

REGULAR MEETING
CITY COUNCIL

JANUARY 15, 2014

The Mayor and City Council of the City of Syracuse, Nebraska met at 6:00 P.M. on January 15, 2014 for their regular meeting in Council Chambers at 495 Midland Street. Present were Mayor Ortiz, Council members Lyon, Dettmer and Henke. Council member Lutjemeyer was absent. Notice of meeting was given by posting in three places. A copy of the posting notice and acknowledgement of notice to the Council is attached to these minutes. Availability of the agenda was communicated in the advance notice. All proceedings hereafter shown were taken while the meeting was open to the public.

Council member Lyon made the motion to approve the treasurer's report and the following claims, second by Henke. Roll Call: Yeas: Dettmer, Henke, Lyon. Nays: None.

AFLAC	469.86
Allied Refuse Servicese	422.79
ASCAP	330.00
Aramark Uniform Services	128.69
Awards unlimited, Inc.	1,788.45
B & B Pump N Go, Inc.	373.45
B & B Pump N Go, Inc.	1,435.56
Ben Steele	100.00
Baragary Construction, Inc.	500.00
Barco Municipal Products	764.24
Biblionix LLC	1,000.00
Bound Tree Medical, LLC	634.67
Brandt, Horan, Hallstrom & Stilmock	1,470.15
Cadex Electronics, Inc.	2,000.00
Caleb Frede	75.00
Cardmember Service	564.00
Carol Linquist	225.00
Chamber of Commerce	90.00
Chris Parde	50.00
Chris Richardson	100.00
City of Syracuse	836.73
Combined Revenue Bonds Pri. & Int.	25,000.00
D & D Communications, Inc.	179.00
Danko Emergency Equipment Co.	26.35
Darold Grundman	200.00
David Partsch	100.00
Dearborn National Life Insurance	202.96
Double Day	34.51
Douglas Tire	459.00
Dutton Lainson Co.	220.18
EMS Billing Services, Inc.	2,112.33
Environmental Analysis South, Inc.	52.00
Eric Straw	25.00
Farmers Cooperative	17.25
Fireguard, Inc.	1,285.00
Garry Carman	122.55
Gatehouse Media Nebraska Holdings, Inc.	166.24
GE Money Bank/Amazon	61.85
Guy Brace II	100.00
Image Trend, Inc.	500.00
Ingram Library Services	132.11
JEO Consulting Group, Inc.	3,202.50
Joseph Reisdorff	25.00

Kastens Ford, LTD	623.60
Ken Parde	150.00
Kenneth Halvorsen	25.00
Koley-Jessen	175.50
Konica Minolta Business Solutions	333.70
Kurt Kastens Electric	61.95
Larry Neemann	25.00
Liberty National Life Ins. Company	24.00
Lynn Lyon	150.00
Marcia Scheinost	150.00
Matheson Tri-Gas, Inc.	27.96
Micro Marketing Assoc.	13.49
Moore Medical Corp.	654.69
Municipal Supply of NE	2,000.37
Nebraska City Utilities	2,123.83
NE Public Health Environmental Lab.	131.00
Omaha Public Power District	122,237.67
Otoe County	15,000.00
Palfleet Truck Equipment	2,157.69
Peggy Kuser, CPA	595.00
Peggy Neemann	75.00
Percival Culligan Water	9.00
Petty Cash	12.40
Redbook	21.97
Robert English	200.00
Rodney Nincehelser	750.00
Ron Rosenthal	550.00
Roy Bretthorst	53.80
Shaffer Communication	16.70
Smart Apple Media	126.13
Smarty, LLC	24.23
JH Sporhase LLC	65.00
Stryker Sales Corporation	15,848.29
Syracuse Do It Best	102.64
Syracuse Do It Best	15.97
Syracuse Do It Best	247.64
Syracuse Iron Works	423.33
Syracuse Lumber Co.	363.22
Syracuse Motor Supply	337.72
Syracuse Rescue Squad	17,200.00
Tami McLaughlin	75.00
Terry's Family Foods	120.35
Tim Antes	175.00
Tim Parde	150.00
Tim Wilson	1,106.00
Tracy Sachs	50.00
Utilities Service Group	3,180.15
United Healthcare	13,747.54
Verizon Wireless	233.31
Windsteam	1,829.65
Western Area Power Administration	4,357.13
Zoll	111.83
HTRS Atheltic Boosters	50.00
FirstBank of Nebraska	46,900.00
Nebraska City Public Schools	320.00
Keith Goering	32.09
Todd Aksamit	227.50
Nebraska UC Fund	409.44
Combined Revenue Bonds 2010 & 2009	165,256.39

