

CITY OF NEBRASKA CITY, NEBRASKA
MINUTES OF CITY COUNCIL REGULAR MEETING
January 18, 2010

Pursuant to due call and notice thereof, a Regular Meeting of the City Council of the City of Nebraska City was conducted in the Council Chambers of City Hall, 1409 Central Avenue, on January 18, 2010. Notice of the meeting was given in advance thereof by posting in at least three public places, the designated method for giving notice, as shown by the Certificate of Posting Notice attached to these minutes.

Mayor Hobbie called the meeting to order at 6:00 p.m. The Mayor publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act was available for review and indicated the location of such copy posted in the room where the meeting was being held. Mayor Jack Hobbie led in the Pledge of Allegiance. Upon roll call the following answered present: Brett Gay, Jeff Crunk, Dean Handy, and Mark Mercer. The following City Officials were present: City Administrator Pat Haverty, City Clerk Arnold M. Ehlers, City Attorney William Davis, Police Chief David Lacy and Public Properties Director/Zoning Director Dan Güttinger.

Commissioner Handy moved to approve the minutes of the January 4, 2010 City Council Regular Meeting, seconded by Commissioner Gay. Upon roll call the following voted YES: Crunk, Handy, Gay, Mercer and Mayor Hobbie. Voting NO: None. Motion adopted.

Commissioner Handy moved to approve the minutes of the January 14, 2010, Special Joint Meeting with the Board of Public Works, seconded by Commissioner Crunk. Upon roll call the following voted YES: Gay, Crunk, Handy and Mayor Hobbie. Voting NO: None. Abstain: Mercer. Motion adopted.

Commissioner Mercer moved to pay all claims except Claim #72500, seconded by Commissioner Handy. Upon roll call the following voted YES: Gay, Crunk, Handy, Mercer and Mayor Hobbie. Voting NO: None. Motion passed.

Commissioner Handy moved to pay Claim #72500, seconded by Commissioner Gay. Upon roll call the following voted YES: Handy, Crunk, Gay and Mayor Hobbie. Voting NO: None. Abstain: Mercer. Motion adopted.

Commissioner Handy moved to approve all Plumbers applications submitted. Upon roll call the following voted YES: Mercer, Crunk, Gay, Handy and Mayor Hobbie. Voting NO: None. Motion passed.

Commissioner Handy moved to approve all Electricians applications submitted. Upon roll call the following voted YES: Mercer, Crunk, Gay, Handy and Mayor Hobbie. Voting NO: None. Motion passed.

Mayor Hobbie moved to appoint Bryan Herzog to a three year term on the Board of Adjustment. Upon roll call the following voted YES: Gay, Crunk, Handy, Mercer and Mayor Hobbie. Voting NO: None. Motion passed.

Mayor Hobbie moved to appoint Heidi Jean Wredt as a probationary member of the Nebraska City Volunteer Fire and Rescue Department. Upon roll call the following voted YES: Gay, Crunk, Handy, Mercer and Mayor Hobbie. Voting NO: None. Motion passed.

Mayor Hobbie presented "Certificates of Service" to the following City Employees. Dana Schebaum-5 Years; Clayton Jones-5 Years; Nate Wigington-5 Years; Jeanene Pummel-15 Years; Barbara Hegr-15 Years and Scooter Edmisten-20 Years. Mayor Hobbie thanked each of the individuals for their commitment to Nebraska City.

Pat Haverty informed the Board of the awarding of the contract for the Central Avenue Mill and Overlay project to TAB Construction in the amount of \$602,000 which was \$62,000 below engineers estimates. Also this past week staff worked with JEO, Midwest ROW and NDOR to clear up remaining issues for the Right-of-Way Certificate for the South 11th Street Widening and Realignment Projects. This project should be ready for bid letting in March.

The Treasurer's Report showed a beginning balance on December 1, 2009 of \$2,327,461.08, revenues of \$461,340.84, expenses of \$798,897.57 and an ending balance on December 31, 2009 of \$1,989,904.35. Mayor Hobbie accepted both reports and asked that they be placed on file.

Ryan Swinton of Midlands Financial Benefits, Inc presented the new Employee Health Insurance package to the Board. Ryan informed the Board of a "net" premium increase of 3.8% for the next

year. Mayor Hobbie moved to award the Employee Health Benefits package to Midlands Financial Benefits, Inc for the year beginning March 1, 2010. Upon roll call the following voted YES: Gay, Crunk, Handy, Mercer and Mayor Hobbie. Voting NO: None. Motion passed.

