

REGULAR MEETING  
CITY COUNCIL

FEBRUARY 11, 2015

The Mayor and City Council of the City of Syracuse, Nebraska met at 6:00 P.M. on February 11, 2015 for their regular meeting in Council Chambers at 495 Midland Street. Present were Mayor Ortiz, Council members Gigstad, Dettmer, Britton 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.

Peggy Kuser, City Treasurer, presented the treasurer's report. Council member Dettmer made the motion to approve the treasurer's report and the following claims, second by Henke. Roll Call: Yeas: Dettmer, Britton, Henke, Gigstad. Nays: None.

AFLAC	526.18
Amsterdam Printing	285.35
Awards Unlimited, Inc.	393.90
B & B Pump N Go, Inc.	680.02
B & B Pump N Go, Inc.	156.23
Blue Cross Blue Shield	765.00
Bockmann, Inc.	620.00
Bound Tree Medical, LLC	5,901.02
Brandt, Horan, Hallstrom & Stilmock	5,207.90
Capital Business Systems, Inc.	446.00
Cardmember Service	656.79
Carol Lindquist	720.74
Chris Richardson	200.00
City of Syracuse	903.85
Combined Revenue Bonds Pri. & Int.	25,000.00
D & D Communications, Inc.	100.00
DHHS	40.00
Danko Emergency Equipment Co.	500.85
Dearborn National Life Ins. Co.	158.24
Demco	90.27
Display Sales	357.50
Dutton Lainson Co.	682.41
Electric Specialties Company	240.00
EMS Billing Services, Inc.	2,367.32
Environmental Analysis South, Inc.	85.00
Farmers' Cooperative	22.83
Fireguard, Inc.	266.08
First National Bank Fremont	500.00
Gall's	476.00
Gatehouse Media Nebraska Holdings, Inc.	398.17
Grainger	23.21
Hach	254.82
Heath Sports & Tees	1,167.00
Ingram Library Services	321.25
Jason LaFollette	39.02
JEO Consulting Group, Inc.	2,481.25
John Palmtag	100.00
Kriz Davis Co.	160.84
Lillie Chambers	1,015.55
Lookout Books	56.85
MES-Midam	363.78
Meyer's Body Shop	176.79

Mike's Window Service, LLC	174.66
Municode	4,050.00
Nebraska City Basketball Club	90.00
Nebraska City Utilities	2,300.87
NE Public Health Env. Lab.	92.00
NEMSA	480.00
Omaha Public Power District	118,585.80
One Call Concepts, Inc.	2.20
Otoe County	15,000.00
Papillion Sanitation	125.16
Peggy Kuser PCA	850.00
Percival Culligan Water	35.25
Petty Cash	45.47
Rodney Nincehelser	1,450.00
Ron Rosenthal	1,450.00
Roy Bretthorst	53.80
Sam's Club/Synchrony Bank	10.52
Sandra Spevak	109.82
Shaffer Communications	80.00
Smarty's LLC	87.20
Synchrony Bank/Amazon	432.60
JH Sporhase LLC	20.45
Sue Antes	10.00
Syracuse Do It Best	178.59
Syracuse Do It Best	266.14
Syracuse Do It Best	37.26
Syracuse Lumber	109.95
Syracuse Motor Supply	972.60
Syracuse Vol. Fire Dept.	225.00
Terry's Family Foods	124.84
The Added Touch	52.50
The Penworthy Company	68.90
Tim Wilson	275.00
Tree City Tees	72.00
Utilities Section League	350.00
USA Blue Book	502.12
Verizon Wireless	286.41
Western Area Power Administration	1,530.24
Windstream	1,530.24
Windstream	47.12
Daylight Donuts	48.00
Ethan Zastera	125.00
Jeff Zoller	100.00
Jon Voorhees	200.00
Krista Sisco	75.00
Micah Buller	75.00
Michelle Zoller	100.00
Monty Roberts	175.00
Tashia Buller	175.00
Tyler Schwindt	200.00
Shayna Murrell	75.00
Secretary of State	20.00
US Postal Service	318.79
Connie Albers	88.66
Todd Aksamit	1,829.16
Susan Antes	1,268.15
Timothy Antes	115.44
Carolyn Bremer	183.87
Roy Bretthorst	131.59