US Postal Service	320.33
Todd Aksamit	1,608.23
Susan Antes	1,402.61
Carolyn Bremer	183.03
Roy Bretthorst	176.85
Garry Carman	2,533.53
Deborah Dettmer	92.35
Kelly Farmer	1,667.76
Carol Graham	92.35
Eldon Halm	115.44
Eldon Halm	1,991.38
Peggy Hobscheidt	1,911.86
Karen Kimpel	143.96
Jason LaFollette	1,930.34
Carol Linqvist	115.44
Chris Lutjemeyer	92.35
Lynn Lyon	92.35
Cassandra Oestmann	270.72
Tomas Ortiz	369.40
Christopher Parde	115.44
Kenneth Parde	115.44
Julie Slafter	1,382.57
Richard Sitzman	115.44
Benjamin Steele	1,400.80
Mitchell Stubbendick	2,162.09
Jeffery Vogt	2,318.08
Timothy Wilson	115.44

SHERIFF REPORT – Report presented by Chief Deputy Mike Holland. Deputy Holland stated that there were 71 calls in December, 26 being rescue calls. Chief Deputy Holland stated that the deputies are patrolling the Methodist Church debris and keeping all unauthorized individuals and children out. Chief Deputy Holland reported that there were no other major incidents during the month of December and first week of January.

PARKS & RECREATION REPORT – Report presented by Recreation Coordinator Ben Steele. Director Steele stated that two basketball teams will be participating in a tournament in Nebraska City and the top two teams of each age group will be participating in the League Tournament in Murdock.

Director Steele reported that the League Softball meeting will be held on February 12, 2014 at 6:30 P.M. at the Syracuse Public Library. The USSSA 12 & under Baseball Tournament will be held at the Sports Complex on April 26 & 27, 2014.

PUBLIC WORKS REPORT – Report presented by Superintendent of Public Works Garry Carman. City Attorney Stillmock opened the only bid received for purchase of used bucket truck. The bid was for used 2006 Chevrolet aerial truck from Altec NUECO of Birmingham, AL in the amount of \$47,600 delivered to Syracuse. Superintendent Carman stated that he has reviewed all documentation and has spoken with a representative of Altec and is in favor of purchasing the vehicle.

Council member Henke made the motion to approve the purchase of a used 2006 Chevrolet aerial truck from Altec NUECO of Birmingham, AL in the amount of \$47,600 delivered to Syracuse, second by Dettmer. Roll Call: Yeas: Henke, Lyon, Dettmer. Nays: None.

Mayor and Council reviewed with Evan Wickersham of JEO Consulting Group, Inc. the proposed One and Six Year Street Plan. Included in the one year plan is the 5th Street curb and

gutter repair. Included in the six year plan is alley replacement between Thorne and Plum Street, Old Highway 2 from Park and Oak Street and Midland Street Overlay.

Mayor and Council requested that the alley replacement between Thorne and Plum Street be included in the one year street plan. Mr. Wickersham will include alley replacement in the one year plan and get amended documents to the City Clerk. The hearing on the One and Six Year Street Plan will be held on February 12, 2014.

Discussion on cable television franchise fee and pole attachment agreement with Zito Midwest, LLC. was tabled until the February 12, 2014 meeting.

David Potter of JEO Consulting Group, Inc. appeared before Mayor and Council to review the 2011 Annexation Study.

Mr. Potter stated that municipalities annex properties to bring contiguous areas into the city limits, for growth beyond suburban development, extend utilities, equal the cost of providing city benefits and to extend the city's zoning jurisdiction.

All property to be annexed shall be urban and suburban in character and the City must have a plan in place to service the areas annexed.

Mr. Potter reviewed the annexation process with the Mayor, Council and resident attending the meeting. The steps are (1) prepare an annexation study, (2) hold public hearing with the Planning Commission, (3) recommendation of the Planning Commission, (4) public hearing held with City Council and the reading of annexation ordinances on three different days, (5) publication of ordinances and (6) notice to County.

Mr. Potter stated that to extend the City's zoning jurisdiction after annexation, the request goes back to the Planning Commission and then to the City Council.

