

CITY OF NEBRASKA CITY, NEBRASKA
MINUTES OF CITY COUNCIL REGULAR MEETING
February 6, 2012

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 at City Hall, 1409 Central Avenue, on February 6, 2012. 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. Availability of the agenda was communicated in advance to the media, Mayor and Commissioners of this proceeding and said meeting was open to the public.

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 then led in the Pledge of Allegiance. Upon roll call the following answered present: Brett Gay, Dean Handy and Mayor Hobbie. Absent: Jeff Crunk and Mark Mercer. The following City Officials were present: City Administrator Joe Johnson, City Clerk-Treasurer Arnold M. Ehlers, City Attorney William Davis, Police Chief David Lacy, Fire Chief Alan Viox, EMS Chief Rodney Turpel and Public Properties Director/Zoning Director Dan Giittinger.

Commissioner Gay moved to approve the minutes of the January 16, 2012, City Council Regular Meeting, seconded by Commissioner Handy. Upon roll call the following voted AYE: Handy, Gay and Mayor Hobbie. Voting NO: None. Motion adopted.

Commissioner Handy moved to pay all claims as presented, seconded by Commissioner Gay. Upon roll call the following voted YES: Gay, Handy and Mayor Hobbie. Voting NO: None. Motion passed.

Mayor Hobbie moved to appoint Elden Plettner as a probationary member of the Nebraska City Fire and Rescue Department, seconded by Commissioner Handy. Upon roll call the following voted YES: Gay, Handy and Mayor Hobbie. Voting NO: None. Motion passed.

Mayor Hobbie recognized Connie Driever for her 32 years of service to Nebraska City as an EMT and presented her with a framed certificate.

Mayor Hobbie opened the Public Hearing on the proposed annexation of 136 acres into Nebraska City. Joe Johnson provided background information on the benefits to the city in annexing the land saying that the City is already has the basic services available to the area. Industrial development would be the most obvious benefit to the city and area. Moved by Commissioner Handy and seconded by Commissioner Gay to close the Public Hearing. Upon roll call the following voted YES: Gay, Handy and Mayor Hobbie. Voting NO: None. Motion passed.

The advertised Public Hearing on the Blight Designation for the proposed annexation is postponed until the annexation is complete.

Joe Johnson provided written reports of City activities. for the Council and public. Johnson also presented his inaugural update of legislative bills that will have an impact on Nebraska City. Leroy Frana, General Manager of the Nebraska City Utilities reported on recent and future projects by the utilities department. Mayor Hobbie asked that the reports be placed on file.

Leroy Frana of Nebraska City Utilities along with Brad Markes and Jerod Sands of KPMG LLP presented facts and figures from the FY 2011 Audit of Nebraska City Utilities Financial Statements. Commissioner Gay moved to accept the Nebraska City Utilities Audit. Upon roll call the following voted YES: Handy, Gay and Mayor Hobbie. Voting NO: None. Motion passed.

Ryan Swinton of Midlands Financial Benefits, Inc. presented the employee health benefits renewal package. He stated that the premium for the health insurance portion of employee benefits will remain the same as last year. Vision coverage will not increase and dental coverage will increase 8.9%. Mr. Swinton recommended an option for dental coverage which would have a 0% premium increase with a minimal increase to the employee through a higher deductible for services. Moved by Commissioner Handy and seconded by Commissioner Gay to approve the 2012 health benefits as presented with the level premium option for dental.. Upon roll call the following voted YES: Gay, Handy and Mayor Hobbie. Voting NO: None. Motion passed.

Leroy Frana presented the recommendation by the Board of Public Works to award the contract for the 2011-2012 Water Transmission Main Improvement Project to H R Bookstrom in the amount of \$520,564.00. Moved by Commissioner Gay and seconded by Commissioner Handy to

award the contract to H R Bookstrom in the amount of \$520,564.00 for the 2011-2012 Water Transmission main Improvement Project. Upon roll call the following voted YES: Handy, Gay and Mayor Hobbie. Voting NO: None. Motion passed.

