

CITY OF NEBRASKA CITY, NEBRASKA  
MINUTES OF CITY COUNCIL REGULAR MEETING  
August 16, 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 August 16, 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 Mercer moved to approve the minutes of the August 2, 2010, City Council Regular Meeting, seconded by Commissioner Gay. Upon roll call the following voted YES: Crunk, Gay, Handy and Mercer. Voting NO: None. Abstain: Mayor Hobbie. Motion adopted.

Commissioner Mercer moved to pay all claims except Claim #7250V as presented, seconded by Commissioner Gay. 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 #7250V. Upon roll call the following voted YES: Gay, Crunk, Handy and Mayor Hobbie. Voting NO: None. Abstain: Mercer. Motion carried.

Commissioner Mercer moved to approve a Plumber's License for Mark Morris DBA John's Plumbing. Upon roll call the following voted YES: Mercer, Crunk, Gay, Handy and Mayor Hobbie. Voting NO: None. Motion carried.

Mayor Hobbie opened the Public Hearing on the grant application by Arbor Day Foundation. Dave Taladay informed the Council of the details of the grant that Arbor Day Foundation applied for through the City. There will be several improvements to Arbor Day Farm and Lied Lodge plus the creation of new jobs. The total grant application amount is \$305,000. Commissioner Handy moved to close the Public Hearing. Upon roll call the following voted YES: Mercer, Crunk, Gay, Handy and Mayor Hobbie. Voting NO: None. Motion adopted.

City Administrator reported that the Central Avenue Project was close to being on schedule and should be completed by Applejack Weekend. Also, progress on the passageway on the Livingston property is starting with the official name being "Memorial Way." Weather is finally cooperating so work is being done on the 11<sup>th</sup> Street/11<sup>th</sup> Corso Project. Staff met with stakeholders along the route of Steinhart Park Trail Phase II to decide the final path. The foot bridge in Steinhart Park is closed due to structural issues. Staff is evaluating situation and will bring options to the next Council meeting. The Treasurer's Report had a beginning balance on July 1, 2010 of \$2,838,134.64. Revenues totaled \$331,938.48 with expenditures at \$523,745.17 leaving an ending balance as of July 31, 2010 of \$2,646,327.95. Commissioners also received an attendance report from the museum curator. Mayor Hobbie accepted the reports and asked that they be placed on file.

Mayor Hobbie introduced Resolution 2486-10 authorizing the Mayor to sign all documents associated with the Arbor Day Foundation grant application. Commissioner Handy moved to approve Resolution 2486-10. Upon roll call the following voted YES: Gay, Crunk, Mercer, Handy and Mayor Hobbie. Voting NO: None. Motion passed. A true, correct and complete copy of said resolution is as follows:

**RESOLUTION 2486-10  
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 citizens' 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 \$305,000 in CDBG funds for implementation of a "Building National Tourism Nebraska" project with the Arbor Day Foundation; 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.

Signed: \_\_\_\_\_

Jack Hobbie, Mayor

Date: \_\_\_\_\_

Stephanie Farmer and Debra Kuhn addressed the Council with a revised plan for the proposed “Dog Park.” Doug Farrar noted that evening hours should be regulated due to possible excessive noise bothering guests at Lied Lodge. Tammi Partsch supports the family friendly concept and location of the “Dog Park.” Grant Boden suggested that the Tree Board evaluate the proposed site location. Commissioner Mercer moved to locate the “Dog Park” on the north east corner of Wildwood Park contingent upon Tree Board approval. Upon roll call the following voted YES: Mercer, Gay, Handy and Mayor Hobbie.. Voting NO: None. Abstain: Crunk.

Consider request by Rich Wilson to remove trees in front of Car Wash and replace with shrubs. Dan Giittinger provided some background on the request. Dave Partsch expressed concern about the precedent set by allowing the removal of donated trees from City right-of-way especially in light of Nebraska City being the home of Arbor Day. Doug Farrar stated that a ‘street scape’ without trees is not very pleasing and also added that Nebraska City was designated a Tree City. Doug Friedli who was instrumental in getting the grant to plant the trees stated that the intent was to beautify the community and that removing the trees from the main entrance to the community was not appropriate. Grant Boden added that the City should get a master plan which would improve tree and plant selection and location. Commissioner Gay moved to deny the request to remove the trees located at 1655 South 11<sup>th</sup> Street. Upon roll call the following voted YES: Crunk, Mercer, Handy, Gay and Mayor Hobbie. Voting NO: None. Motion passed.