Areas included in the 2011 Annexation Study are Area 2011-1 - N 1/2 NW 1/4 S15, T8, R11, Otoe County, Nebraska, except Meisinger Addition; except Meisinger 2nd Addition; except ZCI 1st Addition, Area 2011 – 2 - Tract 3-A, part of Lot 3, Dumke Subdivision, SE 1/4 NW 1/4, S15, T8, R11, Otoe County, Nebraska, Area 2011 – 3 - Tract 3-B1, part of Lot 3-B, Dumke Subdivision, SE 1/4 NW 1/4, S15, T8, R11, Otoe County, Nebraska and Area 2011- 4 - Tract 3-B2, part of Lot 3-B of Lot 3, Dumke Subdivision, SE 1/4 NW 1/4 S15, T8, R11, Otoe County, Nebraska.

Council member Lyon made the motion to adopt RESOLUTION 14-01: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SYACUSE, OTOE COUNTY, NEBRASKA TO APPROVE, RATIFY AND ACCEPT THE 2011 ANNEXATION STUDY FOR THE CITY OF SYRACUSE, NEBRASKA, PREPARED BY JEO CONSULTING GROUP, INC.; TO APPROVE THE EXECUTION THREOF, second by Henke. Roll Call: Yeas: Lyon, Dettmer, Henke. Nays: None.

A true, correct and complete copy of said resolution is attached hereto and made a part hereof by reference.

Mayor Ortiz opened the public hearing to consider annexing the following-described real estate to be included within the boundaries of the City: 1. N 1/2 NW 1/4 S15, T8, R11, Otoe County, Nebraska, except Meisinger Addition; except Meisinger 2nd Addition; except ZCI 1st Addition, 2. Tract 3-A, part of Lot 3, Dumke Subdivision, SE 1/4 NW 1/4, S15, T8, R11, Otoe County, Nebraska; Tract 3-B1, part of Lot 3-B, Dumke Subdivision, SE 1/4 NW 1/4, S15, T8, R11, Otoe County, Nebraska; Tract 3-B2, part of Lot 3-B of Lot 3, Dumke Subdivision, SE 1/4 NW 1/4 S15, T8, R11, Otoe County, Nebraska, 3. Tract 9-B E 1280' NE 1/4, S9, T8, R11, Otoe County, Nebraska, 4. Tract 9-A E 1280' NE 1/4, S9, T8, R11, Otoe County, Nebraska and 5. Tract SE 1/4, S9, T8, R11, Otoe County, Nebraska, lying S of new Nebraska State Highway No. 2; except M. Pieloch Subdivision.

Mayor Ortiz invited the owners of property under consideration to be annexed to speak. Michael Angelo addressed Mayor and Council and stated that he feels that annexation is not necessary at this time as the City is not growing. Mr. Angelo stated that currently there are only a few new homes being built in the City. Mr. Angelo also stated that he feels that he is already paying his fair share of property tax.

Ron Zahn informed the Mayor and Council that if his property is annexed; it will raise his property taxes by \$1,100. Bobby Danner stated that he is against the annexation of his property due to his cost he would have incurred if he would have subdivided his property and given lots to his children.

Zachariah Tempelmeyer stated that he does not think that his property is contiguous and that his property is agricultural in nature. Mr. Tempelmeyer stated that it would be cost prohibitive to develop his property.

Kent Antes stated that his property is the hub of his farming operation and also feel that the property is agricultural in nature. Mr. Antes voiced his concern on how he would be able to continue his operation as he has in the past, if he was annexed.

Lois Hansen was in attendance, but did not speak. Stanley and Kathy Stutheit did not attend meeting.

All property under consideration for annexation was included in the 2001 Annexation Study, 2005 Annexation Study or 2011 Annexation Study.

City Attorney Stilmock and David Potter explained to the property owners that the Future Land Use map shows that the City has been reviewing and planning on annexation of all areas surrounding the current City limits.

City Attorney Stilmock reviewed with Mayor, Council and property owners the recommendations of the Planning Commission.

Property 1 - N 1/2 NW 1/4 S15, T8, R11, Otoe County, Nebraska, except Meisinger Addition; except Meisinger 2nd Addition; except ZCI 1st Addition. The Planning Commission recommends annexation of property.

Property 2 - Tract 3-A, part of Lot 3, Dumke Subdivision, SE 1/4 NW 1/4, S15, T8, R11, Otoe County, Nebraska. The Planning Commission recommends annexation of property.

