

REGULAR MEETING  
CITY COUNCIL

DECEMBER 10, 2014

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

Peggy Kuser, City Treasurer, was unable to attend the meeting. The City Treasurer was unable to complete the November Treasurer's Report but did have the September and October reports for the Mayor and Council to review. Council member Lutjemeyer made the motion to approve the September and October Treasurer's Reports and the following claims, second by Gigstad. Roll Call: Yeas: Lutjemeyer, Henke, Gigstad, Dettmer. Nays: None.

AFLAC	540.08
Allied Refuse Services	441.82
American Test Center	1,113.60
Awards Unlimited, Inc.	14.65
B & B Pump N Go, Inc.	1,391.08
B & B Pump N Go, Inc.	385.68
Baragary Construction, Inc.	110.00
Better Homes & Garden	20.00
Bound Tree Medical, LLC	1,129.62
Brandt, Horan, Hallstrom & Stilmock	2,482.10
City of Syracuse	1,072.74
Cardmember Service	341.75
Chamber of Commerce	1,000.00
Combined Revenue Bonds Pri. & Int.	25,000.00
Country Living	26.07
Cornhusker State Industries	153.00
Dana Anderson	1,100.00
Danko Emergency Equipment Co.	370.86
David Partsch	100.00
Dearborn National Life Ins. Co.	151.36
Delwin Antholz	1,500.00
Double Day	91.95
Dutton Lainson Co.	1,955.91
Emergency Repair Service	230.00
EMS Billing Services, Inc.	1,152.87
Environmental Analysis South, Inc.	55.00
Farmers' Cooperative	10.37
Ferguson Enterprises, Inc.	352.45
Gatehouse Media Nebraska Holdings, Inc.	235.44
Gregg Zahn	1,565.00
Ingram Library Services	511.57
JEO Consulting Group, Inc.	1,008.00
Kastens Ford, LTD	1,265.74
Kent Antes	2,700.00
Kriz Davis Co.	964.37
League Association of Risk Management	50,911.23
Marteney Enterprises	1,400.00
Matheson Tri-Gas, Inc.	96.78
Midwest Farmers Coopeative	30.92
Municipal Supply Inc. of NE	365.67

Nebraska City Utilities	922.94
Nebraska Electrical Council	80.00
Nebraska Municipal Power Pool	4,664.00
NE Public Health Env. Lab.	537.00
North Central EMS Corp.	75.00
Omaha Public Power District	106,266.20
One Call Concepts, Inc.	18.90
Otoe County	15,000.00
Peggy Kuser PCA	850.00
Peggy Neemann	43.12
Percival Culligan Water	9.00
Petty Cash	31.38
Roy Bretthorst	53.80
SE Community College	347.00
Shaffer Communications	606.10
Shayna Murrell	39.02
Stryker Sales Corporation	384.04
Stutheit Implement	5.73
Sue Antes	27.00
Synchrony Bank/Amazon	286.81
Syracuse Do It Best	86.24
Syracuse Do It Best	166.46
Syracuse Do It Best	95.81
Syracuse Iron Works	582.67
Syracuse Lumber	54.29
Syracuse Motor Supply	185.24
Terry's Family Foods	48.64
Town & Country Pharmacy	13.15
United Healthcare	12,775.64
US Postal Service	48.00
USA Blue Book	66.05
Verizon Wireless	473.65
Windstream	1,536.43
Windstream	46.45
Western Area Power Administration	3,587.75
Woman's Day	6.25
Write Time Communications	37.51
US Postal Service	320.73
Connie Albers	53.56
Todd Aksamit	2,554.10
Susan Antes	1,457.36
Timothy Antes	115.44
Carolyn Bremer	183.45
Roy Bretthorst	191.68
Alan Britton	161.61
Garry Carman	3,866.78
Deborah Dettmer	161.61
Kelly Farmer	2,732.73
Caleb Frede	115.44
Alfred Gigstad	161.61
Carol Graham	92.35
Eldon Halm	115.44
Eldon Halm	3,051.37
Derek Harms	2,965.73
Kristina Henke	161.61
Peggy Hobscheidt	2,717.04
Karen Kimpel	174.08
Jason LaFollette	2,626.86
Carol Linquist	115.44

