm supplied equipment cabinet at the base of the tower. FiberComm responsible for associated power installation costs.
- Provide use of (2) two dark fibers between City Water Tower and nearest FiberComm fiber facilities. Likely to be the new Fire Station located at 1501 Dakota Ave. City Technology Director and FiberComm will collaborate on exact location.

Contribution: FiberComm

- Provide Internet Bandwidth of 100 Mbps x 100 Mbps. Delivery location to be determined and coordinated with City Technology Director and FiberComm.
- Provide (1) one /28 public IP subnet of (5) five usable IP's.

City Asset(s) Valuation

- Tower Space, \$250 mo. per location X (2) = \$500 mo.
- Minimal power and dark fiber use = \$50 mo.

FiberComm Asset(s) Valuation

- 100Mbps Internet, \$500 mo.
- /28 (5) Usable Public IP's, \$50 mo.

Initial Term

The Initial Term of this agreement shall commence upon the effective date of this agreement and shall continue for a period of ten (10) years.

Renewal Terms

Parties agree to extend this agreement for two (2) additional Renewal Term of Five (5) years. This agreement shall automatically renew unless notice of cancellation is given by either party at least ninety (90) before the end of the term.

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Internet Access Responsibility

Internet service provided to the City of South Sioux City shall only be used for lawful purposes and is for the City's express use and may not be resold, leased, or shared to any entity not a party to this agreement.

Sincerely Yours,



Jeff Zyzda
Director of Operation & Engineering, FiberComm L.C.
1605 9th St. Sioux City, IA 51101
712-224-2020
jyzda@fibercomm.net

Enclosures:

FiberComm Equipment Specifications – West 16th Water Tower

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SITE SPECIFACATIONS

Lessor: City of South Sioux City
Lessee: FiberComm L.C.
Address: West 16th Street, South Sioux City, NE
Type: Water Tank
Latitude: 42.474977°
Longitude: -96.414201°
Ground Elevation: 1105'
AGL (Railing Height) 110' approximately
Backhaul: Optical
Sectors: (2) Two
Sector 1: Azimuth 0° (North)
Sector 2: Azimuth 180° (South)

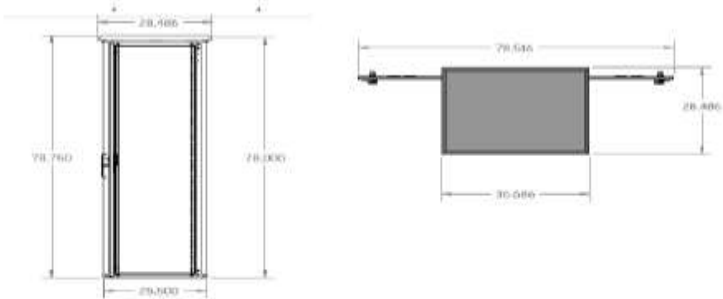
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ACCESS POINT SPECIFICATIONS

Radio Model: PMP 450m
 Manufacture: Cambium Networks
 Frequencies: 5150-5025 MHz
 RF Method: 14x14 Multi-User MIMO/OFDM
 Security: 56-bit QoS, FIPS-197 128-bit AES
 Antenna: Integrated 90° sector
 Input Voltage: 42.5-59 VDC
 Power Consumption: 70 W

Physical Loading - Negligible
 Cabling: (1) Cat5e/POE or Optical
 Dimensions: 20.3"H x 25.7"W x 4.4"D
 Weight: 31 lbs.
 Mounting: Pole mount with included brackets



GROUND EQUIPMENT ENCLOSURE SPECIFICATIONS

Model: OD-78DD
 Material: 125" Alumiflex
 Finish: Flat aluminum
 FR Properties: Non-ferrous
 Weight: 205 lbs.
 Main Body: 25 1/2" W x 78" H x 34" D
 Ratings: NEMA 4



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Legislative bills

Document	Primary Introducer	Status	Description	Letter Sent
LB675	Krist	Oppose	Change provisions relating to correctional overcrowding emergencies	
LB678	Krist	Monitor	Change provisions relating to criminal justice	
LB691	Blood	Monitor	Adopt the Nebraska Virtual Currency Money Laundering Act and define and redefine terms under the Nebraska Money Transmitters Act	
LB693	Blood	Monitor	Regulate and create criminal offenses regarding the use of unmanned aircraft systems	
LB695	Blood	League	Authorize and define smart contracts and authorize use of distributed ledger technology as prescribed	
LB707	Kolterman	Neutral	Change provisions of the Uniform Standard Code for Manufactured Homes and Recreational Vehicles by eliminating applicability and references to manufactured homes and renaming the code. Introduced by Senator Kolterman and referred to the Urban Affairs Committee. This bill updates the referenced standards and separates new manufactured homes and new recreational vehicles into their own referenced standard.	
LB709	Baker	Support	Change provisions relating to city and village plumbing boards and change a penalty. Introduced by Senator Baker and referred to the Urban Affairs Committee. This bill provides more local control.	
LB712	Albrecht	Support	Require drug testing for certain applicants and recipients of unemployment benefits	yes, 1/22
LB720	Wayne	Support	Change applicability provisions for building codes. Introduced by Senator Wayne and referred to the Urban Affairs Committee. This bill applies to state owned buildings and allows local building codes to dictate construction standards.	
LB722	Wayne	Monitor	Provide a renewable energy electric power generation requirement for certain public power and irrigation districts. NPPD Renewables	

