

CITY OF NEBRASKA CITY, NEBRASKA  
MINUTES OF CITY COUNCIL REGULAR MEETING  
October 3, 2011

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 October 3, 2011. 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, Jeff Crunk, Dean Handy, Mark Mercer and Mayor Hobbie. The following City Officials were present: City Administrator Joe Johnson, City Clerk-Treasurer 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 September 19, 2011 City Council Regular Meeting, seconded by Commissioner Gay. Upon roll call the following voted AYE: Crunk, Gay, Mercer, Handy and Mayor Hobbie. Voting NO: None. Motion adopted.

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

Mayor Hobbie moved to appoint Judy Rowe to fill an unexpired term on the Planning Commission, seconded by Commissioner Handy. Upon roll call the following voted YES: Gay, Crunk, Mercer, Handy and Mayor Hobbie. Voting NO: None. Motion passed.

Mayor Hobbie proclaimed October 2011 as "Physical Therapy Month." Stephanie Farmer accepted the proclamation.

Moved by Commissioner Handy and seconded by Commissioner Gay to approve the electricians work application for Anderson Electric Co. Upon roll call the following voted YES: Crunk, Mercer, Gay, Handy and Mayor Hobbie. Voting NO: None. Motion passed.

Mayor Hobbie opened the Public Hearing on the liquor license application for Fareway Stores Inc. Reynolds Cramer of Fareway Stores, Inc answered questions from the City Council. City Attorney Bill Davis asked what type of training is required before cashiers are allowed to sell alcohol products. Mr. Cramer outlined the training program and the software used at the point of sale. Moved by Commissioner Mercer and seconded by Commissioner Handy to close the Public Hearing. Upon roll call the following voted YES: Gay, Crunk, Handy, Mercer and Mayor Hobbie. Voting NO: None. Motion passed.

Joe Johnson provided the Mayor and Commissioners with an update on projects and issues in Nebraska City. Mayor Hobbie accepted the report and asked that it be placed on file.

Moved by Commissioner Mercer and seconded by Commissioner Handy to approve the Class 'ID' liquor license for Fareway Stores, Inc DBA Fareway Stores 118. Upon roll call the following voted YES: Crunk, Gay, Handy, Mercer and Mayor Hobbie. Voting NO: None. Motion passed.

Moved by Commissioner Mercer and seconded by Commissioner Handy to approve Chad Hickcox as the liquor manager for Fareway Stores 118. Upon roll call the following voted YES: Crunk, Gay, Handy, Mercer and Mayor Hobbie. Voting NO: None. Motion passed.

Andy Fedoris explained the request by Lourdes Central Catholic Schools to make 4<sup>th</sup> Street a 'One Way' southbound from 2<sup>nd</sup> Avenue to 1<sup>st</sup> Avenue due to construction. Moved by Commissioner Gay and seconded by Commissioner Handy to postpone action on the request to make 4<sup>th</sup> Street a 'One Way' from 2<sup>nd</sup> Avenue to 1<sup>st</sup> Avenue to allow time for City Staff and Lourdes Staff to work out a comprehensive parking and routing plan for the area. Upon roll call the following voted YES: Crunk, Mercer, Handy, Gay and Mayor Hobbie. Voting NO: None. Motion passed.

Moved by Commissioner Mercer and seconded by Commissioner Gay to pay the membership dues in the amount of \$4,500.00 for 2011-12 to Southeast Nebraska Development District. Upon roll call the following voted YES: Crunk, Handy, Gay, Mercer and Mayor Hobbie. Voting NO: None. Motion passed.

Moved by Commissioner Mercer and seconded by Commissioner Handy to pay Housing Dues in the amount of \$2,168.00 to SENDD. Upon roll call the following voted YES: Crunk, Gay, Handy, Mercer and Mayor Hobbie. Voting NO: None. Motion passed.

Mayor Hobbie introduced Ordinance No. 2858-11 entitled: AN ORDINANCE TO AMEND THE EIGHT-STEP PAY SCHEDULE REFERRED TO IN SECTION 2-9 OF THE CODE OF THE CITY OF NEBRASKA CITY RELATNG TO SALARIED OFFICERS AND EMPLOYEES AND TO DECLARE AN EFFECTIVE DATE; and moved that the statutory rule requiring reading on three different days be suspended. Commissioner Handy seconded the motion to suspend the rules and upon roll call the following voted YES: Crunk, Gay, Mercer, 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.

