

REGULAR MEETING
CITY COUNCIL

SEPTEMBER 10, 2014

The Mayor and City Council of the City of Syracuse, Nebraska met at 6:00 P.M. on September 10, 2014 for their regular meeting in Council Chambers at 495 Midland Street. Present were Mayor Ortiz, Council members Dettmer, Lutjemeyer and Henke. 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.

Mayor Ortiz appointed Orvil Gigstad, III to fill the unexpired term of Lynn Lyon.

Council member Dettmer made the motion to approve the appointment of Orvil Gigstad, III to fill the unexpired term of Lynn Lyon, second by Lutjemeyer. Roll Call: Yeas: Lutjemeyer, Henke, Dettmer. Nays: None.

City Attorney Stilmock administered the Oath of Office to Council member Orvil Gigstad, III.

Peggy Kuser, City Treasurer, presented the treasurer's report. Council member Lutjemeyer made the motion to approve the treasurer's report and following claims, second by Henke. Roll Call: Yeas: Lutjemeyer, Henke, Gigstad, Dettmer.

AFLAC	565.70
Allied Refuse Services	441.82
Abor Valley Animal Clinic	105.50
Arrow Manufacturing, Inc.	32.36
AS Central Services	125.00
Awards Unlimited, Inc.	80.95
B & B Pump N Go, Inc.	1,690.28
Bound Tree Medical, LLC	306.66
Brandt, Horan, Hallstrom & Stilmock	1,711.10
Caleb Frede	6.50
Cardmember Service	2,955.36
Capital Business Systems, Inc.	69.57
City of Syracuse	2,186.93
City of Syracuse/General Fund	144,464.77
City of Syracuse/Utility Fund	67,395.17
City of Syracuse	130.87
CMH Medical Center	152.00
Combined Revenue Bonds Pri. & Int.	16,220.00
Consumer Reports	26.00
Cornhusker State Industries	333.00
D & D Communications, Inc.	123.00
Danko Emergency Equipment Co.	304.79
David Partsch	100.00
Dearborn National Life Ins. Co.	202.96
Double Day	277.88
Dutton Lainson Co.	1,649.99
Elliott Equipment Co.	417.67
EMS Billing Services, Inc.	1,172.45
Emsar Des Moines	127.03
Environmental Analysis South, Inc.	55.00
Farmers' Cooperative	1,317.07
First Bank of Nebraska	62,740.00
Foremost Promotions	1,601.06
Gatehouse Media Nebraska Holdings, Inc.	52.61

GE Money Bank/Amazon	249.27
Gregg Zahn	5,280.00
Ingram Library Services	265.31
JEO Consulting Group, Inc.	800.00
Keim Farm Equipment	13.50
Kim Parde	23.64
Kriz Davis Co.	5,672.07
Liberty National Life Ins. Company	24.00
Lynn Lyon	7.59
Matheson Tri-Gas, Inc.	110.56
Micro Marketing Assoc.	62.97
Midwest Farmers Cooperative	2,091.58
Midwest Laboratories, Inc.	103.76
Moore Medical Corp.	89.24
Municipal Supply Inc. of NE	3,113.51
Nebraska City Utilities	1,169.56
NE Dept. of Environmental Quality	125.00
NE Public Health Env. Lab.	408.00
Omaha Public Power District	133,120.97
One Call Concepts, Inc.	13.35
Otoe County	15,000.00
Peggy Hobscheidt	1,625.95
Peggy Kuser PCA	1,190.00
Peggy Neemann	61.05
Percival Culligan Water	9.00
Roy Bretthorst	53.80
Sam's Club/Synchrony Bank	50.96
Schmitz Land Surveying	345.10
School District #27	2,540.00
Schaffer Commnications	2,595.70
Stutheit Impl.	108.74
Synchrony Bank/Amazon	249.37
Syracuse Do It Best	520.11
Syracuse Do It Best	304.71
Syracuse Journal Democrat	50.00
Syracuse Lumber Co.	10.85
Syracuse Motor Supply	173.61
Terry's Family Foods	228.75
The Added Touch	62.50
Tim Wilson	36.87
Todd Aksamit	124.26
Todd Valley Farms	197.00
Tri-State Office Products	114.24
United Healthcare	13,874.61
USA Blue Book	460.13
Verizon Wireless	332.23
Vidacare Corporation	595.76
Wet Willie's	107.00
Verizon Wireless	332.23
Windstream	1,531.41
Windstream	46.41
Window Option Specialists	277.47
Western Area Power Administration	3,372.33
Zahn Construction, Inc.	1,046.24
Zahn Construction, Inc.	3,829.26
US Postal Service	319.59
Todd Aksamit	2,922.15
Shayna Aksamit	680.78
Susan Antes	1,389.56

