

REGULAR MEETING
CITY COUNCIL

April 29, 2020

The Mayor and City Council of the City of Syracuse, Nebraska met via teleconference at 6:15 P.M. on April 29, 2020 for their regular meeting. Notice of meeting was given by posting in five places including directions on how to participate in the meeting telephonically. Mayor Ortiz requested roll call, present were Mayor Ortiz and Council members Deb Dettmer, Laramie Werner, Orv Gigstad, Jerry Werner. A copy of the posting notice and acknowledgement of notice to the Council is attached to these minutes. Mayor Ortiz noted the Open Meetings Act was posted in the City Hall Council Chambers and this meeting was being held via teleconference due the current Covid-19 pandemic pursuant to the Governor's Executive Order 20-03 in consideration of the public health and safety.

Minutes for the April 15th and April 22nd, 2020 meetings were approved as written. Availability of the agenda was communicated in the advance notice. All proceedings hereafter shown were taken while the meeting was open to the public.

Mayor Ortiz led the approval of claims. Council Member Jerry Werner moved to approve to pay the claims, Laramie Werner seconded. Roll Call: Yeas: Orv Gigstad, Laramie Werner, Deb Dettmer, Jerry Werner. Nays: none. The claims approved are attached to these minutes.

HEARING OF THOSE PRESENT – no one present.

PARKS & REC REPORT – Parks and Rec Manager Jill Crook present. Mayor Ortiz led the discussion and approval of asbestos abatement at bathhouse. Crook explained the bathhouse asbestos survey showed positive for two different types of asbestos. Council Member Laramie Werner moved to approve the bid from Bockmann Inc., Deb Dettmer seconded. Roll Call: Yeas: Jerry Werner, Orv Gigstad, Deb Dettmer, Laramie Werner. Nays: none. Mayor Ortiz asked the item be included in City Administrator Meyer's update to the Council Members.

Mayor Ortiz led discussion and approval for purchase of benches and trash can for 6th Street Project and dog park. Crook explained she has been working with Creative Sites and their products. She also received a bid from Fry and Associates. The Bruns and Bechtold families are donating on the two benches to be placed at the 6th Street park; plaques will be placed on the benches. Council Member Orv Gigstad approved the bid from Creative Sites for the amount of \$3,223.00 to purchase the trash receptacle and three benches, Deb Dettmer seconded. Roll Call: Yeas: Laramie Werner, Jerry Werner, Deb Dettmer, Orv Gigstad. Nays: none.

Mayor Ortiz led discussion and approval to purchase gravel for parks facilities parking lots and Park Hill Cemetery. Martin Marietta allows a one-time order for the washed chipped rock that goes at Park Hill. Bids were received from Martin Marietta and Kerfords; Martin Marietta delivers, Kerfords does not. Council Member Jerry Werner moved to approve the bid from Martin Marietta in the amount of \$3,230.00 for 150 ton of ¾" and 60 ton of 3/8" washed, Orv Gigstad seconded. Roll Call: Yeas: Laramie Werner, Deb Dettmer, Jerry Werner, Orv Gigstad. Nays: none.

Mayor Ortiz led discussion and approval on concrete for sidewalks at dog park. Crook explained the Parks department has been seeding at the dog park site; this sidewalk would go from the parking lot to the dog park gate entrances; Crook provided to options of where the sidewalk could extend to. Council Member Deb Dettmer moved to approve the sidewalk at \$2,850.00 for option one, Laramie Werner seconded. Roll Call: Yeas: Orv Gigstad, Deb Dettmer, Laramie Werner, Jerry Werner. Nays: none.

Mayor Ortiz led discussion and approval to purchase flagstone and/or concrete for 6th Street Project. This item will be tabled.

Crook also reported the Parks and Rec Softball and Baseball seasons are still unknown with the current COVID-19 pandemic. Tournaments have been cancelled in order to keep patrons from all over the country from traveling to Syracuse. The soccer fields were recently vandalized by juveniles driving around on the fields. The juveniles were not from Syracuse and were cited. Crook reached out to Pester Grading for repairs and will keep track of seeding, labor and additional costs in order to seek reimbursement from those who were cited. The Aqua Center Bathhouse has been cleared out in order to

prepare for the asbestos abatement and demolition of the building. Randy Peterson is planning to donate his time to demo the building, but bids will need to be obtained for the hauling away of the debris.

PUBLIC WORKS REPORT – Superintendent Jeff Vogt not present. Mayor Ortiz led discussion and Resolution No. 20-15 on NRCS Williams Park project contract amendment for construction phase services; Jake Miriovsky of JEO not present. City Administrator Jessica Meyer explained the contract approved at the April 15th Council meeting and what the amendment says. The amendment included construction of the project. Council Member Jerry Werner moved to adopt Resolution No. 20-15 approving the agreement amendment. Orv Gigstad seconded. Roll Call: Yeas: Orv Gigstad, Laramie Werner, Jerry Werner, Deb Dettmer. Nays: none.