Leroy Frana then presented Work Order 132 to provide electricity to a customer south of Julian in the amount of \$25,574.46 minus \$7,484.62 from said customer. Moved by Commissioner Gay and seconded by Commissioner Handy to approve Work Order 132 in the amount of \$25,574.46. Upon roll call the following voted YES: Handy, Gay and Mayor Hobbie. Voting NO: None. Motion passed.

Mayor Hobbie introduced Resolution 2552-12 designating ‘No Parking’ on 12th Corso west of 11th Street. Moved by Commissioner Handy and seconded by Commissioner Gay to approve Resolution 2552-12. Upon roll call the following voted YES: Gay, Handy and Mayor Hobbie. Voting NO: None. Motion passed and adopted. A true, correct and complete copy of said resolution is as follows:

RESOLUTION NO. 2552-12

BE IT RESOLVED by the Mayor and City Commissioners of the City of Nebraska City, Nebraska:

That signs designating “No Parking” be placed on the South side of 12th Corso, from a point one-hundred forty five feet (125’) west of the 11th Street right-of-way thence to 13th Street, to regulate parking, which regulation shall be effective twenty-four (24) hours each day, to prohibit parking of vehicles along the South side of said streets. Passed and approved this 6th day of February, 2012.

Jack Hobbie, Mayor

Attest:

Arnold M. Ehlers, City Clerk-Treasurer

Mayor Hobbie introduced Ordinance 2860-12 annexing approximately 136 Acres into Nebraska City for its first reading. Ordinance 2860-12 was read by title only. Moved by Mayor Hobbie and seconded by Commissioner Handy to approve Ordinance 2860-12 on its first reading. Upon roll call the following voted YES: Gay, Handy and Mayor Hobbie. Voting NO: None. Mayor Hobbie declared Ordinance 2860-12 approved on its first reading.

ORDINANCE NO. 2860-12

AN ORDINANCE OF THE CITY OF NEBRASKA CITY, NEBRASKA, TO EXTEND THE BOUNDARIES AND INCLUDE WITHIN THE CORPORATE LIMITS OF AND ANNEX TO THE CITY OF NEBRASKA CITY, NEBRASKA, CERTAIN CONTIGUOUS AND ADJACENT LANDS OUTSIDE OF THE CITY OF NEBRASKA CITY, OTOE COUNTY, NEBRASKA, AS DESCRIBED IN SECTION 2 HEREOF, AND TO PROVIDE FOR SERVICE BENEFITS THERETO, AND TO PROVIDE FOR AN EFFECTIVE DATE.

Mayor Hobbie introduced Ordinance No. 2865-12 repealing Chapter 12.5 for its first reading. Ordinance 2865-12 was read by title only. Moved by Mayor Hobbie and seconded by Commissioner Handy to approve Ordinance 2865-12 on its first reading. Upon roll call the following voted YES: Gay, Handy and Mayor Hobbie. Voting NO: None.

ORDINANCE NO. 2865-12

AN ORDINANCE TO REPEAL CHAPTER 12 ½ OF THE CODE OF NEBRASKA CITY, NEBRASKA, AND TO DECLARE AN EFFECTIVE DATE.

Mayor Hobbie introduced Ordinance No. 2866-12 amending Section 25-3(c) of the City Code. Moved by Mayor Hobbie and seconded by Commissioner Handy to approve Ordinance 2866-12 on its first reading. Upon roll call the following voted YES: Gay, Handy and Mayor Hobbie. Voting NO: None.

ORDINANCE NO. 2866-12

AN ORDINANCE TO AMEND SECTION 25-3(c) , PARKS AND RECREATION ADVISORY COMMITTEE GENERALLY, OF THE CODE OF NEBRASKA CITY, NEBRASKA, TO DELETE ARCHAIC LANGUAGE, TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND TO DECLARE AN EFFECTIVE DATE.

