

## CITY COUNCIL PROCEEDINGS

March 3, 2008

The City Council of Nebraska City met for the purpose of Public hearings on March 3, 2008 at 6:00 p.m. in the Council Chambers at City Hall. Mayor Adelung led in the Pledge of Allegiance, Mayor Adelung then opened the Public Hearing to request \$19,300.00 in Community Development Block Grant funds to develop detailed plans and priority projects as Phase I of the "Downtown Revitalization Initiative" program sponsored by the Nebraska Department of Economic Development. Upon roll call the following answered present: Leon Schiermeyer, Dean Handy, Erv Friesen, Mark Mercer and Mayor Jo Dee Adelung. City Administrator Scott Bovick provided background information on the program and Nebraska City's preparations which would assist the city in being awarded the grant. No one else spoke in support or in opposition to the request. Commissioner Friesen moved to close the public hearing seconded by Commissioner Handy. Upon roll call the following voted YEA: Mercer, Schiermeyer, Handy, Friesen and Mayor Adelung. Mayor Adelung declared the hearing closed.

Mayor Adelung then opened the Public Hearing for the intent to use Economic Development Revolving Loan Funds to loan \$90,000.00 to "Li'l Dickie's Steakhouse LLC" for the purchase and renovation of a downtown building. Upon roll call the following answered present: Leon Schiermeyer, Dean Handy, Erv Friesen, Mark Mercer and Mayor Jo Dee Adelung. R.C.E.D.C. Executive Director Pat Haverty provided information on the owners and their plans. No one else spoke in support or in opposition to the request. Commissioner Friesen moved to close the public hearing seconded by Commissioner Handy. Upon roll call the following voted YEA: Mercer, Schiermeyer, Handy, Friesen and Mayor Adelung. Mayor Adelung declared the hearing closed.

Mayor Adelung then opened the Public Hearing for a request for a Special Designated Liquor License for the Knights of Columbus for their annual Lourdes Event scheduled for April 5<sup>th</sup> 2008. Lawrence DuBois answered questions about the event and minors exposure to alcohol. He stipulated that no minors would be in the area where alcohol was being served. No one else spoke in support or in opposition to the request. Commissioner Handy moved to close the public hearing seconded by Commissioner Friesen. Upon roll call the following voted YEA: Mercer, Schiermeyer, Friesen, Handy and Mayor Adelung. Mayor Adelung declared the hearing closed.

The City Council of Nebraska City met in regular session on March 3, 2008 immediately following the Public Hearings in the Council Chambers at City Hall. Mayor Adelung led in the Pledge of Allegiance, Mayor Adelung then called the meeting to order and on roll call the following answered present: Leon Schiermeyer, Dean Handy, Erv Friesen, Mark Mercer and Mayor Jo Dee Adelung.

Notice of this 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. Notice of this meeting was given to the Mayor and all members of the City Council and a copy of their acknowledgement of receipt of notice and the agenda is attached to these minutes. Availability of the agenda is communicated in the advance notice to the Mayor and Council of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

Commissioner Friesen moved to approve the minutes from the February 18, 2008 meeting. Commissioner Mercer seconded the motion and on roll call the following voted YEA: Handy, Schiermeyer, Mercer, Friesen and Mayor Adelung. Voting NAY: None. Mayor Adelung declared the motion carried.

Mayor Adelung issued four proclamations. Mayor Adelung proclaimed the first week in May as Lourdes Central Catholic High School Academic Decathlon Appreciation week to honor their team winning the Nebraska State Academic Decathlon Competition. Mayor then proclaimed April 2008 as "Parkinson's Disease Awareness Month" Next Mayor Adelung proclaimed the week of March 9<sup>th</sup> through 15<sup>th</sup> as Job's Daughters week in Nebraska City. Lastly, Mayor Adelung proclaimed April ? through ?? as Girl Scout Week.

City Administrator Scott Bovick reported that Lt. Governor Rick Sheehy would be in Nebraska City Wednesday March 5<sup>th</sup> to tour the downtown. The Treasurer's report showed a balance of \$22,608,564.40 in city, proprietary and utility funds. Wyuka Cemetery had \$3,100.00 of revenue for the month of February. Commissioner Handy moved to accept the reports and place them on file, seconded by Commissioner Mercer. Upon roll call the following voted YEA: Schiermeyer, Mercer, Friesen, Handy, and Mayor Adelung. Voting NAY: None. Mayor Adelung declared the motion carried.

