

REGULAR MEETING
CITY COUNCIL

APRIL 16, 2014

The Mayor and City Council of the City of Syracuse, Nebraska met at 6:00 P.M. on April 16, 2014 for their regular meeting in Council Chambers at 495 Midland Street. Present were Mayor Ortiz, Council members Lyon, 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.

City Treasurer Peggy Kuser will unable to attend meeting. Council member Henke made the motion to approve the treasurer's report and the following claims, second by Lutjemeyer. Roll Call: Yeas: Dettmer, Lutjemeyer, Henke, Lyon. Nays: None.

AFLAC	565.70
Allied Refuse Service	119.78
All Roads Barricade, Inc.	204.51
AW Direct, Inc.	464.45
Awards Unlimited, Inc.	69.90
B & B Pump N Go, Inc.	1,000.76
B & B Pump N Go, Inc.	646.42
Baragary Construction, Inc.	7,505.00
Barco Municipal Products	841.31
Ben Steele	100.00
Ben Steele	100.00
Bound Tree Medical, LLC	572.88
Brandt, Horan, Hallstrom & Stilmock	1,845.90
Caleb Frede	150.00
Capital Business Systems, Inc.	51.73
Cardmember Service	3,645.72
Carol Linquist	100.00
Chris Parde	100.00
Christa Neemann	50.00
Chuck's Computer Repair	100.00
City of Syracuse	856.99
CMH Medical Center	5.80
Combined Revenue Bonds Pri. & Int.	25,000.00
Conney Safety Products	153.04
Creative Edge	20.24
D & D Communications, Inc.	443.00
Danko Emergency Equipment Co.	94.00
Daylight Donuts	31.50
David Partsch	100.00
Davidson Electric	2,761.84
Dearborn National Life Insurance	189.20
Demco	67.17
Double Day	138.80
Dutton Lainson Co.	2,082.72
Elliott Equipment Co.	247.48
EMS Billing Services, Inc.	1,153.81
Environmental Analysis South, Inc.	55.00
Farmers Cooperative	14.60
Feld Fire	174.20
Ferrellgas, Inc.	12.00
Fire Protection Service	221.75
Gatehouse Media Nebraska Holdings, Inc.	331.46

GE Money Bank/amazon	640.47
Grainger	126.65
Greg Goebel	25.00
Guy Brace II	375.00
Hach	704.39
Hawkin's	392.72
Hemje Plumbing & Heating	106.00
House Beautiful	26.97
Ingram Library Services	326.62
Int. Institute of Municipal Clerks	170.00
Jason LaFollette	450.70
Jason LaFollette	1,329.66
JEO Consulting Group, Inc.	887.29
Jody Bruns	50.00
Joseph Reisdorff	175.00
Julie Slafter	255.25
Kastens Ford, LTD	84.99
Kenneth Halvorsen	25.00
Kriz-Davis Co.	196.81
Larry Neemann	75.00
Lynn Lyon	25.00
Marcia Scheinost	250.00
Liberty National Life Ins. Company	24.00
Matheson Tri-Gas, Inc.	64.37
Micro Marketing Assoc.	15.29
Midwest Farmers Cooperative	187.61
Nebraska City Utilities	1,979.14
Nebraska Iowa Electrical Council	80.00
NE Public Health Environmental Lab.	66.00
Nebraska Municipal Power Pool	1,173.25
Northern Safety & Industrial	32.60
NWOD	20.00
Omaha Public Power District	110,614.56
One Call Concepts, Inc.	26.20
Otoe County	15,000.00
Otoe County Treasurer	10.00
Page Wolfbert & Wirth, LLC	475.00
Peggy Hobscheidt	1,025.28
Peggy Hobscheidt	464.63
Peggy Neemann	175.00
Percival Culligan Water	35.25
Petty Cash	70.96
Petty Cash Parks & Rec.	1,000.00
Pollardwater.com	65.84
Robert English	25.00
Ron Apel	25.00
Roy Bretthorst	53.80
Sam's Club/GECRB	288.90
Schmader Electric	423.00
Scott Miles	125.00
Security Equipment	162.00
Seeba Hardware & TV	169.00
Self Magazine	8.00
JH Sporhase LLC	54.15
Stack Furniture & Carpet	24.95
Stutheit Implement	695.91
Sue Antes	31.76
Syracuse Do It Best	162.40
Syracuse Do It Best	112.18