Mayor Hobbie introduced Ordinance No. 2867-12 amending Section 2-24 of the City Code and moved that Ordinance 2867-12 be approved in its first reading seconded by Commissioner Handy. Upon roll call the following voted YES: Gay, Handy and Mayor Hobbie. Voting NO: None.

ORDINANCE NO. 2867-12
AN ORDINANCE TO AMEND SECTION 2-24, COUNCIL VICE-PRESIDENT, OF THE CODE OF NEBRASKA CITY, NEBRASKA, TO DELETE ARCHAIC LANGUAGE, TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith, AND TO DECLARE AN EFFECTIVE DATE.

Mayor Hobbie introduced Ordinance No. 2868-12 amending Section 2-36 of the City Code and moved that Ordinance 2868-12 be approved on its first reading seconded by Commissioner Handy. Upon roll call the following voted YES: Gay, Handy and Mayor Hobbie. Voting NO: None. The motion to suspend was adopted by three-fifths of the Council and the statutory rule was declared suspended for consideration of said ordinance.

ORDINANCE NO. 2868-12
AN ORDINANCE TO AMEND SECTION 2-36, USE OF MAGNETIC TAPES IN RECORDING CITY COUNCIL MEETINGS, OF THE CODE OF NEBRASKA CITY, NEBRASKA, TO DELETE ARCHAIC LANGUAGE, TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith, AND TO DECLARE AN EFFECTIVE DATE.

Mayor Hobbie introduced Resolution 2553-12 setting the hearing date for assessments of Street Improvement Project No. 2011-03 (2nd Street). Moved by Commissioner Handy and seconded by Commissioner Gay to approve Resolution 2553-12. Upon roll call the following voted YES: Gay, Handy and Mayor Hobbie. Voting NO: None. Motion passed and adopted. A true, correct and complete copy of said resolution is as follows:

RESOLUTION 2553-12

BE IT RESOLVED BY THE MAYOR AND COMMISSIONERS OF THE CITY OF NEBRASKA CITY, NEBRASKA:

That the Board shall meet at City Hall 1409 Central Avenue in said City on the 20th day of February, 2012 at 6:00 P.M. for the purpose of sitting as a Board of Equalization to levy special assessments on the lots and parcels of land abutting on or adjacent to the streets, avenues and alleys improved in Street Improvement Project No. 2011-3. Notice of the time of holding such meeting and the purpose for which it is held shall be published in the Nebraska City News-Press a legal newspaper published in Nebraska City and of general circulation in said City, at least ten days before the date of said hearing. The Clerk is directed to cause said notice to be mailed to owners of property subject to assessment as provided by statute.

The engineer is directed to prepare and file in the office of the Clerk prior to the first publication of the Notice of said hearing on special assessments a map of property benefited by the improvements constructed in connection with Street Improvement Project No. 2011-3 and a tentative schedule of the assessments, which shall be open to the public.

PASSED AND APPROVED this 6th day of February, 2012.

 Jack Hobbie, Mayor
 Attest:

 Arnold M. Ehlers, City Clerk - Treasurer

Mayor Hobbie introduced Resolution 2555-12 revising the fee schedule for the ambulance service. Moved by Commissioner Handy and seconded by Commissioner Gay to approve Resolution 2555-12. Upon roll call the following voted YES: Gay, Handy and Mayor Hobbie. Voting NO: None. Motion passed and adopted. A true, correct and complete copy of said resolution is as follows:

Resolution 2555-12

Adoption of a new fee schedule for the Nebraska City Fire and Rescue – EMS Division services.
 Whereas: EMS Billing Service has recommended a rate change based on area averages and the way Medicare and private insurers reimburse the City for it’s services, and
 Whereas: City staff finds that adoption of the recommended rates would be prudent for the City,
NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NEBRASKA CITY, OTOE COUNTY, NEBRASKA THAT:
 The City hereby adopts the following fee schedule incorporates it into the policies and procedures of the EMS Division.