Chris Lutjemeyer	92.35
Shayna Murrell	2,606.71
Cassandra Oestmann	80.35
Tomas Ortiz	461.75
Julie Slafter	2,114.83
Richard Sitzman	115.44
Mitchell Stubbendick	3,204.64
Jeffery Vogt	3,441.81
Timothy Wilson	115.44

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 January 14, 2015 at 6:00 P.M., second by Lutjemeyer. Roll Call: Yeas: Dettmer, Lutjemeyer, Henke, Gigstad. Nays: None.

City Attorney Jerry Stilmock, Superintendent of Public Works Garry Carman and Building & Zoning Inspector Roy Bretthorst will meet and investigate the lease agreement with Mt.Moriah Lodge for meeting room above City Hall.

Mayor Ortiz presented an Appreciation Plaque to Chris Lutjemeyer for his twelve years of service on the City Council. Mayor Ortiz thanked Council member Lutjemeyer for all the help he received upon coming in to office as a new Mayor. Council member Lutjemeyer stated that he enjoyed his years on the City Council and hope he left the City a better place than when he started.

Mayor Ortiz presented an Appreciation Plaque to Lynn Lyon for six years of service on the City Council. Mayor Ortiz thanked Mr. Lyon for his years of service to the City.

Council member Lutjemeyer made the motion to adjourn the meeting at 6:10 P.M., second by Henke. Roll Call: Yeas: Gigstad, Dettmer, Lutjemeyer, Henke. Nays: None.

Mayor Ortiz called the meeting to order at 6:15 P.M. on December 10, 2014 in Council Chambers at 495 Midland Street. Present were Mayor Ortiz, Council members Gigstad, Dettmer, Britton and Henke.

City Attorney Stilmock administered the oath of Office to Council members Kristy Henke and Alan Britton.

Council member Britton nominated Kristy Henke as Council President, second by Gigstad. Roll Call: Dettmer, Britton, Gigstad. Nays: None. Council member Henke abstained. Motion passed.

Mayor Ortiz made the following appointments: Peggy Hobscheidt – City Clerk, Garry Carman – Superintendent of Public Works, Roy Bretthorst – Zoning & Building Inspector, Brandt, Horan, Hallstrom & Stilmock – City Attorney, JEO Consulting Group, Inc. – City Engineer, Evan Wickersham – Street Superintendent, Peggy Kuser – City Treasurer, Dr.

Zak Termelmeyer – City Physician and Council members Gigstad, Dettmer and Britton – Finance Committee.

Council member Henke made the motion to approve the appointments, second by Dettmer. Roll Call: Yeas: Gigstad, Dettmer, Britton, Henke. Nays: None.

**SHERIFF REPORT** – Report presented by Chief Deputy Mike Holland. There were 73 calls in November, 26 being Rescue calls. Chief Deputy Holland stated that the night deputies have been patrolling Highway 50/Park Street and have not stopped any violators of the City ordinance against using audible compression brakes.

**PARKS & RECREATION REPORT** – Park Manager Todd Aksamit presented the Park report. Manager Aksamit reported that he has repaired four light poles from Williams Park and will be checking on a few others that might need repaired.

Manager Aksamit stated that he would like to check on the cost of placing permanent covers over the dugouts at the Sports Complex. City Attorney Stilmock stated that the original complex plans had permanent covers on the dug outs, he will check with JEO Consulting Group, Inc. and question if they have any information or costs on permanent covers.

Recreation Coordinator Shayna Murrell reported that Boys & Girls basketball will start on January 10, 2015 and there will be a tournament at the end of the season. Coordinator Murrell stated that she is advertising for an adult 3 on 3 basketball league. The league will be for men and women.

Coordinator Murrell reported that there are currently 60 children registered for tumbling in January. There will be four volunteers helping Lillie Chambers with the classes.

**PUBLIC WORKS REPORT** – Report presented by Superintendent of Public Works Garry Carman. Superintendent Carman reported that there was a water main break on Cherl Drive on the 8<sup>th</sup>, but everything has been repaired.