Alan Britton	138.52
Garry Carman	2,481.74
Deborah Dettmer	138.52
Kelly Farmer	1,863.31
Caleb Frede	115.44
Alfred Gigstad	138.52
Carol Graham	92.35
Eldon Halm	115.44
Eldon Halm	2,199.01
Derek Harms	2,041.61
Kristina Henke	138.52
Peggy Hobscheidt	1,814.24
Karen Kimpel	147.76
Jason LaFollette	2,048.46
Carol Linqvist	115.44
Shayna Murrell	1,739.34
Cassandra Oestmann	200.34
Tomas Ortiz	461.75
Julie Slafter	1,415.35
Richard Sitzman	115.44
Mitchell Stubbendick	2,355.64
Jeffery Vogt	2,629.84
Timothy Wilson	115.44

SHERIFF REPORT – Report presented by Chief Deputy Mike Holland. There were 51 calls in January, 19 being Rescue calls. Chief Deputy Holland informed Mayor and Council that the Sheriff's Department has lost two employees and will be working on filling these positions as soon as possible.

PARKS & RECREATION REPORT – Park Manager Todd Aksamit presented the Park report. Park Manager Aksamit reported that all four irrigation wells at the Sports Complex were pulled and all were full of rust. Manager Aksamit will be contacting Nick Eby with Pioneer Underground Sprinklers and Mr. Eby will be coming down to check out the pumps and submit a bid for the filtration system.

Park Manager Aksamit reviewed with Mayor and Council the bids received for purchase of mower. Bids were received from Stutheit Implement for \$10,300 for John Deere zero turn mower with 72" deck, Cub Cadet with 61" deck from Keim Farm Equipment in the amount of \$10,000, Kan Equipment bid for X Mark with 72" deck was \$12,400 and ET's Polaris for Ferris in the amount of \$10,500.

Park Manager Aksamit informed Mayor and Council that he would like to purchase the John Deere zero turn mower with 72" deck from Stutheit Implement for \$10,300. Aksamit stated that he likes the way this unit performs and feels that it will do the best job on large areas.

Council member Britton made the motion to purchase the John Deere 72" zero turn mower from Stutheit Implement for \$10,300.00, second by Gigstad. Roll Call: Yeas: Britton, Henke, Gigstad, Dettmer. Nays: None.

Recreation Coordinator Shayna Murrell reported that the basketball games will end on February 21<sup>st</sup> with a tournament on February 28<sup>th</sup>.

Coordinator Murrell stated that she will be attending the League Softball meeting after the City Council meeting and softball signup will begin on March 2<sup>nd</sup>.

LIBRARY REPORT – Sue Antes on vacation and unable to attend meeting.

PUBLIC WORKS REPORT – Report presented by Jeff Vogt as Superintendent of Public Works Garry Carman is on sick leave.

Mayor Ortiz opened the public hearing on One & Six Year Street Plan. Included in the one year plan are the repair of 5th Street curb & gutter and the Midland Street overlay from 6th to 8th Street. The six year plan is the repair of 5th Street curb & gutter, the Midland Street overlay from 6th to 8th Street, remove and replace concrete alley and overlay of Old Highway 2 from Park Street to Oak Street.

Mr. Vogt informed Mayor and Council that on the drawing of the One Year Plan, the alley is shown incorrectly and will be corrected by Street Superintendent Evan Wickersham before submitted to the Nebraska Department of Roads.

Mayor Ortiz closed the public hearing.

Council member Britton made the motion to adopt RESOLUTION 15-03, One and Six Year Street Plan, second by Henke. Roll Call: Yeas: Gigstad, Dettmer, Britton, Henke. Nays: None.