Level of Service	Current	Proposed
BLS Non-Emergency Base	\$430.00	\$500.00
BLS Emergency Base	\$575.00	\$660.00

ALS Non-Emergency Base	\$685.00	\$790.00
ALS Emergency Level 1	\$715.00	\$820.00
ALS Emergency Level 2	\$760.00	\$870.00
Mileage	\$ 14.00	\$ 17.00

Passed and approved the 6th day of February, 2012

 Jack Hobbie, Mayor
 Attest:

 Arnold M. Ehlers, City Clerk

Mayor Hobbie introduced Resolution 2556-12 implementing a retro-reflectivity maintenance and inventory program for street signs. Moved by Commissioner Handy and seconded by Commissioner Gay to approve Resolution 2556-12. Upon roll call the following voted YES: Gay, Handy and Mayor Hobbie. Voting NO: None. Motion passed and adopted. A true, correct and complete copy of said resolution is as follows:

RESOLUTION No. 2556-12

NEBRASKA CITY TRAFFIC SIGN RETROREFLECTIVITY MAINTENANCE PROGRAM
 CALENDAR YEAR 2012

The City of Nebraska City, Nebraska hereby resolves to proceed with the implementation of this policy by February 6th, 2012.

Based on experience gained as this program is implemented, the City may review and modify its approach to this work as needed in order to:

1. Comply with the traffic sign retro reflectivity requirements per the MUTCD.
2. Provide for the safety of sign impaction/maintenance personnel, motorists and other road users.

Any significant changes made to the plan, method(s) or procedures(s) will be documented.

Traffic Sign Inventory

Daytime inspections will be conducted to identify and document all traffic signs under the City's jurisdiction. At a minimum, the documentation from these inspections will include the sign type, location, and condition. The inspections will also identify:

1. Any damaged, deteriorated, or obscured signs or other sign problems that require immediate corrective action in the interest of traffic safety.
2. Any signs or sign installations that do not meet the standards and requirements set forth in the MUTCD.

The City will take appropriate and reasonable steps to correct any sign problems/deficiencies identified.

The data collected during the inspections will be used to create an inventory of the City's traffic signs. At the City's discretion, the sign inspection sheets may be organized in a notebook, filing system or computer database. The City will evaluate the available options and methods for long-term maintenance and updating of its sign inventory.

Additional Responsibilities for Traffic Sign Management and Maintenance

Retro reflectivity is just one of several factors associated with proper functioning of traffic signs. The City continues to be responsible for the overall management and regular maintenance of signs under its jurisdiction, in the interest of public safety.

All ground mounted sign supports shall be breakaway.

The following text is included in the MUTCD Section 2A.22-Maintenance:

1. Maintenance activities should consider proper position; cleanliness, legibility and daytime and nighttime visibility (see section 2A.08). Damaged or deteriorated signs or object markers should be replaced.
2. To assure adequate maintenance, a schedule for inspection, cleaning and replacing signs and object markers should be established. Employees of highway, law enforcement and other public agencies whose duties require that they travel on the roadways should be encouraged to report any damaged, deteriorated, or obscured signs or object markers at the first opportunity.
3. Steps should be taken to see that trees, shrubbery and construction, maintenance and utility materials and equipment do not obscure the face of any sign or object markers.

Documentation and Recordkeeping

The City will establish a recordkeeping system to organize the documentation relating to its traffic sign management and maintenance functions, including

1. Creating and maintaining the sign inventory.
2. Conducting routine, periodic condition inspections of signs.
3. Conducting retro reflectivity inspections of signs
4. Maintenance-related activities/corrective actions/emergency measures, including those done in response to notification or discovery of knocked down, missing, damaged, deteriorated or obscured signs.

Documentation from each inspection cycle and maintenance-related activity will be kept on file for a period of at least three year.

Annual Program Review and Renewal

Traffic sign retro reflectivity degrades over time. Therefore, maintaining retro reflectivity is an ongoing responsibility. The City will review and renew this program document at least once per year. The usual process will be to conduct the review by October 1st for the next calendar year. Any needed changes will be made to the document and the updated version for the next year will be adopted under the authority of the City Council no later than December 15th.