Syracuse Do It Best	90.28
Syracuse Iron Works	11.04
Syracuse Lumber Co.	10.45
Syracuse Motor Supply	422.53
Syracuse Vol. Fire Department	60.00
Terry's Family Foods	27.38
The Added Touch	52.50
The Oprah Magazine	32.97
Tim Antes	250.00
TimWilson	475.00
Todd Aksamit	741.37
Todd Aksamit	83.81
Todd Valley Farms, Inc.	554.87
Upstart	7.25
US Bank	5,066.70
USA Blue Book	218.62
United Healthcare	13,747.54
Verizon Wireless	210.76
Verizon Wireless	25.39
Willliam Breazile	25.00
Windsteam	1,388.80
Western Area Power Administration	3,842.91
US Postal Service	320.68
Todd Aksamit	1,721.06
Susan Antes	1,371.84
Carolyn Bremer	183.03
Roy Bretthorst	306.67
Garry Carman	2,836.76
Deborah Dettmer	92.35
Kelly Farmer	1,721.33
Carol Graham	92.35
Eldon Halm	115.44
Eldon Halm	2,202.21
Kristy Henke	92.35
Peggy Hobscheidt	1,714.74
Karen Kimpel	143.96
Jason LaFollette	1,735.34
Carol Linquist	115.44
Chris Lutjemeyer	92.35
Lynn Lyon	92.35
Cassandra Oestmann	46.86
Tomas Ortiz	369.40
Christopher Parde	115.44
Kenneth Parde	115.44
Julie Slafter	1,381.72
Richard Sitzman	115.44
Benjamin Steele	1,390.99
Mitchell Stubbendick	2,168.37
Jeffery Vogt	2,288.69
Dale Young	221.64
Timothy Wilson	115.44

SHERIFF REPORT – Report presented by Chief Deputy Mike Holland. The report log showed 90 calls for March, 15 being Rescue calls. Chief Deputy Holland informed Council that the last three month log sheets were incorrect due to a computer program problem. The problem has been corrected and Chief Holland will provide City Clerk with corrected report for January and February.

Mayor Ortiz stated that the logs are in the City Clerk's office and all council members can review reports. Council member Lyon requested that City Attorney Stilmock find out if the Sheriff's logs are public record.

PARKS & RECREATION REPORT – Report presented by Recreation Coordinator Ben Steele. Coordinator Steele reported that there are 85 girls participating in softball divided into 8 teams. Creative Edge of Weeping Water was the low bidder and softball jersey and visors will be purchased there.

There are 56 children signed up for Tee ball with three boy and two girl teams. All tee ball games will be played in Williams Park. Coordinator Steele has all the coaches except for one team and the practices will be in June with teams playing games on Saturday, June 28th.

Coordinator Steele stated that he has been asked about using the lights for practices and will the teams be charged. Mayor and Council agreed that local teams will not be charged for using lights.

Coordinator Steele stated that he had been questioned by a coach of a select softball team if she could hold a week-end tournament at the Sports Complex without paying the fee for use of complex.

Council member Lutjemeyer questioned if this tournament would be used as fund raising for the select team, that maybe the City should charge a fee to get the fields ready for games. Council member Lyon stated that he is in favor of local select teams using the complex at no charge.

Council member Lyon made the motion to allow select teams to use the Sports Complex at no charge unless they want field maintenance or lights, second by Lutjemeyer. Roll Call: Yeas: Lyon, Lutjemeyer, Henke. Nays: Dettmer. Motion passed.

Steele also reported that he has been questioned on if family discounts would be given for family with several children playing and also if registration fees could be waived for a player who sister is coaching. Both items were tabled.

Mayor Ortiz stated that Recreation Coordinator Ben Steele has submitted his resignation effective April 18, 2014. Mayor Ortiz thanked Steele for his time with the City and that that he would be glad to be a reference for any future endeavors.

Ben Steele expressed his appreciation for the opportunity to work for the City and stated that he would be glad to provide any assistance to the new Coordinator.

City Attorney Stilmock questioned the Mayor and Council on their wishes on individuals donating benches to be placed along the walkway at the Sports Complex. Attorney Stilmock stated that Rick Wilson of Avoca will manufacture a bench for \$550. The benches can be painted to match the benches already at the complex.