Debra Kuhn of the Nebraska City Rotary Club requested use of a portion of Steinhart Park for a “Dog Walk” on June 12, 2010 to raise money for local projects. Commissioner Gay moved to approve the request by Rotary Club to use Steinhart Park on June 12 with the stipulation that “waste” be cleaned up after the event. Upon roll call the following voted YES: Crunk, Mercer, Handy, Gay and Mayor Hobbie. Voting NO: None. Motion passed.

Pat Haverty explained the research done by the City Attorney showing that the road to Paul Smalley’s property was indeed a private road and that tax dollars could not be used to maintain the road. Paul Smalley told the board that the City has maintained the road since he purchased the property in the 70’s. He also indicated that he has been in contact with the railroad since the road is on their property. After discussion Commissioner Mercer moved to permit the Street Department to continue snow removal through the end of March 2010. Upon roll call the following voted YES: Crunk, Handy, Mercer and Mayor Hobbie. Voting NO: Gay. Motion passed.

Dan Giittinger explained the issue on 14th Corso west of 11th Street. With parking on both sides of the street it is difficult for vehicles to get through and with the snow this year it has made passage nearly impossible. Bob Koch of McDonald’s submitted a letter to the Mayor and Commissioners expressing concerns about limiting parking on 14th Corso. Mr. Koch felt that limiting on street parking would have a negative impact on his business and send the wrong message to individuals interested in locating businesses in Nebraska City. Jackie Kraenow spoke in support of “No Parking” on the south side of 14th Corso to alleviate the problem as well as trying to stop semi’s from driving up 14th Corso as there is no place for them to turn around and they drive on yards. Joe Rico told the Board that there should be “No Parking” signs placed on both sides of 14th Corso from 11th to 13th Street. Dee Antes addressed the Board saying that the City should try to appease Mr. Koch in some way since his business is an asset to the community. Mayor Hobbie stated that there will be no action taken at this meeting and that the subject will be addressed at a future meeting after all property owners have been notified.

Pat Haverty asked that the Board approve a design contract with Schemmer Associates, Inc for services for the Livingston property pending approval of environmental review. Commissioner Gay moved to approve the contract with Schemmer Associates, Inc for design of the Livingston Property. Upon roll call the following voted YES: Handy, Mercer, Gay and Mayor Hobbie. Voting NO: Crunk. Motion passed.

Pat Haverty reviewed the results of the Memorial Building Survey to start discussion on the future of the structure. Bill Moore asked the Board to consider using the Memorial Building to house City Offices, Utility Offices, as well as other offices that work closely with the City, and then consider using vacated City Offices as a Senior Center. Commissioner Gay moved to direct staff to prepare a RFP for design of the memorial Building incorporating a multi-purpose usage of the building to include combining several City Departments as well as other entities creating a “One-Stop” location for City business. Upon roll call the following voted YES: Crunk, Mercer, Handy, Gay and Mayor Hobbie. Voting NO: None. Motion passed.

Commissioner Handy moved to approve the request by The Avenue Grill for a Special Designated Liquor License for a “Wine Tasting” on February 13, 2010. Upon roll call the following voted YES: Crunk, Gay, Mercer, Handy and Mayor Hobbie. Voting NO: None. Motion passed.

Pat Haverty informed the Board of “Energy Efficiency Conservation Block Grant” funds available. Commissioner Gay moved to direct staff to prepare the grant application and authorize the Mayor to sign. Upon roll call the following voted YES: Handy, Mercer, Gay and Mayor Hobbie. Voting NO: None. Abstain: Crunk. Motion passed.

Pat Haverty informed the Board of a Waste Reduction and Recycling Incentive Grant available that would place recycled tire mulch around the Morton James Library. Commissioner Mercer moved to direct staff to prepare the grant application and authorize the Mayor to sign. Upon roll call the following voted YES: Gay, Crunk, Handy, Mercer and Mayor Hobbie. Voting NO: None. Motion passed.