The City is responsible for identifying any applicable future updates or revisions to the MUTCD standards or Federal regulations relating to traffic control devices and updating this program document as needed to assure compliance.

Over time, the City may consider using other sign retro reflectivity assessment or management methods. Future renewals or revisions of this program document will describe the method(s), procedure(s) and the timeframe or frequency with which they will be used. The City may also consider expanding the program document to more fully describe its other traffic sign maintenance and management functions.

PASSED AND ADOPTED this 6th day of February, 2012.

Jack Hobbie, Mayor

Attest:

Arnold M. Ehlers, City Clerk - Treasurer

Alamar	27.94	Unif	Microfil Img	80.00	Contr
Allied Refuse	159.01	Garbage	Midwest Turf	38.42	Rep
Amerine Builders	25.00	Rfnd	Miracle Mudjacking	875.00	Maint
Arbor Mart	2,127.00	Fuel	Mullenax Auto	577.74	Supp
Arrow Mfg	19,179.00	Equip	Mutual of Omaha	97.32	Misc
AVAC	442.50	Contr	Nationwide	14,706.87	Inv
Barco Products	2,441.28	Supp	Natnl Arborists	255.00	Reg
Benefiel Repair	260.30	Rep	NC Newspress	600.57	Advert
Bennett, R	4,377.24	Maint	NC Rotary	375.00	Dues
Bohl Plumbing	88.78	Supp	NC Utilities	9,603.75	Util
Brown's Shoe	116.60	Unif	NE Dept Rev	1,199.83	Sales Tax
Bryant, S	25.00	Rfnd	NE Plann Zoning	605.00	Dues
Casey's	91.60	Fuel	NE Public Health	168.00	Supp
Cintas	60.32	Contr	NE Worforce Dev	3,033.14	Contr
Citizen Printing	199.50	Supp	NeFSMA	35.00	Dues
Concrete Ind	246.54	Maint	Omaha Tractor	455.11	Rep
Data Tech	997.72	Supp	O'Reilly Auto	144.82	Supp
Douglas Tire	36.00	Rep	Orscheln	217.47	Rep
Eggers Brothers	239.77	Supp	Otoe Co Clerk	5,752.59	Contr
Fareway Stores	89.50	Conc	Payroll	90,151.48	Payroll
Food Pride	32.10	Conc	Pitney Bowes	129.18	Supp
Fred Pryor Seminar	199.00	Reg	Purchase Power	399.74	Postage
Harding & Shultz	1,534.55	Contr	Shell	211.78	Fuel
Heather, W	98.99	Misc	St. Mary's Hosp	155.00	Med
HireRight	76.25	Med	Stutheit Imp	58.14	Rep
Hopkins Auto	52.37	Rep	Thurmans	209.00	Rec
ICMA	668.00	Dues	Tim Engel Const	25.00	Rfnd
Ideal Pure Water	73.92	Contr	Titan Machinery	246.93	Rep
Image Trend	1,000.00	Contr	Tree City Tees	694.00	Unif
JEO	2,072.00	Contr	Tri-State Office	664.67	Supp
Jerry's Landscaping	212.33	Contr	Van Wall Equip	283.94	Rep
Keeping Room	25,000.00	LB840	Verizon Wireless	301.42	Tele
Knook & Kranny	2,300.00	Contr	Video Home Theate	47.35	Supp
Konica Business	222.75	Supp	Viox, A	287.49	Mileage
Konica Premier	427.55	Supp	VISA	625.33	Supp
Landis Engine	112.60	Rep	Watkins True Value	267.59	Rep
Larson Motors	445.61	Rep	Wenzl Hardware	84.99	Supp
Linweld	146.80	Med	Wick's	128.24	Rep
Martin Marietta	596.07	Maint	Windstream	2,370.09	Tele
Mead Lumber	13.99	Supp	Wood Family Fuel	65.00	Fuel
Mercer's	38.24	Supp	Wurtele	124.10	Conc

Meeting adjourned at 8:22 o'clock P.M.

Arnold M. Ehlers, City Clerk - Treasurer