City Clerk Hobscheidt contacted other communities on how they handle replacement of donated items. One community would contact the donor to find out what they wanted done with the plaque or if they did want to pay for replacement. They did not place plaque on new item purchased by the City.

Council member Lyon made the motion to approve allowing individuals or groups to purchase benches from Rick Wilson, allow memorial or donation plaque, benches to be in the color green and removable, second by Lutjemeyer. Roll Call: Yeas: Lutjemeyer, Henke, Lyon, Dettmer. Nays: None.

City Attorney Stilmock questioned the allowing of the Legion to place aluminum signs along the fence on the walk way at the Sports Complex. Mayor and Council agreed to the placing of the signs; with the stipulation that they do not take away seating by obstructing the view of the spectators.

Mayor Ortiz informed Mayor and Council that Senegal Specialty Contracting, LLC will be painting the pool before opening on Memorial Day on May 26th. The total cost of painting the pool will be \$19,750. Mayor Ortiz stated that the company is planning on being in Syracuse on Monday, April 21st to evaluate pool and start sandblasting.

Mayor Ortiz reviewed by Council the percentage paid to the groups working in the Sport Complex concession stand. The groups currently receive 20% of proceeds received. Mayor Ortiz would like to see the percentage raised to 25%. This season there are currently only two groups wanting to work and one group will be covering only one night per week, leaving all other game nights to St. Paulinus Catholic Church.

Council member Lyon made the motion to pay groups working in the Sports Complex concession stand 25% of the proceeds received for 2014, second by Lutjemeyer. Roll Call: Yeas: Lutjemeyer, Henke, Lyon, Dettmer. Nays: None.

Mayor Ortiz reviewed with Council the salary of the shift managers and life guards at the swimming pool. Mayor Ortiz stated that there are only seventeen applicants and with all the life guard school activities, more guards are needed. Mayor Ortiz stated that he would like to see the life guard salary raised to \$7.25 per hour for new life guards and \$7.50 per hour for returning guards. The shift manager's salary increased to \$9.00 per hour.

Council member Lutjemeyer made the motion to increase the shift manager's wage to \$9.00 per hour, new life guards to \$7.25 per hour and returning life guards to \$7.50 per hour and Michelle Zahn to remain at \$9.65 per hour, second by Henke. Roll Call: Yeas: Dettmer, Lutjemeyer, Henke, Lyon. Nays: None.

PUBLIC WORKS REPORT – Report presented by Superintendent of Public Works Garry Carman. City Attorney Jerry Stilmock stated that he did not have time to prepare an ordinance allowing Pex piping in the City and City jurisdiction, but would have one prepared for the May 14, 2014 meeting.

Tim Shanks questioned on what piping the City would require him to put in the residence that he is currently building. Mr. Shanks stated that he would only put PEX A piping in the residence.

Council member Lyon made the motion to allow PEX A piping in house being built by Tim Shanks, second by Lutjemeyer. Roll Call: Yeas: Lutjemeyer, Henke, Lyon, Dettmer. Nays: None.

Superintendent Carman reviewed with Mayor and Council the proposal for engineering services for 2014 Water Systems Improvements from JEO Consulting Group, Inc. The project would replace the water service from 1st Street south to the Utility Complex.

The proposal includes topographic survey - \$2,100, design services - \$5,500, permit applications - \$1,600, bidding and negotiation - \$2,800, construction administration - \$2,900, resident project representative - \$2,000 for a total of \$16,900.

Council member Lyon made the motion to accept proposal from JEO Consulting Group, Inc. for 2014 Water Systems Improvements in the amount of \$16,900, second by Henke. Roll Call: Yeas: Henke, Lyon, Dettmer, Lutjemeyer. Nays: None.

City Attorney Stilmock stated that he had the resolution prepared for sale of the old basket truck that is no longer being used by the Utility Department.