Tammy Maybee of Wagon Wheel Bar made application for a “Sidewalk Obstruction Permit” which included two benches and three buckets. The Commercial Building Maintenance, Occupancy and Style Committee approved the placement of the two benches but not the buckets. Commissioner Handy moved to approve the “Sidewalk Obstruction Permit” for Wagon Wheel

Bar for two benches only. Upon roll call the following voted YES: Crunk, Mercer, Handy and Mayor Hobbie. Voting NO: Gay. Motion passed.

ADT Security	115.11	Contr	Leggio, Jr., W	750.00	EMT
Alamar	191.57	Unif	Linweld	81.45	Med
Alco	32.20	Supp	Logan Contr	8,020.78	Equip
Allied Recycling	222.75	Garbage	Marion, J	500.00	EMT
Arbor Day Found	15.00	Dues	Mercer's	44.35	Rep
Arbor Mart	3,734.83	Fuel	Meritain Health	230.50	Misc
AVAC	1,064.00	Contr	Mid-America Termi	43.48	Contr
Battery Zone	124.03	Equip	Midlands Financial	875.00	Contr
Benefiel	75.00	Misc	Midwest Farmers	403.70	Rep
Bishop Plumbing	222.95	Rep	Midwest ROW	136.00	ROW
Bob's Welding	186.50	Equip	Morrow, S	640.00	EMT
Bohl Plumbing	63.00	Rep	Mullenax Auto	620.72	Rep
Bound Tre	291.48	Med	Nationwide	12,474.73	Ins
Bray, C	100.00	EMT	NC Newspress	257.25	Advert
Brown's Shoe	114.75	Unif	NC Rotary Club	375.00	Dues
Casey's	236.53	Fuel	NC Utilities	8,119.02	Util
Century Lumber	273.80	Msde	NE Dept of Rev	948.75	Sales Tax
Cintas	60.25	Contr	NE Expressway	375.00	Dues
Citizen Printing	323.50	Supp	NE Salt & Grain	4,344.38	Rep
City Tire	671.00	Rep	NE Turf Products	769.30	Rep
Comm State Ban	23,624.03	Contr	NE Workforce Dev	3,184.19	Misc
Conz, G	200.00	EMT	Nextel	234.87	Tele
Cornhusker Int	246.21	Rep	Omaha Standard	2,471.85	Equip
Doiel, R	102.00	Mileage	Omaha Tractor	92.00	Equip
Douglas Tire	56.95	Rep	O'Reilly Auto	64.19	Rep
EMS Billing	5,356.67	Contr	Orscheln	57.95	Rep
Fireguard	40.44	Equip	Otoe Co Clerk	2,672.64	Contr
Food Pride	29.23	Supp	Reg of Deeds	18.50	Misc
Fouraker, H	375.00	EMT	Pamida	59.11	Supp
Gay, B	174.02	Mileage	Payroll	98,531.98	Payroll
Giittinger, D	43.45	Mileage	Pitney Bowes	249.00	Contr
Goebel, G	136.00	EMT	SEND D	1,772.75	Contr
Hamlin, S	36.00	EMT	Shell	3,984.85	Fuel
Haverty, P	55.00	Mileage	Snodgrass, A	136.00	EMT
Heartland Class	77.42	Advert	St. Mary's Hosp	518.00	Med
Highmark Blue	388.05	Misc	Stutheit Imp	1,699.00	Equip
HireRight	25.00	Med	Tag's One Stop	954.76	Fuel
Hogan, Jr., W	400.00	EMT	Tree City Tees	10.79	Unif
Hopkins Auto	126.72	Rep	Tri-State Office	381.56	Supp
Hostetter, D	194.50	Misc	Tri-State Pumping	4,275.00	Contr
Ideal Water	36.00	Contr	United Healthcare	623.28	Misc
Jones, N	1,900.00	EMT	Viox, A	249.70	Mileage
KNCY	48.00	Advert	VISA	114.98	Dues/Rep
Konica Minolta	120.33	Contr	Watkins	369.84	Rep
Kreifels Electric	168.00	Rep	Weible, B	144.00	EMT
Landis Engine	184.36	Equip	West, M	25.62	Supp
Larson Motors	688.69	Rep	Wielechowski, W	36.00	EMT
Lawton Printing	28.50	Supp	Windstream	1,811.89	Tele
League of NE Mu	674.00	Dues	Wood Family Fuel	225.05	Fuel

Meeting adjourned at 7:47 p.m.

Arnold M. Ehlers, Clerk - Treasurer