City Street Superintendent Evan Wickersham sent a letter recommending that the low bid from Western Engineering Company Inc. of \$97,041.90 for the 2008 Asphaltic Concrete Overlay of North 10<sup>th</sup> Street and the Softball Complex be accepted. Commissioner Handy moved to award the bid to Western Engineering Company for the North 10<sup>th</sup> Street and Softball Complex Project in the amount of \$97,041.90, seconded by Commissioner Schiermeyer. Upon roll call the following voted YEA: Mercer, Friesen, Schiermeyer, Handy and Mayor Adelung. Voting NAY: None. Mayor Adelung declared the motion carried.

Commissioner Friesen moved to approve Resolution 2349-08 seconded by Commissioner Schiermeyer. Upon roll call the following voted YEA: Mercer, Handy, Schiermeyer, Friesen, and Mayor Adelung. Voting NAY: None. Mayor Adelung declared the motion carried.

A true and correct copy of the said resolution is as follows:

**RESOLUTION 2349-08**

**AUTHORIZING CHIEF ELECTED OFFICIAL TO SIGN  
AN APPLICATION FOR CDBG FUNDS**

**Whereas, the City of Nebraska City, Nebraska,** is an eligible unit of a general government authorized to file an application under the Housing and Community Development Act of 1974 as Amended for Small Cities Community Development Block Grant (CDBG) Program, and,

**Whereas, the city of Nebraska City, Nebraska,** has obtained its citizen's comments on community development and housing needs; and has conducted a public hearing upon the proposed application and received favorable public comment respecting the application which is for an amount of \$19,300.00 in CDBG funds to develop a detailed plan and a set of priorities for implementation under Phase I of a "Downtown Revitalization Initiative" program; and,

**NOW, THEREFORE, BE IT RESOLVED BY,**

the **City Council of the City of Nebraska City, Nebraska,** that the Mayor be authorized and directed to proceed with the formulation of any and all contracts, documents or other memoranda between the City and the Nebraska Department of Economic Development so as to effect acceptance of the grant application.

\_\_\_\_\_  
Jo Dee Adelung, Mayor

Attest:

\_\_\_\_\_  
Arnold M. Ehlers, Clerk – Treasurer

Commissioner Handy moved to approve Resolution 2350-08 seconded by Commissioner Friesen. Upon roll call the following voted YEA: Mercer, Schiermeyer, Friesen, Handy and Mayor Adelung. Voting NAY: None. Mayor Adelung declared the motion carried.

A true and correct copy of said resolution is as follows:

**RESOLUTION NO. 2350-08**

**TO USE PROGRAM INCOME FROM A PREVIOUS  
COMMUNITY DEVELOPMENT BLOCK GRANT**

**WHEREAS,** the **Nebraska City/Otoe County Regional Economic Development Loan Fund** has received Community Development Block Grants for Economic Development and,

**WHEREAS,** Program Income (Reuse) funds for Economic Development are to be used for making loans to private businesses in accordance with the Regional Economic Development Plan, program and governing regulations, and,

**WHEREAS,** a Reuse Plan has previously been adopted, and,

**WHEREAS,** the Application Review Board has recommended a reuse project presented through application by an eligible business for a loan up to \$90,000 under specified conditions, and,

**WHEREAS,** the City Council of Nebraska City has conducted a public hearing upon the proposed use of Program Income funds,

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of Nebraska City, that the obligation of funds is approved according to the recommendations of the Application Review Board and the Mayor is hereby authorized to execute all necessary and appropriate documents on behalf of the City and the Regional Economic Development Loan Fund to complete the loan project for **"Li'l Dickie's Steakhouse, LLC"**, contingent upon approval of the City Attorney as to form.

Passed and adopted on the 3<sup>rd</sup> day of March, 2008 by the City Council of Nebraska City, Nebraska.

\_\_\_\_\_  
Jo Dee Adelung, Mayor

Attest:

\_\_\_\_\_  
Arnold M. Ehlers, Clerk

Commissioner Schiermeyer moved to approve resolution 2351-08, seconded by Commissioner Handy. Upon roll call the following voted YEA: Mercer, Schiermeyer, Friesen, Handy and Mayor Adelung. Voting NAY: None. Mayor Adelung declared the motion carried.