Mayor Ortiz led discussion and approval on bids for snowplow for Unit 5; Administrator Meyer spoke on Vogt's behalf. Vogt had budgeted \$50,000.00 for the new truck. The cost of the truck was just under \$37,000.00 therefore there is still funds in the street budget to purchase the plow. Two bids were obtained. Council Member Orv Gigstad moved to approve the bid of \$7,193.43 from Ty's Outdoor, Laramie Werner seconded. Roll Call: Yeas: Deb Dettmer, Jerry Werner, Orv Gigstad, Laramie Werner. Nays: none.

OLD BUSINESS – Mayor Ortiz led the discussion on forgiveness of April thru June 2020 Senior Center rent payment by Blue Rivers Area Agency on Aging. Ortiz explained this discussion was brought up at the April 15th City Council meeting. Administrator Meyer explained the information she received from Blue Rivers. The information showed what other communities are contributing to Blue Rivers for items such as rent forgiveness and utility forgiveness to name a few. Blue Rivers only pays rent to the City for use of the Senior Center; the City covers the utilities and repairs. Council Member Deb Dettmer moved to approve to forgive one-half of rent for April thru June 2020 at a total of \$900.00 forgiven, Laramie Werner seconded. Roll Call: Yeas: Orv Gigstad, Laramie Werner, Jerry Werner, Deb Dettmer. Nays: none.

Mayor Ortiz led the discussion on option for residential fiber service; Administrator Meyer explained. The discussion was tabled from a previous meeting to allow for additional research to be done. The area south of the railroad tracks would be included in the fiber layout; Spiral is not sure which phase it would be in. Mike from Spiral Communication also explained to Meyer the speed of fiber is faster than what anyone in Syracuse is used to; fiber is also a lot easier for a residential customer to upgrade. The Council gave Meyer the direction to move forward with obtaining a contract, review the details and return to the next Council meeting to discuss.

Mayor Ortiz led the discussion on parking ordinances. Attorney Stilmock explained he and Jerry Werner have worked on the City's parking ordinances as well as researching Lincoln and Omaha's parking ordinances. He gave the option of moving forward with approving an ordinance amending existing Ordinances Sections 30-80 thru 30-90 or approving an ordinance to amend only the one Ordinance Section 30-83 General Parking Standards. Council Member Laramie Werner moved to introduce Ordinance No. 1073 and move that the statutory rule requiring reading on three different days be suspended, Deb Dettmer seconded. Roll Call: Yeas: Jerry Werner, Orv Gigstad, Deb Dettmer, Laramie Werner. Nays: none. Attorney Stilmock read Ordinance No. 1073 by title. Council Member Jerry Werner moved for final passage of the ordinance, Deb Dettmer seconded. Roll Call: Yeas: Orv Gigstad, Laramie Werner, Deb Dettmer, Jerry Werner. Nays: none. The Ordinances Sections 30-80 thru 30-82 and 30-84 thru 30-90 will be discussed at the May City Council meeting.

NEW BUSINESS – Mayor Ortiz led the discussion and Resolution authorizing sale of City of Syracuse real estate legally described as follows: West 16 ½' of Lot 7 and west 16 ½' of the south 43' of Lot 8, all in Block 4, Williams Addition to the City of Syracuse, Otoe County, Nebraska; Kc Ortiz, property owner explained. Ortiz explained the property is currently owned by the City of Syracuse; he would like to purchase the property to make it his as he has been maintaining the property. In 1955, his home was built on the property and the owners since this time have all been under the assumption the property referenced belonged to owner. Syracuse resident and former City Council Member Alan Britton concerned the area should continue to be right of way and not to transfer the land to private ownership, encouraging the Council to study the issue. Ortiz asked if this is the case, why does the City not own more of these throughout the City. He has spoken with Superintendent Vogt regarding if any use by the City is anticipated in the future for this property; Vogt replied no. Council Member Jerry Werner replied by confirming Ortiz would like the purchase go all the way to the curb. He feels this could

potentially cause other property owners to want to do the same. Stilmock used Oak Street as an example that the right of way goes past the curb into the grass and the property lines for those homes on Oak Street do not begin until somewhere into the grass. The sidewalks that appear within the newer Meisinger area are all within the City right of way; the property lines for the real estate begin on the inside of that sidewalk. Question was raised on the County Assessor's website and the area shown for what is the City's. Werner explained the lines that appear are not surveyed lines; they may be close proximity but without a survey one doesn't actually know if the line is correct as shown. Stilmock would like to research subdivision information for the area of the Ortiz property and/or have a survey done. The discussion will be tabled to a future City Council meeting.

Mayor Ortiz led discussion and Resolution No. 20-16 approving Right of Way agreement between City and Unite Private Networks. Attorney Stilmock explained Unite reached out to the City in order to bury fiber in the right of way at the Burr and Associates property. Administrator Meyer explained she researched what other cities were charging for this service in order to cover the time put into the agreement by the City staff. Some charge a telecommunications tax; a right of way fee is usually not charged if tax is charged. Council Member Orv Gigstad moved to adopt Resolution No. 20-16 adopting the right of way agreement with Unite charging \$150.00 and looking at possibly revising our structure to something similar to what Hickman does, Deb Dettmer seconded. Roll Call: Yeas: Orv Gigstad, Laramie Werner, Deb Dettmer, Jerry Werner. Nays: none.