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

City Attorney Jerry Stilmock stated that he contacted the Department of Roads about conducting a traffic study on speed limits on Highway 50 and was informed that a study is current underway. The State will submit the results of the study when completed.

Mayor Ortiz explained to Council that Derek Harms has completed his six month probation period and Superintendent Carman is requesting end of probation and 25 cent per hour raise for Derek Harms.

Council member Henke made the motion to end the probation of Derek Harms and increase salary 25 cents per hour, second by Gigstad. Roll Call: Yeas: Dettmer, Britton, Henke, Gigstad. Nays: None.

Mayor and Council reviewed the proposal submitted by K-2 Construction for increase of size of water main from six inches to eight inches on the Highway 50 Water Main project. The increase in pipe size will increase the cost of the project \$8,752 if trenched and not bored. Evan Wickersham of JEO Consulting Group, Inc. recommends that the City accept the proposal with the pipe being trenched not bored.

Council member Gigstad made the motion to accept the proposal from K-2 Construction for trenching of 8 inch water main on Highway 50 Water Main project for an additional cost of \$8,752.00, second by Dettmer. Roll Call: Yeas: Britton, Henke, Gigstad, Dettmer. Nays: None.

Jeff Vogt spoke on behalf of the Public Works employees and requested that the policy of paying one and one half time the regular rate per hour for work performed at the waste water plant on week-ends and holiday not be changed. Mr. Vogt outlined the duties performed on week-ends and holidays and not only is work performed at the waste water plant but also fluoride levels and drinking water is monitored. Mr. Vogt stated that it takes the employees at least one and one half hour to perform these duties.

Mayor Ortiz informed the Council that he has been monitoring the overtime hours and has uncovered areas where there might be abuse or inflation of overtime hours. Mayor Ortiz feels that it would be in the best interest of the City to have the employees take off during the work week if they are scheduled to work the week-end. Several communities use this practice and it is working well for the municipality and employees. Mayor Ortiz stated that after speaking with Superintendent Carman, the idea of taking time off during the week was not well received.

Mayor Ortiz stated that his interpretation of the Employee Handbook is that the week-end and holiday work performed is considered scheduled time and one and one halftimes pay is for emergency or unscheduled work only. Mayor Ortiz stated that he wants to be a good steward of taxpayers dollars and even if utility department do not receive tax dollars, the employees are being paid with money received from funds generated from utility revenues. Mayor Ortiz does not want to raise utility rates to cover cost of overtime hours.

Council member Britton stated that he would like additional time to review the data collected by Mayor Ortiz on abuse or inflation of overtime hours. Council member Britton stated that he has reviewed the documentation provided by the City Clerk on how other municipalities pay for week-end and holiday hours and the majority of communities paid employees one and one half the regular rate per hour.

Council member Britton made the motion to direct the City Attorney to make any adjustment in language in Employee Handbook and any other documents necessary to codify our current practice and make in an authorized process going forward to pay Utility works one and one half time the regular rate per hour for any overtime work performed, second by Gigstad. Roll Call: Yeas: Britton, Henke, Gigstad, Dettmer. Nays: None.

City Attorney Jerry Stilmock stated that he will draw up documents for review and final approval that will clarify and change wording to include paying of Utility workers one and one half time the regular rate per hour for any overtime work performed.

Mayor Ortiz questioned if the policy will include paying one and one half time the regular rate per hour for any overtime work performed will include the Park and Recreation employees.

Britton stated that his understanding is that the Park and Recreation departments are different from the Public Works. Theirs is not an 8-5 job and employees know that their job consists of working mainly week-end and evenings and he thinks that they should manage their hours accordingly. Britton does feel that there may be a time when things happen beyond their control and overtime may be warranted but feel that they can at that time receive compensatory time.

Mayor Ortiz stated that the Employee Handbook does not specify which employees received one and one half pay versus compensation time.

