

## CITY COUNCIL PROCEEDINGS

October 1, 2007

The City Council of Nebraska City met in Council Chambers on October 1, 2007 for the purpose of a public hearing. Mayor Adelung led in the Pledge of Allegiance, then opened the public hearing to consider an application for a Class I Liquor License for Efj, Inc d/b/a/ Embers Steakhouse and Lounge 1102 4<sup>th</sup> Corso, on roll call the following answered present: Leon Schiermeyer, Dean Handy, Erv Friesen, Mark Mercer and Mayor Jo Dee Adelung. Mr. Edward F. Janousek Jr. appeared before the Council and answered questions from the city attorney and council members. No one else spoke in support or opposition to the request. Commissioner Friesen moved to close the public hearing seconded by Commissioner Schiermeyer, on roll call the following voted YEA: Mercer, Handy, Schiermeyer, Friesen and Mayor Adelung. Mayor Adelung declared the public hearing closed and opened the City Council meeting.

The City Council of Nebraska City met in regular session on October 1, 2007 immediately following the public hearing in the Council Chambers at City Hall. 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 September 17, 2007 meeting. Commissioner Handy seconded the motion and on roll call the following voted YEA: Schiermeyer, Mercer, Friesen, Handy, and Mayor Adelung. Voting NAY: None. Mayor Adelung declared the motion carried.

Mayor Adelung proclaimed October “National Physical Therapy Month.”

Jim Johnston, Heather Bakula and Melissa Turner representing Nebraska City Tourism and Commerce presented the organization’s quarterly report, which outlined the group’s activities for July, August and September. Mr. Johnston announced the staff addition of Amy Allgood as Bookkeeper and Administrative Assistant. Heather Bakula and Melissa Turner completely revamped the accounting system for NCTC. Heather Bakula presented the Forensic Accounting Report prepared by BKD, LLP. Commissioner Handy moved to accept the NCTC Quarterly Report seconded by Commissioner Schiermeyer. Upon roll call the following voted YEA: Mercer, Friesen, Schiermeyer, Handy and Mayor Adelung. Voting NAY: None Mayor declared the motion carried.

Monthly reports were presented. City of Nebraska City treasurers report; beginning balance \$3,945,147.85, revenues \$1,789,706.94, disbursements \$1,376,252.63, ending balance \$4,358,602.16. Memorial Building \$453.50 income for September. Cemetery Interments for Sept. \$1,125.00 and misc. income \$50.00; total revenue for September \$1,175.00. Commissioner Friesen moved to approve the monthly reports seconded by Commissioner Handy. Upon roll call the following voted YEA: Mercer, Friesen, Schiermeyer, Handy and Mayor Adelung. Voting NAY: None Mayor Adelung declared the motion carried.

Commissioner Handy moved to approve the Class I Liquor License application for Efj, Inc. seconded by Commissioner Friesen. Upon roll call the following voted YEA: Mercer, Friesen, Schiermeyer, Handy and Mayor Adelung. Voting NAY: None. Mayor Adelung declared the motion carried.

Building Inspector, Alan Viox requests that the Council declare the structure located at 1924 2<sup>nd</sup> Corso as unsafe and direct him to notify the owner to demolish. Commissioner Friesen moved to approve the request to declare the building at 1924 2<sup>nd</sup> Corso as unsafe and direct the Building Inspector to notify the owner. Commissioner Handy seconded the motion and upon roll call vote the following voted YEA: Friesen, Schiermeyer, Mercer, Handy and Mayor Adelung. Voting NAY: None. Mayor Adelung declared the motion carried.

Jeff Skinner requested approval of a Tower Site Lease with Alltel Communications, Inc. City Attorney Bill Davis informed the Council that changes he requested had been made and that he approved of the current document. Commissioner Handy moved to approve the Communications Site Lease Agreement with Alltel Communications, Inc. and authorize the Mayor to sign, seconded by Commissioner Mercer. Upon roll call the

following voted YEA: Mercer, Friesen, Schiermeyer, Handy and Mayor Adelung. Voting NAY: None Mayor Adelung declared the motion carried.

Brad Kaufman representing the Nebraska City Baseball Association requests permission to remove the old concession stand and dugouts. Public Properties Director, Dan Giittinger informed the council that there would have to be some research and moving done prior to demolition since the light switches are located in the building to be demolished and that there is concern about the water line location. Mr. Kaufman stated that his organization would work with Mr. Giittinger to make sure that the electric and water issues are addressed appropriately. Commissioner Schiermeyer moved to approve the removal of the old concession stand and dugouts, seconded by Commissioner Handy. Upon roll call the following voted YEA: Mercer, Friesen, Handy, Schiermeyer, and Mayor Adelung. Voting NAY: None Mayor Adelung declared the motion carried.

Jim Brockhaus, John Hodges and Brad Kingery presented documents in support of leaving the management of the Wildwood Golf Course unchanged. Greg Orton, Carolyn Johnson, Charlie Stephenson, Larry Rawlings, Doyle Keene also spoke in support of current management. Fran Chadwick made accusations about the retaining wall project, which was not on the agenda and could not be discussed.