Commissioner Crunk moved to approve the request by David Ramold of Leadership Nebraska City to waive the rental fee for Shelter #3 on September 23, 2010. Upon roll call the following voted YES: Gay, Mercer, Handy, Crunk and Mayor Hobbie. Voting NO: None. Motion adopted.

Pat Haverty the clarification was needed on one of the estimates for the Asbestos/Lead Survey of the Memorial Building and that this agenda item would be placed on next meeting agenda.

Commissioner Handy moved to approve a request by Array Environmental to drill a monitoring well on City right-of-way at 1653 South 11<sup>th</sup> Street and authorize the Mayor to sign. Upon roll call the following voted YES: Mercer, Crunk, Gay, Handy and Mayor Hobbie. Voting NO: None. Motion carried.

Commissioner Gay moved to approve a request by the Shriners to reserve the 100 block of South 7<sup>th</sup> on September 18, 2010 and to conduct a fundraiser along the parade route on that Saturday. Upon roll call the following voted YES: Crunk, Gay, Mercer, Handy and Mayor Hobbie. Voting NO: None. Motion passed.

Silver Hills Vineyards & Winery submitted an application for a “Special Designated Liquor License” for September 18, 2010 at 123 South 8<sup>th</sup> Street. Commissioner Handy moved to approve the SDL. Upon roll call the following voted YES: Mercer, Crunk, Gay and Handy. Voting NO: None. Abstain: Mayor Hobbie. Motion passed.

A&M Green	365.70	Equip		Mercer's	123.11	Supp
Acco	253.20	Chem		Michael Todd	793.40	Supp
Alco	19.28	Supp		Mid-Amer Termite	43.48	Pest Cont
Allied Refuse	405.75	Garbage		Midwest Coop	363.80	Rep
Amerine Builders	37,965.00	Const		Morris Publishing	1,298.33	Msde
Arbor Mart	2,980.44	Fuel		Mullenax Auto	887.28	Rep
AVAC	3.50	Contr		NAA	70.00	Dues
Bishop Plumbing	447.26	Rep		NAA	70.00	Dues
Blue Cross	930.14	Med		Nationwide	10,256.94	Ins
Bohl Plumbing	341.61	Rep		NC Newspress	429.00	Advert
Callaway	70.40	Msde		NC Utilities	14,311.23	Util
Caseys	303.36	Fuel		NE Dept Rev	1,504.78	Sales Tax
Cintas	55.00	Contr		NE Dept Roads	49,520.47	ROW
City Tire	3,169.89	Rep		NE Express Econ	375.00	Dues
Concrete Ind	488.25	Maint		NE Law Enforce	50.00	Dues
Danko Equip	309.28	Equip		NE Methodist Hosp	350.00	Misc
Diamond Vogel	1,146.00	Supp		NE Turf Products	370.00	Seed
Don's Johns	104.00	Contr		NSVFA	600.00	Dues

Douglas Tire	884.95	Rep	Omaha Tractor	220.66	Rep
Earl May	40.98	Supp	Orscheln	136.46	Rep
EMS Billing	3,794.12	Contr	Otoe Co Clerk	2,672.64	Contr
Engel Const	8,440.58	Rep	Reg Deeds	8.00	Advert
Fastenal	317.51	Rep	Payroll	96,979.37	Payroll
Food Pride	192.11	Conc	Pepsi	494.65	Conc
Giittinger, D	87.00	Mileage	SEND D	4,029.21	Contr
Heartland Class	37.57	Advert	Shell	2,156.30	Fuel
Hopkins Auto	4.39	Rep	Sirchie Labs	83.42	Supp
Hotsy Equip	256.02	Maint	Southard's Auto	392.19	Rep
Ideal Pure Water	143.89	Contr	Tee's Plus	80.50	Msde
Jebro	1,029.88	Maint	Tielke's Sandwiches	18.24	Conc
JEO	4,306.50	ROW	Tri-State Office	767.36	Supp
K&Z Distributing	74.50	Conc	Verizon	309.78	Tele
Konica Business	132.37	Contr	Viox, A	458.00	Mileage
Konica Premier	230.00	Contr	VISA	821.35	Supp
Landis Engine	132.49	Rep	Watkins True Value	368.65	Rep
LaRue Coffee	136.62	Supp	Wenzl Hardware	3.50	Rep
League NE Muni	10,051.00	Dues	Windstream	2,398.46	Tele
Lesco	1,093.00	Seed	Wood Family Fuel	85.00	Fuel
Linweld	134.08	Med	Wurtele Distributing	111.35	Conc
Martin Marietta	966.16	Maint	WW Artists	931.44	Contr
Mead Lumber	57.62	Supp			

Meeting adjourned at 7:07 p.m.