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LB723	Wayne	Monitor	Change net metering provisions by redefining qualified facility and increasing the rated capacity limit as prescribed. Net metering change from 25 to 100kw
LB733	Thibodeau	General File	Change provisions relating to licenses of county highway and city street superintendents
LB735	Blood	Support	Provide for interlocal agreements regarding nuisances. Introduced by Senator Blood and referred to Government, Military and Veterans Affairs Committee. Provides for city and county governments to enter into an interlocal agreement to cooperatively enforcement nuisances in the extraterritorial zoning jurisdiction of the city.
LB 737	Lindstrom	Support	First Responder Education Act. This allows 30% tuition waiver to NE Colleges & Universities for up to 5 years of education.
LB739	Lindstrom	Support	Change the Sports Arena Facility Financing Assistance Act
LB752	Brewer	Oppose	Limit the authority of certain political subdivisions to acquire rights-of-way
LB756	Morfeld	Oppose	Prohibit ordinances prohibiting certain short-term rentals of residential property. Introduced by Senator Morfeld and referred to Urban Affairs Committee. Severely restricts the ability of the city to prohibit or restrict residential short term rentals (30 days or less) typically associated with online services such as Airbnb, Homeaway, vrvo, etc.
LB760	Hughes	Support	Volunteer Emergency Responders Incentive Act. This is missed language from LB886 including County Fire Departments & Districts for the tax credit.
LB767	Quick	Support	Adopt changes to the state building code. Introduced by Senator Quick and referred to Urban Affairs Committee. Updates the state's building code reference to the 2018 International Residential Code.
LB772	Walz	Support	Change provisions relating to agricultural land that receives special valuation
LB780	Pansing Brooks	Monitor	Prohibit manufacture, import, transfer, and possession of multiuse trigger activators and firearm silencers
LB784	Vargas	Support	Classifications demanding.

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LB797	McDonnell	Support	Change the penalties for 2nd & 3rd degree arson charges. This enhances the present penalties in Arson cases from misdemeanors to Felony	
LB792	Ebke	Monitor	Change powers and duties of the Nebraska State Patrol, law enforcement agencies, the executive director of the Nebraska Commission on Law Enforcement and Criminal Justice, and the Attorney General	
LB808	Harr	Support	Change provisions relating to community gardens and seed libraries	
LB825	Brewer	Oppose-Lance	Change provisions relating to budgets and public hearing notice for certain governmental entities- bond indebtedness and sinking funds. League will oppose strongly.	
LB829	Erdman	Oppose	Adopt the Property Tax Relief Act	yes, 1/23
LB832	Wayne	Monitor	Change definition of marijuana under the Uniform Controlled Substance Act	
LB849	Ebke	Monitor	Provide procedure for return of handguns temporarily taken into possession by law enforcement under Concealed Handgun Permit Act	
LB854	Quick	Support	Expand the number of municipalities which may create a land bank and change land bank powers and board requirements. -Land Banks Support, Lance adds cities and villages	yes 1/23
LB865	Crawford	Monitor	Change provisions relating to passage of ordinances by cities and villages. Three readings for annexation	
LB874	Urban Affairs Committee	Monitor	Change the Community Development Law	
LB878	Ebke	Monitor-Ed	Provide requirements for testimony by jailhouse informants. Jailhouse informant testimony	
LB884	Harr	Oppose	Change and eliminate provisions relating to county sales and use taxes. Lance county wide sales tax in cities League will oppose	yes 1/23
LB887	Murante	Monitor-Lance	Clarify requirements for exceeding budget limitations under the Nebraska Budget Act. 75% Vote for additional 1%	