Property 3 - Tract 3-B1, part of Lot 3-B, Dumke Subdivision, SE 1/4 NW 1/4, S15, T8, R11, Otoe County, Nebraska. The Planning Commission recommends annexation of property.

Property 4 - Tract 3-B2, part of Lot 3-B of Lot 3, Dumke Subdivision, SE 1/4 NW 1/4 S15, T8, R11, Otoe County, Nebraska. The Planning Commission recommends annexation of property.

Property 5 - Tract 9-B E 1280' NE 1/4, S9, T8, R11, Otoe County, Nebraska. The Planning Commission does not recommend annexation of property.

Property 6 - Tract 9-A E 1280' NE 1/4, S9, T8, R11, Otoe County, Nebraska. The Planning Commission does not recommend annexation of property.

Property 7 - Tract SE 1/4, S9, T8, R11, Otoe County, Nebraska, lying S of new Nebraska State Highway No. 2; except M. Pieloch Subdivision. The Planning Commission recommends annexation of property.

Mayor Ortiz closed the public hearing.

Council member Lyon introduced Ordinance No. 938 entitled: AN ORDINANCE OF THE CITY OF SYRACUSE, OTOE COUNTY, NEBRASKA EXTENDING AND INCREASING

THE CORPORATE LIMITS OF THE CITY OF SYRACUSE BY ANNEXING THERETO LAND CONTIGUOUS TO AND NOT EMBRACED WITHIN THE PRESENT LIMITS OF THE CITY OF SYRACUSE, OTOE COUNTY, NEBRASKA; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; TO PROVIDE FOR AN EFFECTIVE DATE.

City Attorney Stilmock read the ordinance by title upon its first reading and whereupon Council member Dettmer moved that said ordinance be approved on its first reading and its title agreed to, second by Lyon. Roll Call: Yeas: Lyon, Dettmer, Henke. Nays: None.

Whereupon, the Mayor declared Ordinance No. 938 approved on its first reading and its title agreed to.

Council member Lyon introduced Ordinance No. 939 entitled: AN ORDINANCE OF THE CITY OF SYRACUSE, OTOE COUNTY, NEBRASKA EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE CITY OF SYRACUSE BY ANNEXING THERETO LAND CONTIGUOUS TO AND NOT EMBRACED WITHIN THE PRESENT LIMITS OF THE CITY OF SYRACUSE, OTOE COUNTY, NEBRASKA; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; TO PROVIDE FOR AN EFFECTIVE DATE.

City Attorney Stilmock read the ordinance by title upon its first reading and whereupon Council member Lyon moved that said ordinance be approved on its first reading and its title agreed to, second by Dettmer. Roll Call: Yeas: Dettmer, Henke, Lyon. Nays: None.

Whereupon, the Mayor declared Ordinance No. 939 approved on its first reading and its title agreed to.

Council member Lyon introduced Ordinance No. 940 entitled: AN ORDINANCE OF THE CITY OF SYRACUSE, OTOE COUNTY, NEBRASKA EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE CITY OF SYRACUSE BY ANNEXING THERETO LAND CONTIGUOUS TO AND NOT EMBRACED WITHIN THE PRESENT LIMITS OF THE CITY OF SYRACUSE, OTOE COUNTY, NEBRASKA; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; TO PROVIDE FOR AN EFFECTIVE DATE.

City Attorney Stilmock read the ordinance by title upon its first reading and whereupon Council member Lyon moved that said ordinance be approved on its first reading and its title agreed to, second by Dettmer Roll Call: Yeas: Dettmer, Lyon. Nays: Henke. Mayor Ortiz voted yea. The motion passed.

Whereupon, the Mayor declared Ordinance No. 940 approved on its first reading and its title agreed to.

Council member Lyon introduced Ordinance No. 941 entitled: AN ORDINANCE OF THE CITY OF SYRACUSE, OTOE COUNTY, NEBRASKA EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE CITY OF SYRACUSE BY ANNEXING THERETO LAND CONTIGUOUS TO AND NOT EMBRACED WITHIN THE PRESENT LIMITS OF THE CITY OF SYRACUSE, OTOE COUNTY, NEBRASKA; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; TO PROVIDE FOR AN EFFECTIVE DATE.