Council member Lutjemeyer made the motion to adopt RESOLUTION 14-07: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SYRACUSE, OTOE COUNTY, NEBRASKA, AUTHORIZING THE SALE OF A 1990 FORD MEDIUM HEAVY CONVENTIONAL CAB F700F TRUCK, VIN 1FDNK74A6LVA23684, HAVING A

TOTAL FARIM MAREKT VALUE OF MORE THAN \$5,000.00, second by Dettmer. Roll Call: Yeas: Lutjemeyer, Henke, Lyon, Dettmer. 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 has prepared the agreement between the City and Zito Midwest, LLC. but had not had time to meet with Council member Henke to review agreement. Item was tabled until May 14, 2014 meeting.

Terry Zimmer, Relay for Life, is again requesting to place purple ribbons around the City for a few weeks before the Relay and ribbons will be removed after the event.

Council member Lutjemeyer made the motion to allow placing of purple ribbons around the City for Relay for Life, second by Henke. Roll Call: Yeas: Lutjemeyer, Henke, Lyon, Dettmer. Nays: None.

Tim Wilson, Rescue Squad Chief, appeared before Mayor and Council to request the street closing of Mohawk Street between 5th and 6th Street on Sunday, May 18, 2014 from 12:00 P.M. – 9:00 P.M. for barbeque to kick off EMS week.

Council member Lutjemeyer made the motion to approve the street closing of Mohawk Street between 5th and 6th Street on Sunday, May 18, 2014 from 12:00 P.M. – 9:00 P.M. for barbeque to kick off EMS week, second by Henke. Roll Call: Yeas: Lutjemeyer, Henke, Lyon, Dettmer. Nays: None.

City Attorney Jerry Stilmock reviewed with Mayor and Council the bids received for City's liability and property insurance. There were two bids received; Easter & Associates/LARM is the amount of \$41,885 and Granneman Agency is the amount of \$52,676.

Mark Easter of Easter & Associates and Michael Nolan & Geneie Andrews of LARM answered questions about the coverage that Easter and LARM will provide. Gary Weiler of Granneman Agency also answered several questions and spoke of EMC's coverage.

Mayor and Council discussed whether to remain with a three year contract or would a one year contract be a better option. Mayor and Council all agreed that loyalty was to be commended but the difference in the premiums of the two companies is a

Council member Lyon made the motion to approve the bid of \$41,885 from Easter & Associates/LARM for the City's liability and property insurance for a period of one year, second by Lutjemeyer. Roll Call: Yeas: Lyon, Dettmer, Lutjemeyer. Nays: Henke. Motion passed.

Mayor Ortiz opened the public hearings on application for proposed amendment to Syracuse Municipal Zoning Code Section 5.12.02 to include the following as permitted uses: Convenience Store, Truck Stop, Restaurant, Car/Truck Wash, Service Station and Truck and Automotive Repair.

Randy Sump, owner of Syracuse Business Center, is making the request to add Convenience Store, Truck Stop, Restaurant, Car/Truck Wash, Service Station and Truck and Automotive Repair in C-3 Highway Commercial Zoning District.

Mayor Ortiz questioned if loud noise from trucks running would be a problem for the residence south of the area. Mr. Sump stated that all vehicles will be parked a minimum of 100 feet from residential area.

Council member Lyon questioned if there was enough water retention in the area and Mr. Sump stated that there are currently two retention cells in the area.

Mayor Ortiz closed the public hearing.

Council member Lutjemeyer introduced Ordinance No. 947 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: CONVENIENCE STORE, TRUCK STOP, CAR/TRUCK WASH, SERVICE STATION AND TRUCK AND AUTOMOTIVE REPAIR; 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 Henke 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 Lutjemeyer. The Mayor then stated the question, "Shall Ordinance No. 947 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.

Mayor Ortiz opened the public hearing on application to the Department of Economic Development for a Nebraska Affordable Housing Program Grant. Lisa Beethe, Community Development Specialist, Southeast Nebraska Development District explained to Mayor and Council that the application will be requesting a total of \$351,640 in 2014 Nebraska Affordable Housing Program funds to implement a Citywide Owner-Occupied Housing Rehabilitation Program with Demolition. The City proposes to utilize a 5-year deferred loan/grant format for families at or below 100% of the area median family income for the housing rehab portion of the grant. The demolition portion of the project will work with property owners on a voluntary basis.

The City has collection 21 pre-applications to date for the 14-HO Housing Rehab program. The City will continue to receive pre-applications until the full application is due.

The City will retain administrative assistance from the Southeast Nebraska Development District.