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LB889	Wayne	Support	Provide and eliminate duties relating to fire codes	
LB902	Bostelman	Ed	Authorize the withholding from the public of information regarding firearm registration, possession, sale, or use	
LB910	Bolz	Lance	Adopt the Property Tax Circuit Breaker Act and change the funding of the Property Tax Credit Act. - Lance Property tax circuit breaker oppose until funding is determined.	
LB913	McDonnell	Ed	Change provisions relating to assault with a bodily fluid against a public safety officer	
LB915	Riepe	Support-Ed	Change prohibitions on using handheld wireless communication devices or handheld mobile telephones while driving. Texting while driving	
LB918	Bolz	Support-Lance	Change provisions relating to certain tax incentive programs and job training grants. Tax incentive program changes adds health insurances and wages to tax incentive bill.	
LB925	Pansing Brooks	Ed	Change provisions relating to certain sex crimes and crimes against children	
LB930	Hansen	Monitor	Prohibit use of juveniles' statements made as a result of custodial interrogation	
LB935	Legislative Performance Audit Committee	Monitor	Facilitate tax incentive performance audits by requiring certain application materials, reporting, and data retention for certain tax incentive programs. Tax incentive reporting and performance audits.	
LB940	Friesen	Support-Lance	Change provisions of the Civic and Community Center Financing Act relating to fund use, grant request limits, property sale restrictions, and grant application priority. Adds parks increases amount- Civic and Community Center	yes 1/23
LB941	Wayne	Support-Lance	Change the calculation of the tax on the average wholesale price of gasoline. Floor on gas price 2.44	
LB943	Wishart	Support-Lance	Redefine a term relating to budget limitations. Lance support, increases in valuations	

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LB947	Smith	Oppose-Lance	Adopt the Nebraska Property Tax Cuts and Opportunities Act, change income tax rates, and eliminate certain exemptions and credits. Lance Property tax cuts and opportunities act. Lance farm land-oppose until shift is understood for all taxpayers	
LB963	Smith	Monitor-Lance	Change how often real property is inspected and reviewed for property tax purposes. Changes from 6 years to 3 years	
LB967	Groene	Oppose	Eliminate provisions of the Community Development Law relating to undeveloped vacant land and land outside of cities. Vacant land Tif	yes 1/23
LB970	Wayne	Support-Ed	Change marijuana penalties as prescribed	
LB971	Wayne	Monitor-Ed	Change a penalty for possession under the Uniform Controlled Substances Act. Asking for clarification.	
LB981	Baker	Monitor	Change provisions relating to arraignment of juveniles and authorize juvenile court jurisdiction to age twenty-one with consent of the juvenile and legal counsel	
LB984	Quick	Support	Change provisions of the Nebraska Lottery and Raffle Act relating to special permits and gross proceeds. Permit 9V or 108. Prizes 45% from 65	
LB987	Schumacher	League	Adopt the Uniform Regulation of Virtual-Currency Businesses Act	
LB993	Friesen		911 Service System Advisory Committee. This is not new. This is also the 9-1-1 bill which seeks to declare no sunset thus eliminating the terminating date to the operations, training and funding mechanisms.	
LB996	Crawford	Monitor	Change defined terms and other provisions of the Nebraska Advantage Act.	
LB1000	Briese	Referral	Require a bond election under the Public Facilities Construction and Finance Act. Ask League	
LB1009	Murante	Support	Provide a super-two rural highway classification and change maximum highway speed limits as prescribed	Yes 2/13
LB1023	Schumacher	Oppose	Change sunset dates on certain tax incentive programs	

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LB1026	Wayne	Monitor	Authorize issuance of highway bonds, create a fund, and change existing highway funding provisions	
LB1054	Brewer	Monitor	Change provisions relating to hearings before the Nebraska Power Review Board and electric generation using wind.- Remove exemptions	
LB1055	Crawford	Referral	Create the Intern Nebraska Cash Fund and state intent regarding appropriations	
LB1071	Lindstrom	Support	Adopt the Infrastructure Improvement and Replacement Assistance Act and provide for a turn back of state sales tax revenue	
LB1072	Linehan	Council	Change a preference in awarding public contracts and eliminate reciprocal preference provisions	
LB1085	Wayne	Monitor	Change the Community Development Law and provisions relating to tax-increment financing. 15-20 year TIF, Urban Affairs	
LB1088	Wayne	League	Adopt the Nebraska Education Formula and the Remote Seller Sales Tax Collection Act, terminate the Tax Equity and Educational Opportunities Support Act and the Property Tax Credit Act, and eliminate certain tax exemptions. -Ask League of Cities	
LB1102	Friesen	League	Change provisions relating to distribution of taxes collected, license renewals and fees, and the tax on gross proceeds for county and city lotteries. -Review League	Yes 2/9
LB1108	Harr	Monitor	Authorize certain tax credits, change the sales tax rate, and provide for school foundation aid and certain grant programs	
LB1109	Harr	NEDA?	Create the Grow Nebraska Through Quality Employment Strategic Partnership	
LB1117	Crawford	Monitor	Change certain cigarette and tobacco products tax rates. \$.64-2.16	
LB1133	Wayne	Support	Adopt the Industrial Hemp Act, provide an exemption under the Uniform Controlled Substances Act, and eliminate a provision relating to industrial hemp research	Yes 2/13

End Legislative bills