Carolyn Bremer	182.70
Roy Bretthorst	272.43
Garry Carman	4,151.11
Deborah Dettmer	92.35
Kelly Farmer	2,752.67
Eldon Halm	115.44
Eldon Halm	2,869.36
Kristina Henke	92.35
Peggy Hobscheidt	2,642.79
Julie Isaacs	1,048.56
Karen Kimpel	20.08
Jason LaFollette	2,975.40
Carol Linquist	115.44
Chris Lutjemeyer	92.35
Cassandra Oestmann	197.86
Christopher Parde	115.44
Kenneth Parde	115.44
Julie Slafter	2,114.32
Richard Sitzman	115.44
Mitchell Stubbendick	3,286.89
Jeffery Vogt	3,563.81
Timothy Wilson	115.44
Dale Young	972.26

SHERIFF REPORT – Report presented by Chief Deputy Mike Holland. There were 83 calls in August, 24 being Rescue calls. Chief Deputy Holland stated that during school patrol, several drivers were stopped and issued warnings. They will be doing more school patrols in the next few months.

City Attorney Jerry Stilmock reviewed with Mayor and Council the ordinance for operating of all-terrain vehicles, utility-type vehicles and golf carts on City streets. Mayor and Council agreed on \$15.00 application fee, requested that Attorney Stilmock add language for violations and to allow vehicles to be driven without permits during City, Chamber and County sponsored events.

Ordinance will be reviewed again at the October meeting.

PARKS & RECREATION REPORT – – Park Manager Todd Aksamit was unable to attend the meeting.

Recreation Coordinator Shayna Aksamit stated that the swimming pool has been drained and will be winterized later in the week.

High School Softball has started and the District Softball Tournament will be held in Syracuse on October 9 & 10, 2014. Volleyball program has started for girls in 3rd through 6th grade.

PUBLIC WORKS REPORT - Superintendent of Public Works Garry Carman was on vacation and unable to attend the meeting.

Mayor Ortiz opened the public hearing on application for proposed amendment to Syracuse Municipal Zoning Code Section 5.12.02 to include the following as permitted uses: All parking and roads shall be asphalt and/or concrete.

Steve Walters, Project Manager from Love's Truck Stops appeared before Mayor and Council to explain and review the plans for the truck stop. Mr. Walters stated that they would like to use asphalt instead of concrete due to asphalt can be repaired and driven on in the same day and also that asphalt will not show oil spills, etc.

City Attorney Stilmock explained to the Mayor and Council that the amendment would be a permitted use in Section 5.12.02.12 and would pertain to truck stops only.

The amendment to the Municipal Zoning Code has been approved the Syracuse Planning Commission and Superintendent Garry Carman has no objections to the amendment.

Mayor Ortiz closed the public hearing.

Council member Lutjemeyer introduced Ordinance No. 959 entitled: AN ORDINANCE OF THE CITY OF SYRACUSE, OTOE COUNTY, NEBRASKA TO AMEND ARTICLE 5 ZONING DISTRICTS, SECTION 5.12 C-3 HIGHWAY COMMERCIAL DISTRICT TO AUTHORIZE THE FOLLOWING PERMITTED USES: COMMERCIAL DISTRICT TO AUTHORIZE THE FOLLOWING PERMITTED USES: CONVENIENCE STORE, TRUCK STOP, CAR/TRUCK WASH, SERVICE STATION, AND TRUCK AND AUTOMOTIVE REPAIR; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE, and moved that the statutory rule requiring reading on three different days be suspended. Council member Gigstad seconded the motion to suspend the rules and upon roll call on the motion, the following Council members voted YEA: Lutjemeyer, Henke, Gigstad, Dettmer. 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. 959 be passed and adopted?” Upon roll call vote the following Council members voted YEA: Gigstad, Dettmer, Lutjemeyer, 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.