Mayor Ortiz closed the public hearing.

Council member Lutjemeyer made the motion to adopt RESOLUTION 14-09: RESOLUTION AUTHORIZING CHIEF ELECTED OFFICIAL TO SIGN AN APPLICATION FOR NEBRASKA AFFORDABLE HOUSING PROGRAM FUNDS, second by Lyon. Roll Call: Yeas: Henke, Lyon, Dettmer, Lutjemeyer. Nays: None.

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

Mrs. Beethe reviewed with the Mayor and Council the Procurement Procedures and Code of Conduct, Residential Antidisplacement and Relocation Assistance Plan and the Citizen Participation Plan.

Council member Lyon made the motion to adopt the Procurement Procedures and Code of Conduct, Residential Antidisplacement and Relocation Assistance Plan and the Citizen

Participation Plan, second by Henke. Roll Call: Yeas: Lyon, Dettmer, Lutjemeyer, Henke. Nays: None.

Council member Lyon made the motion to adopt RESOLUTION 14-10: POLICY PROHIBITING USE OF EXCESSIVE FORCE, second by Dettmer. Roll Call: Yeas: Lutjemeyer, Henke, Lyon, Dettmer. Nays: None.

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

City Attorney Stilmock reviewed with Mayor and Council the proposal received from JEO Consulting Group, Inc. for updating of existing Comprehensive Plan. The proposed fee for completion of project is \$34,850. JEO would update the plan to include the required statutory requirements, including the energy component; demographic analysis and projections; goals and objectives; and action plan.

JEO would supervise the project kick-off and organization, do all surveying of citizens, conduct Town Hall meeting to gather preliminary input, develop the plan and identify key persons/groups in the community who will need to be involved in updating the plan.

Mayor and Council instructed City Attorney Stilmock to contact Dave Potter of JEO Consulting Group, Inc. and see if some of the items could be reduced or eliminated to help cut the cost of updating the plan. Item was tabled until the May 14, 2014 meeting.

Rhae Werner, member of the Germanfest Committee, appeared before Mayor and Council to discuss street closings for Germanfest activities on July 12, 2014. Mrs. Werner presented a map showing the street to be closed. Mr. Werner stated that the streets are the same as last year with the addition of 3rd Street from Midland Street to Plum Street where a car show may be held.

Council member Lutjemeyer made the motion to allow the street closing as shown on map for Germanfest activities on July 12, 2014, second by Henke. Roll Call: Yeas: Lutjemeyer, Henke, Lyon, Dettmer. Nays: None.

Council member Henke made the motion to approve Shad Berner and David Sabatka as new members to the Syracuse Volunteer Fire Department, second by Dettmer. Roll Call: Yeas: Lyon, Dettmer, Lutjemeyer, Henke. Nays: None.

Council member Lutjemeyer made the motion to allow three members of the Volunteer Fire Department to attend Fire School in Grand Island in May, 2014, second by Dettmer. Roll Call: Yeas: Dettmer, Lutjemeyer, Henke, Lyon. Nays: None.

Roy Bretthorst appeared before Mayor and Council to discuss increasing his compensation for his duties as Building Inspector. Mr. Bretthorst stated that he understands that this would be something to discuss at budget time, but brought it to the Mayor and Council now for their consideration at that time.

Mayor Ortiz explained that budget time would also be a good time to review the building permit fees and assured Mr. Bretthorst that he request would be considered at that time.

Council member Lutjemeyer made the motion to approve the renewal of the following plumber licenses: Action Plumbing & Heating, AC and Bill Kreifles Plumbing and the following electrician licenses: Davidson Electric, Kurt Kastens Electric and Capitol City Electric, second by Henke. Roll Call: Yeas: Lyon, Dettmer, Lutjemeyer, Henke. 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 Henke made the motion to go into closed session at 10:15 P.M. to discuss personnel, second by Lyon. Roll Call: Yeas: Lyon, Dettmer, Lutjemeyer, Henke. Nays: None.

Council member Henke made the motion to go out of closed session at P.M., second by Lyon. Roll Call: Yeas: Dettmer, Lutjemeyer, Henke, Lyon. Nays: None.

Council member Henke made the motion to adjourn at 9:05 P.M., second by Lutjemeyer. 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