City Attorney Stillmock will prepare a document that will outline the parameters for paying of one and one half pay versus compensation time for all City employees.

Council member Dettmer made the motion to continue the public hearing concerning the following-described real estate: Southwest Quarter (SW ¼) W & S of Railroad Right-of-Way and Southeast Quarter (SE ¼) Northwest Quarter (NW ¼), Section Twenty-two (22), Range Eight (8), Township Eleven (11), Otoe County, Nebraska to change the Comprehensive Plan and Future Land Use Map from Transitional Agricultural to Light Industrial, public hearing on application for a change of zoning designation for the following-described real estate: Southwest Quarter (SW¼) W & S of Railroad Right-of-Way and Southeast Quarter (SE ¼) Northwest Quarter (NW ¼), Section Twenty-two (22), Range Eight (8), Township Eleven (11), Otoe County, Nebraska from TA-1 Transitional Agricultural to I-1 Light Industrial and to Change the official zoning map and public hearing on application for a conditional use permit pursuant to Syracuse Municipal Zoning Code Section 5.13.03.04 Grain storage and Elevators on the following-described real estate: Southwest Quarter (SW ¼) W & S of Railroad Right-of-Way and Southeast Quarter (SE ¼) Northwest Quarter (NW ¼), Section Twenty-two (22), Range Eight (8), Township Eleven (11), Otoe County, Nebraska until the March 11, 2015 at 6:00 P.M., second by Henke. Roll Call: Yeas: Dettmer, Britton, Henke, Gigstad. Nays: None.

City Attorney Jerry Stilmock stated that he has not meet with Roy Bretthorst and Superintendent of Public Works Garry Carman to review renovations needed for the Mt.Moriah Lodge meeting room and requests that item be tabled until the March 11, 2015 meeting.

Tim Christians appeared before Mayor and Council and reported that he had visited with the Nebraska Department of Roads and he does not need permission to use Highway 50 as part of his route for endurance run on June 27, 2015. Mr. Christians has spoken with the Otoe County Sheriff's Office and they also do not have any concerns about Mr. Christians events.

Council member Britton made the motion to approve endurance events on June 27, 2015, September 12, 2015 & December 5, 2015, second by Dettmer. Roll Call: Yeas: Gigstad, Dettmer, Britton, Henke. Nays: None.

Jamie Hestermann appeared before Mayor and Council to request permission to use Williams Park on April 4, 2015 for the third Annual Live Like Addie Run & Walk. Mrs. Hestermann stated that the event will use the same route as last three years and they will provide the City with a Certificate of Insurance with the City listed as co-insurer.

Council member Britton made the motion to approve the use of Williams Park on April 4, 2015 for the third Annual Live Like Addie Run & Walk, second by Gigstad. Roll Call: Yeas: Dettmer, Britton, Henke, Gigstad. Nays: None.

Mayor Ortiz opened the public hearing and Ordinance No. 966 for the purpose of hearing testimony of support, opposition, criticism, suggestions or observations for: 1) an amendment to introduction chapter of the Comprehensive Plan pertaining to the planning process; 2) an update to the Community Assessment chapter of the Comprehensive Plan; 3) an update to the Syracuse Community Facilities chapter and inclusion of the required energy component; 4) amendments to Goals, Issues and Policies chapter of the Comprehensive Plan including the 2015 Focus Group meetings and additional polices to issue of Economy and Economic Development and issue of Land Use; 5) an update to the Land Use Plan chapter of the Comprehensive Plan pertaining to the Future Land Use Plan and Map; 6) an amendment to the Transportation Plan chapter of the Comprehensive Plan pertaining to the Future Transportation Plan and Map; and 7) an update to the Plan Implementation chapter of the Comprehensive Plan.

David Potter and Kevin Anderson, JEO Consulting Group, Inc. reviewed with Mayor and Council the updated Comprehensive Plan. Mr. Anderson stated that the major updating was done to community facilities, which is a snapshot of the community both physically and by its population.