Mayor Ortiz opened the public hearing for the purpose of hearing support, opposition, criticism, suggestions or observation of taxpayers relating to the 2014 – 2015 budget requests. City Clerk Hobscheidt reviewed the budget documents with the Mayor and Council. Total property tax requests for the 2014 – 2015 budget year is \$487,216. No one spoke in opposition of the budget documents.

Mayor Ortiz closed the public hearing.

Council member Lutjemeyer made the motion to take the base limitation percent increase of 2.5%, second by Henke. Roll Call: Yeas: Lutjemeyer, Henke, Gigstad, Dettmer. Nays: None.

Council member Henke made the motion to take the additional 1% increase, second by Lutjemeyer. Roll Call: Yeas: Henke, Gigstad, Dettmer, Lutjemeyer. Nays: None.

Council member Lutjemeyer introduced Ordinance No. 960 entitled: AN ORDINANCE TO ADOPT THE BUDGET STATEMENT TO BE TERMED THE ANNUAL APPROPRIATION BILL; TO APPROPRIATE SUMS FOR NECESSARY EXPENSES AND LIABILITIES; TO PROVIDE FOR 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: Lutjemeyer, Henke, Gigstad, Dettmer. 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 Lutjemeyer. The Mayor then stated the question, “Shall Ordinance No. 960 be passed and adopted?” Upon roll call vote the following Council members voted YEA: Gigstad, Dettmer, Lutjemeyer, 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.

Mayor Ortiz opened the public hearing for the purpose of hearing support, opposition, criticism, suggestions or observation of taxpayers relating to setting the final levy.

The proposed 2014- 2015 property tax levy request is 0.50000. No one spoke in opposition of the property tax levy.

Mayor Ortiz closed the hearing.

Council member Lutjemeyer made the motion to adopt RESOLUTION NO. 14-15: Whereas, Nebraska Revised Statute 77-02 provides that the property tax request for the prior year shall be the property tax request for the current year for purpose of the levy set by the County Board of Equalization unless Governing body of the City passes by a majority vote a resolution or ordinance setting the tax request at a different amount, second by Henke. Roll Call: Yeas: Lyon, Lutjemeyer, Henke, Gigstad, Dettmer. Nays: None.

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

Mayor Ortiz reviewed with Council the meeting held with City Clerk Hobscheidt, City Attorney Stilmock, Mark Easter of Easter & Associates and Geneie Andrews of LARM to discuss several concerns with the City’s liability insurance with LARM.

Mayor Ortiz stated that the pump house, cemetery directory, farmers well and property at the fire training site are not currently covered under the liability policy. The four items have a value of \$8,000. Mayor Ortiz stated that he did not know what the premium would be to insure the four items.

Council member Lutjemeyer made the motion to insure all four items if the premium is not over \$100.00, second by Henke. Roll Call: Yeas: Dettmer, Gigstad, Lutjemeyer, Henke. Nays: None.

Mayor Ortiz explained that the City is currently working with LARM to insure that all Fire and Rescue volunteers and property are insured properly.

Council member Lutjemeyer made the motion to approve Thomas Dean Heller – driver, Kaela Croushorn – driver and Brian Briley – driver as new members to Syracuse Rescue Squad, second by Henke. Roll Call: Yeas: Gigstad, Dettmer, Lutjemeyer, Henke. Nays: None.

Mayor Ortiz informed Council that Luther Memorial Church volunteers cleaned up the property located at 324 6th Street and 655 7th Street.

Mayor Ortiz stated that the Deputy Clerk Kelly Farmer will be working on getting all the Municipal Codes on the website.

Council member Lutjemeyer made the motion to adjourn at 8:15 P.M., second by Henke. Roll Call: Yeas: Lutjemeyer, Henke, Gigstad, Dettmer. 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