Mayor Ortiz opened the public hearing concerning the following-described real estate: All fractional Lots Seven (7), Eight (8), Nine (9), Ten (10) North of CB & Q Railroad right-of-way, Block Seventeen (17), Thorne's Addition, City of Syracuse Otoe County, Nebraska to change the Comprehensive Plan and Future Land Use Map from General Commercial to Old Town Commercial/Industrial.

The Syracuse Planning Commission approved the request. Larry Neemann stated that he is making the request due to setback requirement of the current zoning.

City Attorney Stilmock reported that Mrs. Neemann had informed him that the Neemanns would like to have a landscaping business and outdoor storage on the property. City Council Britton stated that he is not in favor allowing building up to the property line when the area is right next to residential. Mr. Neemann stated that he had proposed building 15 feet back from the property line but Building Inspector Roy Bretthorst had denied the building permit. Mr. Neemann stated that this was discussed at a meeting with City Attorney Stilmock and Building Inspector Bretthorst. City Attorney Stilmock and Building Inspector Bretthorst did not recall any discussion on denied building permit. Mayor Ortiz suggested that Mr. Bretthorst check and see if building permit was denied and item could be discussed on the January 14, 2015 meeting.

Council member Britton made the motion to continue the public hearings concerning the following-described real estate: All fractional Lots Seven (7), Eight (8), Nine (9), Ten (10) North of CB & Q Railroad right-of-way, Block Seventeen (17), Thorne's Addition, City of Syracuse Otoe County, Nebraska to change the Comprehensive Plan and Future Land Use Map from General Commercial to Old Town Commercial/Industrial and public hearing and Ordinance No. 962 on application for a change of zoning designation for the following-described real estate: All fractional Lots Seven (7), Eight (8), Nine (9), Ten (10) North of CB & Q Railroad right-of-way, Block Seventeen (17), Thorne's Addition, City of Syracuse Otoe

County, Nebraska from C-1 General Commercial to CI-1 Old Town Commercial/Industrial to January 14, 2015 at 6:00 P.M., second by Henke. Roll Call: Yeas: Britton, Henke, Gigstad, Dettmer. Nays: None.

Mayor Ortiz opened the public hearing on application for approval of preliminary plat of the following-described real estate: TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION FIFTEEN (15), TOWNSHIP EIGHT (8) NORTH, RANGE ELEVEN (11) EAST OF THE 6TH P.M., OTOE COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: CONSIDERING THE WEST LINE OF THE NE 1/4 OF SAID SECTION 15 AS BEARING S0000'00"E AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO: COMMENCING AT THE NORTHWEST CORNER OF THE NE 1/4 OF SAID SECTION 15, THENCE SOUTHERLY ALONG THE WEST LINE OF THE NE 1/4 S0000'00"E, 102.80 FEET TO A POINT, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE EASTERLY ALONG THE SOUTH RIGHT-OF-WAY OF "I" ROAD N8923'08"E, 1321.70 FEET TO A POINT; THENCE LEAVING SAID RIGHT-OF-WAY LINE AND CONTINUING SOUTHERLY ALONG THE EAST LINE OF THE WEST 1/2 OF THE NE 1/4 S0010'25"E, 1037.52 FEET TO A POINT; THENCE WESTERLY S8919'22"W, 1324.87 FEET; TO A POINT ON THE SAID WEST LINE OF THE NE 1/4; THENCE NORTHERLY ALONG SAID WEST LINE OF THE NE 1/4 N0000'00"E, 1039.00 FEET TO THE TRUE POINT OF BEGINNING. THE ABOVE DESCRIBED TRACT CONTAINS 31.54 ACRES, MORE OR LESS, WHICH IS SUBJECT TO ALL EASEMENTS OR RIGHTS-OF-WAY NOW ON RECORD OR INDICATED ON THE SURVEY PLAT.

Randy Peterson appeared before Mayor and Council to review the preliminary plat of East Ridge Estates. City Attorney Stilmock reviewed with Mr. Peterson comments received from Evan Wickersham. Some of the concerns are that there is already a Birch Street therefore that would need to be changed, additional fire hydrants should be added and that the sanitary sewer needs to have a minimum of 10-foot clearance between the proposed sewer and water lines.