Mayor Ortiz led discussion and Resolution No. 20-17 to approve City of Syracuse Deferred Compensation Eligible 457 (b) Plan and authorizing Mayor's signature. Attorney Stilmock explained updates required to be given to City of Syracuse had not been done. No penalties or fines occurred but the former firm had not done that. The updates have now been completed. Council Member Deb Dettmer moved to adopt Resolution No. 20-17 approving the Memorandum of Understanding, Jerry Werner seconded. Roll Call: Yeas: Deb Dettmer, Jerry Werner, Orv Gigstad. Nays: Laramie Werner.

Mayor Ortiz led discussion and approval of electricians and plumber licenses; a list had been provided by Clerk Farmer. Council Member Deb Dettmer moved to approve the electricians and plumbers as listed, Laramie Werner seconded. Roll Call: Yeas: Jerry Werner, Deb Dettmer, Orv Gigstad, Laramie Werner. Nays: none.

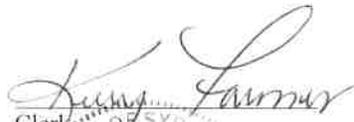
Mayor Ortiz led discussion on financing for Zahn Meadows; Ron Zahn, Zahn Meadows developer and Alan Britton of First Bank of NE present. Ron Zahn has been working with First Bank on the financing of the subdivision. The estimated cost of the development is \$500,000.00. Typically Zahn would need to take out a surety bond as well as letter of credit matching this bond tying up \$1 Million dollars of Zahn's money. Zahn is asking the City to consider applying only the letter of credit for the development. Stilmock explained if a developer has the final plat approved by City Council the developer is then able to market and sell the lots so the integrity of the City is protected all along until that final plat is approved. A letter of credit is a three-way agreement between the lender, developer and the City. An agreement for the letter of credit would say the City is promised by the lender if the developer would for some reason fail to make a payment to the bank the City would be able to complete the development with the money held in the letter of credit. If the bank would not release the funds upon request by the City, the City would then sue. Alan Britton explained the letter of credit is backed by a separate promissory note. This would allow the bank to advance on the loan to give to the City to complete the project. Ortiz's concern is the Council needs to think about longevity of the community and if this is going to set precedence on what future developers seek from the City and how the City is protected. Stilmock clarified what is being proposed is a pledge agreement, not necessarily a letter of credit. The Council are in favor with moving forward with the pledge agreement for Zahn Meadows. Ron and Barb Zahn will meet with Jerry Stilmock; Jerry will then report back to Mayor and Council regarding his decision to draft the agreement. Ron had previously asked Stilmock if he would draft the agreement as he thought Jerry would know how the City would like the agreement prepared.

AMBULANCE REPORT – Rescue Chief Tim Wilson present. Mayor Ortiz led discussion on Quick Med Claims rate. Wilson explained he had sent out an excel spreadsheet to the Mayor and Council. Wilson went through the spreadsheet details and tabs; the discussion was tabled until a future Council meeting to allow all to review. Wilson went over billing rate history in order to do a comparison; he also went over 2019 details and events. The yearly billing summary is broken down by level of care as these are billed at different levels plus mileage. Information also discussed are write-off adjustments and those sent to collections. The rescue department has to take into consideration when a payment

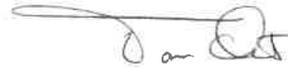
comes in for a service as it sometimes takes a long time to receive payments. The squad's call volume is down and is expected to be down in the future as well. Tim's recommendation for the SRS's billing would be no change from last year. Wilson reported the ambulance fund received a deposit for \$4000.00+ from the Cares Act; this needs to be accepted by the SRS saying they agree to use the funds towards COVID-19 expenses. Wilson recommends accepting the funds as they have purchased equipment and supplies specifically for the COVID-19 response. Hepa-filters could potentially be purchased as well using these funds. The letter accepting the Cares Act funds will need to be on the May agenda allowing for Tim to make the 30-day response deadline for the letter.

Mayor Ortiz asked a Council Member to motion to adjourn. Council Member Deb Dettmer moved to adjourn the meeting at 8:51 P.M., Laramie Werner seconded. Roll Call: Yeas: Orv Gigstad, Deb Dettmer, Laramie Werner, Jerry Werner. Nays: none.

I the undersigned Clerk hereby certify that the foregoing is a true and correct copy of the proceedings had and done by the Mayor and Council; that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting; kept continually and available for inspection at the office of the City Clerk; that such subjects were contained in the said agenda for at least twenty-four hours prior to the said meeting; that at least one copy of the reproducible material discussed at the meeting was available at the meeting for the examination and copying by members of the public; that the said minutes were in written form and available for public inspection within ten working days or prior to the next convened meeting of the body; that all news media requesting notification concerning time and place of said body were provided advance notification of time and place of said meeting and subjects to be discussed at said meeting.


Clerk




Mayor