Mr. Anderson stated that with medium population growth, that by 2020, Syracuse will require an additional 60 new units in owner/occupied houses. This will be reflected on the future transportation and land use plan. The new transportation and land use maps are a part of the updated Comprehensive Plan.

Based on the data received during the focus group meetings held during the updating process, the City has the infrastructure capacity both in water and waste water to support the continued growth trends and the potential land use shows that the community has several areas available for continued growth. Based on study, the downtown area and industrial areas remains the same.

Mr. Potter stated that all updates in Comprehensive Plan will be referenced with date and Ordinance number. Mr. Potter stated that State Statute requires that a plan consists of public facilities section, land use, annexation requirements, transportation which includes the City's One & Six Year Street Plan and energy requirements. The updated Comprehensive Plan is now in compliance with all Federal and State Statutes.

Mr. Anderson stated that the documents that the Mayor and Council are reviewing is not the final draft, that will be provided after passage of Ordinance. City Attorney Stilmock stated that his recommendation would be to wait to adopt ordinance next meeting when the City will have the completed document. Mayor and Council agreed and ordinance was tabled until the March 11, 2015 meeting.

When questioned on how often should the City update the Comprehensive Plan, Mr. Potter's recommendation is ten years unless growth or other factors dictate an update.

City Attorney Stilmock questioned Mr. Potter and he agreed that the City needs to update the one mile jurisdiction due to past annexation. The City currently has a squared off annexation and Mr. Potter recommends that the City change to a parcel jurisdiction that would help keep property from being cut into and having both City and County jurisdiction of the property. Mr. Potter stated that they will follow up and get these items corrected.

Mayor Ortiz closed the public hearing.

Rhae Werner appeared before Mayor and Council to discuss the street closings for Germanfest on July 11, 2015. Mrs. Werner stated that the street requested are the same as last year and presented a map showing the proposed streets that will need to be closed for beer garden and activities. The only change in beer garden area from last year will be starting of the fence at the end of the B & J's property due to the closing of Syracuse Shur-Save.

Council member Henke made the motion to approve the street closings as shown on map for Germanfest Beer Garden on July 11, 2015, second by Gigstad. Roll Call: Yeas: Dettmer, Britton, Henke, Gigstad. Nays: None.

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

Mayor and Council discussed advertising the three job openings. Ads will be placed in the Syracuse Journal and Lincoln Journal with a deadline for applications of March 9, 2015. The salary will be listed as negotiable and Mayor and Council will set salary according to work experiences and education.

Mayor Ortiz explained to Council that the employees have reviewed the step program and their job descriptions. Mayor Ortiz asked if the Council had any additional changes in the step program or job descriptions.

City Attorney Stilmock explained that the Employee Step Program and job description will be a separate document from the Employee Handbook but will need to be adopted by Resolution. The City Clerk will distribute the finalized Employee Step Program and job descriptions for Mayor and Council review and will be placed on the agenda for the April meeting.

Mayor Ortiz stated that the proposal received from Midwest Sound & Lighting was \$1,000 higher than previous estimate. Mayor Ortiz spoke with Midwest and they submitted bid for top of the line equipment and the City does not need such an elaborate system. They will be submitting another proposal.

Mayor Ortiz stated that carpet bids have been received and currently waiting for bids from contractors for lighting work. These bids will be available by next meeting..

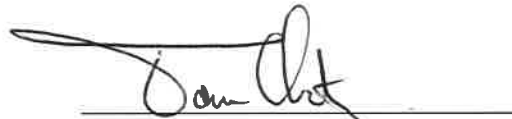
Mayor and Council reviewed the asbestos report from Bockmann Inc. on 325 6th Street. There is asbestos in the tile flooring. City Attorney Stilmock will contact Bockmann Inc. and get a proposal for asbestos removal.

Council member Gigstad made the motion to adjourn at 8:00 P.M, second by Dettmer. Roll Call: Yeas: Briton, 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