Mr. Peterson stated that all changes will be made on the Final plat. The East Ridge Preliminary Plat has been approved by the Syracuse Planning Commission.

Mayor Ortiz closed the public hearing.

Council member Henke made the motion to approve the East Ridge Estates preliminary plat, second by Britton. Roll Call: Yeas: Gigstad, Dettmer, Britton, Henke. Nays: None.

Mayor and Council reviewed the Interlocal Agreement between the City and the Syracuse Rural Fire District. The only change in the new agreement was changing the term from two years to five years making the agreement in effect until September 30, 2019

Mayor Ortiz also stated that he would like to have a meeting with the Rural Fire Board in March and discuss the future needs of the Volunteer Fire Department.

Council member Henek made the motion to adopt RESOLUTION NO. 14-18: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SYRACUSE, OTOE COUNTY, NEBRASKA TO APPROVE, RATIFY AND ACCEPT THE INTERLOCAL AGREEMENT WITH THE SYRACUSE RURAL FIRE DISTRICT AND THE CITY OF SYRACUSE, NEBRASKA FOR THE DIVISION AND PAYMENT OF OPERATIONAL EXPENSES; TO APPROVE THE EXECUTION THEREOF, second by Gigstad. Roll Call: Yeas: Britton, 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 and Council reviewed the request from Volunteer Fire Department Chief Bruce Neemann to increase the insurance value of the 1999 pumper to \$350,000 and the 1993 utility truck to \$200,000.00. This would be the replacement cost of the two units.

Council member Britton made the motion to increase the value of the 1999 Fire pumper to \$350,000 and the 1993 Fire utility truck to \$200,000.00, second by Gigstad. Roll Call: Yeas: Britton, Henke, Gigstad, Dettmer. Nays: None.

Mayor and Council reviewed signed bill of sale from the Syracuse Volunteer Fire Department and Syracuse Rural Fire District. All inventory and equipment purchased jointly by the City, Volunteer Fire Department and Rural Fire District will now be the property of the City of Syracuse and insured on the City's liability insurance policy.

Council Britton made the motion to accept the Bill of Sale from Syracuse Volunteer Fire Department and Syracuse Rural Fire District for all inventory and equipment list on Exhibit 1 of Bill of Sale, second by Henke. Roll Call: Yeas: Henke, Gigstad, Dettmer, Britton. Nays: None.

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

Mayor Ortiz thanked the Council members for their recommendations on the employee salary step program. Mayor Ortiz stated that he would like to see the employee's salary increase be performance based therefore the employees that were performing above the rest would benefit from doing a good job. Mayor Ortiz will review and study recommendations and plan will be set in June during the budget process.

Paula Aksamit gave a presentation on bullying in the work place. Mrs. Aksamit stated that it is a situation that is sometime ignored and she would like to get the word out to the community that she would be available to give presentation to all groups or business that might be in need.

No update on contract from James Bonneville of Municode.

Mayor and Council discussed moving forward with getting asbestos testing performed on the Charles Martin and Larry Lawton properties. City Attorney Stilmock stated that the City would need the permission of the property owners to allow someone to go on to their property and perform the testing.

Mayor and Council agreed that they would like to proceed with having Bockmann Inc. conduct a sampling for asbestos at the Charles Martin property only. City Attorney Stilmock will contact Charles Martin and request permission on go on property to perform asbestos inspection.

Council member Dettmer made the motion to move forward with asbestos inspection of the Charles Martin property, second by Gigstad. Roll Call: Yeas: Gigstad, Dettmer, Britton, Henke. Nays: None.

City Attorney Stilmock informed Mayor and Council that after review of State Statue that if an employee will be discussed in closed session, the employee must be notified and given the opportunity to request that the discuss be held in open session.

Mayor and Council questioned City Attorney Stilmock about his statements and requested that he contact the Nebraska Attorney General and obtain their understanding of the statue.

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

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City Clerk

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Mayor