

SPECIAL MEETING  
CITY COUNCIL

JUNE 25, 2014

The Mayor and City Council of the City of Syracuse, Nebraska met at 12:00 P.M. on June 25, 2014 in special session at the Public Library at 480 5th Street. Present were Mayor Ortiz, Council members Lyon, Dettmer, Lutjemeyer and Henke. Council member Lyon 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.

Mayor Ortiz reported to Council that Mark Easter of Easter and Associates informed him that the yearly cost to insure the water tower would be \$1,800.00. Mayor and Council agreed that it would be in the best interest of the City to insure the water tower.

Council member Lyon made the motion to insure the city water tower with the League Association of Risk Management for an additional premium of \$1,800.00, second by Dettmer. Roll Call: Yeas: Lyon, Dettmer, Henke, Lutjemeyer. Nays: None.

City Attorney Jerry Stilmock explained to Mayor and Council that the insurance year with LARM is from October 1<sup>st</sup> through September 30<sup>th</sup>. The City would need to pass a resolution changing the insurance renewal date from April 20<sup>th</sup> each year to September 30<sup>th</sup>. This would bring the City into the same insurance renewal cycle as all other communities served by LARM.

Council member Lutjemeyer made the motion to adopt Resolution 14-13 setting the termination date for liability insurance as September 30, 2015, second by Henke. Roll Call: Yeas: Lutjemeyer, Lyon, Henke, Dettmer. Nays: None.

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

Mayor and Council discussed the creating of a Board of Appeals. A Board of Appeals would give residents the opinion to appeal the orders, decisions or determination made by the Building Inspector.

City Attorney Jerry Stilmock stated that in addition to the two previous ordinances reviewed by Council at the June 11, 2014 meeting, he had prepared a third opinion.

Option C, would be the most flexible and is the current policy for the City of Lincoln. Option C, the Board shall hear and decide appeals of orders, decisions or determinations made by the Building Inspector relative to the application and interpretation of the Building Code of the City of Syracuse and Residential Code of the City of Syracuse. The Board may grant variances if (1) there are practical difficulties involved in carrying out the provisions of the Building Code of the City of Syracuse or the Residential Code of the City of Syracuse; (2) The requested variance is in conformance with the intent and purpose of the Building Code of the City of Syracuse or the Residential Code of the City of Syracuse (3) The variance does not substantially lessen any fire protection requirements or any degree of structural integrity.

Building Inspector Roy Bretthorst stated that he was not in favor either Option A or C, he favored Option B.

The Mayor and Council agreed they were in favor of Option C, due to giving residents the ability to appeal the decision of the Building Inspector but still had three requirements that the applicant must meet.

Council member Lyon introduced Ordinance No. 957 entitled: AN ORDINANCE OF THE CITY OF SYRACUSE, OTOE COUNTY, NEBRASKA TO CREATE A BOARD OF APPEALS FOR APPEALS TAKEN PURSUANT TO THE BUILDING CODE OF

THE CITY OF SYRACUSE, NEBRASKA OR THE RESIDENTIAL CODE OF THE CITY OF SYRACUSE, NEBRASKA; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; TO PROVIDE FOR AN EFFECTIVE DATE and moved that the statutory rule requiring reading on three different days be suspended. Council member Lutjemeyer seconded the motion to suspend the rules and upon roll call on the motion, the following Council members voted YEA: Dettmer, Lutjemeyer, 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 Lyon moved for final passage of the ordinance which motion was seconded by Council member Dettmer. The Mayor then stated the question, "Shall Ordinance No. 957 be passed and adopted?" Upon roll call vote the following Council members voted YEA: Lyon, 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.

The Mayor and Council discussed a fee for appeals to the Board of Appeals. City Attorney Stilmock stated that the City of Lincoln charges \$250 filing fee. Mayor and Council were all in favor of the \$250 fee.

Council member Lutjemeyer made the motion to adopt Resolution 14-14: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SYRACUSE, OTOE COUNTY, NEBRASKA, TO ESTABLISH AND ADOPT A FEE FOR FILING AN APPEAL WITH THE BOARD OF APPEALS PURSUANT TO SYRACUSE MUNICIPAL CODE SECTION 9-1216; TO PROVIDE FOR THE REPEAL OF CONFLICTING RESOLUTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE, second by Lyon. Roll Call: Yeas: Lyon, Lutjemeyer, Henke, Dettmer. Nays: None.

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

Appointment by Mayor and confirmation by Council of 5 members and 2 alternate members to the Board of Appeals were tabled until next Council meeting.

Mayor Ortiz appointed Carol Wirth and Bill Wirth to the Cemetery Board. Council member Dettmer made the motion to approve the appointments of Carol Wirth and Bill Wirth to the Cemetery Board, second by Lyon. Roll Call: Yeas: Lutjemeyer, Dettmer, Henke, Lyon. Nays: None.

City Attorney Stilmock informed Mayor and Council that after further consideration, he would like to purchase the benches for the Sports Complex from Fry & Associates. The present benches at the Sports Complex were purchased from Fry & Associates therefore the benches would match and if at least six benches were purchased the cost would be \$315.90. Rick Wilson is charging \$550 per bench. The price for plaques is approximately \$45.00.

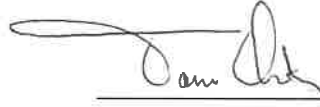
Attorney Stilmock stated that he would contact Rick Wilson and that there have not been any benches ordered to date. Attorney Stilmock stated that the Syracuse Foundation has been contacted and purchase of the benches can go through the Foundation for additional savings to the individuals donating.

Council member Lutjemeyer made the motion to purchase the benches for the Sports Complex from Fry & Associates and all donations and purchases to go through the Syracuse Foundation, second by Lyon. Roll Call: Yeas: Lyon, Dettmer, Lutjemeyer, Henke. Nays: None.

Council member Lyon made the motion to adjourn at 1:00 P.M., second by Dettmer. Roll Call: Yeas: Lyon, Dettmer, Lutjemeyer, Henke. 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