City Administrator, Scott Bovick presented job descriptions prepared by Barbara Hegr, Library Director. The new job descriptions are for Children's Library Director and Assistant Library Director. Commissioner Friesen moved to approve the new job descriptions, 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.

No action was taken on defending the lien on the Sands property pending additional information from the City Attorney.

Leroy Frana, Nebraska City Utilities presented a recommendation from the Board of Public Works for the purchase of a 2007 Lincoln Model 200D Truck Mount Welder in the amount of \$11,634.50. Moved by Commissioner Friesen seconded by Commissioner Handy to approve the purchase. Upon roll call the following voted YEA: Mercer, Friesen, Handy, Schiermeyer, and Mayor Adelung. Voting NAY: None: Mayor Adelung declared the motion carried.

Leroy Frana, Nebraska City Utilities presented a recommendation from the Board of Public Works for the purchase of a 2008 Ford F-150 4X4 pickup in the amount of \$23,705.00. Moved by Commissioner Friesen seconded by Commissioner Mercer to approve the purchase. Upon roll call the following voted YEA: Mercer, Friesen, Handy, Schiermeyer, and Mayor Adelung. Voting NAY: None: Mayor Adelung declared the motion carried.

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

### CLAIMS LIST

October 1, 2007

Action Tech Svc	400.00	Cont	Landis Engine	57.44	Rep
Adkins Signs	15.00	Sign	League of NE. Muni	443.00	Conf
Alamar Uniforms	190.47	Unif	Martin Marietta Materials	634.14	Gravel
Alltel	128.73	Tele	Medical & Safety Svc	108.00	Misc
Ameritas	2,519.04	Ins	Miller Monroe Farrell	73,002.00	Ins
AMSAN/Nogg	396.95	Misc	N.C. Public School	300.00	Cont
Arbor Outdoor	9.60	Oil	Nationwide	16,235.73	Pen
Arbor Valley Ani	511.50	Ani Exp	NE Community Found	2,291.63	Curator
BC/BS	36,344.74	Ins	NE Dept of Revenue	4,910.99	Payroll
Bovick, Scott W.	449.59	Mil	NE Law Enforcement	60.00	Trng
Brad Gabriel	594.50	Ref	NE Lied Main Street 41	50.00	Meals
BSN Sports	461.15	Supp	NE Life Magazine	900.00	Ad
Cappen, Kevin	1,285.71	Cont	NE Muni Clerks	35.00	Dues
Citizen Printing	310.00	Misc	NE Public Health	77.00	Inv. Exp
City of Nebraska City	71,588.64	Payroll	NE State Arboretum	30.00	Trng
Concrete Ind	635.25	Conc	NE Statewide Arboretum	125.00	Dues
Conseco	71.45	Ins	Nichols, Jill	106.00	Ref
DeBuhr, Justine	44.00	Ref	Nichols, Jim	148.50	Ref
Don's Johns	80.00	Misc	Nichols, Linda	43.50	Ref
Earhart, Calli	44.00	Ref	Orscheln	86.81	Misc

Earl May	247.15	Misc	Otoe Cnty Clerk	1,574.25	Bldg
Ehlers, Arnold M.	535.18	Mile	Potter, Kelsey	99.00	Ref
Estes, Inc	800.23	Chem	R & K Cleaning	450.00	Clean
Farris, Madison	101.25	Ref	R.C.E.D.C.	4,333.33	Dev
Farris, Paxton	99.00	Ref	SA-SO/Timewise	45.19	Misc
GALLS	139.99	Unif	Schendel Pest Control	109.00	Pest
GE Capital	74.67	Tele	SEND	5,968.00	Dues
Giittinger, Dan	114.69	Mile	Sharon Lintz	25.00	Ref
Great Am Outdoor	82.71	Misc	Shell	97.87	Fuel
Harms, Michael	99.00	Ref	Sinclair Hille Architects	2,492.72	Eng
Hart, Anna	400.00	Cing	Stelling, Ashley	22.00	Ref
Heartland Classified	91.99	Ad	Thurman Bike & Sport	722.25	Supp
Hermann, Shawn	99.00	Ref	TREE CITY TEES	98.92	Shirts
HWS Consulting	358.18	Eng	Tri-State Rentals	20.00	Rental
Hydraulic Equip	583.13	Misc	United Way	4.00	W/H
Jerry's Landscaping	70.00	Mow	Unum Provident	1,182.85	Ins
Jones Automotive	426.88	Misc	Viox, Alan	315.74	Mile
L&H Investments	180765.75	Cap Imp	Wenzl Hardware	8.55	Rep

Commissioner Handy moved to adjourn the meeting seconded by Commissioner Schiermeyer. Upon roll call the following answered YEA: Friesen, Schiermeyer, Mercer, Handy and Mayor Adelung. Mayor Adelung declared the meeting adjourned at 7:37 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