A true and correct copy of said resolution is as follows:

**RESOLUTION NO. 2351-08**

**RESOLUTION OF SUPPORT**

**WHEREAS,** local municipal, county, and state government, must provide safe transportation; and

**WHEREAS,** transportation needs can best be solved through a cooperative effort between local, county, and state governments; and

**WHEREAS,** there is a need to recognize and promote our state's infrastructure investment, and ability to respond to business and economic development needs, and

**WHEREAS,** twenty years ago, Nebraska set out to build four lane highways to connect mid size cities with Interstate 80,

**WHEREAS,** good four lane roads are as important as tax incentives for creating new jobs in rural communities

**THEREFORE,** the City Council of Nebraska City, does herewith pledge their full support, endorsement, and cooperation for participation in Nebraska Expressways for Economic Development;

Approved this 3<sup>rd</sup> day of March, 2008

\_\_\_\_\_  
Jo Dee Adelung, Mayor

Attest:

\_\_\_\_\_  
Arnold M. Ehlers, Clerk

Bill Moore spoke in support of the Memorial Building and suggested that Memorial Day would be an excellent time to promote renovation of the Memorial Building

Commissioner Mercer moved to approve all claims, seconded by Commissioner Friesen. Upon roll call the following voted YEA: Mercer, Schiermeyer, Friesen, Handy and Mayor Adelung. Voting NAY: None. Mayor Adelung declared the motion carried.

Action Tech Svc	400.00	Maint		Landis Engine	235.98	Rep
Alamar Uniform	236.45	Uniform		Larson Motors	1,155.64	Rep
Alltel	129.39	Tele		Martin Marietta Mat	821.34	Gravel
Am. Red Cross	1,750.00	Train		Midtown Holiday Inn	259.80	Lodge
Anthens, G	66.00	Ref		Midwest Breathg Air Sys	36.00	Rep
Arbor Lndscpg & Constr.	3,160.00	Demo		Miller Monroe Farrell	81.34	Bond
Arbor Mart	1,508.32	Fuel		Nat'l Entertainm't Tech.	449.64	Misc
Arbor Valley Ani Cl	449.50	Ani Exp		Nat'l Leag. of Cities	1,074.00	Dues
Asphalt & Conc Mat	269.23	Cold Mix		NC Airport Auth	3,750.00	Contr
Bennett, Richard D. Jr.	6,607.21	Gravel		NCTC	5,312.50	Tourism
BKD	6,000.00	Audit		NE Cemetery Assoc	40.00	Dues
Bohl Plmbg & Htg	143.30	Rep		NE Community Found	2,291.67	Contr
Bovick, S	69.33	Mileage		NE Dept of Revenue	4,669.44	W/H
Casey, Jon	500.00	Misc		NE Health & Human Svc	40.00	Dues
City of NC	120,920.00	Bond		Orscheln	483.57	Misc
Conner, A	146.25	Ref		Otoe Cnty Clerk	972.00	Garnish
Conner, J	60.00	Ref		Otoe Cnty Clerk	2,200.00	Legal

Crook, L	50.78	Mileage	Palmtag, S	115.00	Ref
DeVorss, N	135.00	Ref	Pamida	37.58	Misc
Dixon, A	146.25	Ref	Petty Cash	42.30	Misc
Ed. M. Feld Equip	2,386.00	Misc	Professional Choice	201.84	Garnish
Ehlers, A	130.00	Mileage	R.C.E.D.C.	4,333.33	Contr
Farris, M	138.00	Ref	Schendel Pest Cont	87.00	Pest Cont
Farris, P	78.75	Ref	SENDdt.	3,345.57	Contr
Fremont Nat'l Bank	31,787.50	Int	Sicard	670.68	Supp
Friesen, E	46.24	Mileage	Smith, T	60.00	Ref
Giittinger, D	274.68	Mileage	Super Wash	125.00	Supp
Hart, A	400.00	Contr	Thurman Bike & Sport	610.00	Supp
Heartland Class Svc	368.64	Ad	United Way	5.00	W/H
HWS Consult	687.84	10th Cors	Video Home Theater	120.00	Supp
JEO Consulting	3,400.00	Consult	Vock, B	132.00	Ref
John Deere Credit	36,227.76	Lease	Wages & Benefits	123,649.69	Payroll
Johnny's Cycle	23.95	Supp	Wurtele, G	24.37	Meals

Commissioner Friesen moved to adjourn the meeting seconded by Commissioner Handy. Mayor Adelung declared the meeting adjourned at 6:40 p.m.

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City Clerk-Treasurer

APPROVED:

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Jo Dee Adelung, Mayor

I, the undersigned Clerk hereby certify that the foregoing is a true and correct copy of 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 current and available for public inspection at the office of the Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for 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 and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

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City Clerk-Treasurer