City Attorney Stilmock read the ordinance by title upon its first reading and whereupon Council member Lyon moved that said ordinance be approved on its first reading and its title agreed to, second by Dettmer Roll Call: Yeas: Dettmer, Lyon. Nays: Henke. Mayor Ortiz voted yea. The motion passed.

Whereupon, the Mayor declared Ordinance No. 941 approved on its first reading and its title agreed to.

Council member Lyon introduced Ordinance No. 942 entitled: AN ORDINANCE OF THE CITY OF SYRACUSE, OTOE COUNTY, NEBRASKA EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE CITY OF SYRACUSE BY ANNEXING THERETO LAND CONTIGUOUS TO AND NOT EMBRACED WITHIN THE PRESENT LIMITS OF THE CITY OF SYRACUSE, OTOE COUNTY, NEBRASKA; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; TO PROVIDE FOR AN EFFECTIVE DATE.

City Attorney Stilmock read the ordinance by title upon its first reading and whereupon Council member Lyon moved that said ordinance be approved on its first reading and its title agreed to, second by Dettmer. Roll Call: Yeas: Lyon, Dettmer, Henke. Nays: None.

Whereupon, the Mayor declared Ordinance No. 942 approved on its first reading and its title agreed to.

Mayor Ortiz opened the public hearing on application for a conditional use permit pursuant to Syracuse Municipal Zoning Code Section 7.07.01 and 7.07.02 for erection of pole sign on the following described real estate: Lot A of the replat of Lot B, Block 1, Knolls Addition to the City of Syracuse, Otoe County, Nebraska.

Casey's General Store would like to place another 3'X4' sign on the existing pole sign. The conditional use has been approved by the Syracuse Planning Commission. City Building and Zoning Inspector Roy Bretthorst is in favor of granting the conditional use permit.

Mayor Ortiz closed the public hearing.

Council member Lyon introduced Ordinance No. 943 entitled: AN ORDINANCE OF THE CITY OF SYRACUSE, OTOE COUNTY, NEBRASKA GRANTING A CONDITIONAL USE PERMIT TO ADD CABINET TO EXISTING POLE SIGN ON THE FOLLOWING-DESCRIBED REAL ESTATE: LOT A OF THE REPLAT OF LOT B, BLOCK 1, KNOLLS ADDITION TO THE CITY OF SYRACUSE, OTOE COUNTY, NEBRASKA; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE and moved that the statutory rule requiring reading on three different days be suspended. Council member Dettmer seconded the motion to suspend the rules and upon roll call on the motion, the following Council members voted YEA: Dettmer, Henke, Lyon. The following voted NAY: None. The motion to suspend the rules was adopted by three-fourths of the City Council, and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title, and thereafter Council member Henke moved for final passage of the ordinance which motion was seconded by Council member Dettmer. The Mayor then stated the question, "Shall Ordinance No. 943 be passed and adopted?" Upon roll call vote the following Council members voted YEA: Lyon, Dettmer, Henke. The following Council members voted NAY: None. The passage and adoption of said ordinance, having been concurred in by a majority of all members of the City Council, the Mayor declared the ordinance adopted, and the Mayor in the presence of the City Council, signed and approved the ordinance, and the Clerk attested the passage and approval of the same and affixed her signature thereto.

A true, correct and complete copy of said ordinance is attached hereto and made a part hereof by reference.

Jamie Hestermann appeared before Mayor and Council to request permission to hold the LiveLike Addie Run to be held on April 19, 2014 at 9:00 A.M. in Williams Park. The run will use the same route as last year and the organizers will have the Certificate of Insurance into City Hall before the run.

Council member Lyon made the motion to approve the LiveLike Addie Run to be held on April 19, 2014 at 9:00 A.M. in Williams Park, second by Henke. Roll Call: Lyon, Dettmer, Henke. Nays: None.

Council member Lyon made the motion to approve David Stander as new member to Syracuse Fire Department, second by Henke. Roll Call: Yeas: Dettmer, Henke, Lyon. Nays: None.

Council member Henke made the motion to approve electrician license for Haco Electric, Inc., second by Lyon. Roll Call: Yeas: Henke, Lyon, Dettmer. Nays: None.

City Attorney Stilmock is continuing to work to update the City Codes and now has included the updating of the International Building and Electrical Code.

Council member Lyon made the motion to adjourn at 8:50 P.M., second by Henke. Roll Call: Yeas: Lyon, Dettmer, Henek. 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.

City Clerk

Mayor