Said ordinance was then read by title and thereafter Mayor Hobbie moved for final passage of the ordinance, which motion was seconded by Commissioner Handy. The Mayor then stated the question: "Shall Ordinance No. 2858-11 be passed and adopted?" Upon roll call the following voted YES: Crunk, Gay, Mercer, Handy and Mayor Hobbie. Voting NO: None. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor, in the presence of the Council, signed and approved the ordinance and the Clerk attested the passage and approval of the same and affixed his signature thereto. A true and correct copy of said ordinance is as follows:

**ORDINANCE No. 2858-11**

AN ORDINANCE TO AMEND THE EIGHT-STEP PAY SCHEDULE REFERRED TO IN SECTION 2-9 OF THE CODE OF THE CITY OF NEBRASKA CITY RELATNG TO SALARIED OFFICERS AND EMPLOYEES AND TO DECLARE AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF NEBRASKA CITY, NEBRASKA:

SECTION 1. That THE EIGHT-STEP Pay Schedule attached to and made a part of this ordinance, be and is hereby adopted for various employee positions of the City of Nebraska City, Nebraska.

SECTION 2. The rates of pay as provided for by the Pay Schedule shall be effective from the first day of October 2011.

SECTION 3. All ordinances or parts of ordinance in conflict with this ordinance are hereby repealed.

SECTION 4. This ordinance shall take effect and be in force from and after its passage, approval and publication as required by law.

Passed and approved this 3<sup>rd</sup> day of October 2011.

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Jack Hobbie, Mayor

ATTEST:

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Arnold M. Ehlers, City Clerk-Treasurer

Rick Sevening addressed the Council on plans by the Nebraska City Baseball Association to replace the fence along the 1<sup>st</sup> base and 3<sup>rd</sup> baselines with gates. Moved by Commissioner Crunk and seconded by Commissioner Mercer to approve the request by the Baseball Association to replace the fence along the 1<sup>st</sup> base line and 3<sup>rd</sup> base line at Clemy Holmes Field. Upon roll call the following voted YES: Gay, Handy, Mercer, Crunk and Mayor Hobbie. Voting NO: None. Motion passed.

Mayor Hobbie introduced Resolution 2540-11 authorizing the Mayor as a signatory of City of Nebraska City bank accounts. Moved by Commissioner Gay and seconded by Commissioner Mercer to approve Resolution 2540-11. Upon roll call the following voted YES: Crunk, Handy, Mercer, Gay and Mayor Hobbie. Voting NO: None. Motion passed and adopted. A true, correct and complete copy of said resolution is as follows:

**RESOLUTION 2540-11**

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF NEBRASKA CITY, NEBRASKA, that Jack Hobbie, Mayor of the City of Nebraska City, Nebraska, be and is hereby authorized to draw checks, drafts, or other orders for the payment of money on behalf of the City of Nebraska City, on the accounts of Nebraska City, Nebraska, at American National Bank, Farmers Bank & Trust Co., Heartland Community Bank, and Arbor Bank all in Nebraska City, Nebraska, and said banks are hereby authorized to honor the same.

BE IT FURTHER RESOLVED, that the powers and authority granted by this Resolution shall continue in full force and effect until notice in writing is given of the cancellation or modification thereof.

Passed and Approved this 3<sup>rd</sup> day of October 2011.

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Jack Hobbie, Mayor

Attest:

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Arnold M. Ehlers, City Clerk - Treasurer

Moved by Commissioner Handy and seconded by Commissioner Crunk to approve the application to work in Nebraska City by Anderson Electric Company. Upon roll call the following voted YES: Gay, Crunk, Handy and Mayor Hobbie. Voting NO: None. Motion passed.

Golf Pro Jon Casey presented a business plan and explained how the golf department could increase revenue by adding 'Simulated Golf' in a vacant room located in the Rowe Memorial Safety Building. His idea is to get it started at the Rowe Building and then build an addition onto the existing clubhouse at Wildwood Golf Course which could house two simulators allowing for winter leagues and lessons. Chief Lacy stated that he could not support the idea since the room to be used for the first winter is adjacent to an interview room used by police officers and would be unprofessional. Commissioner Mercer asked if there might be an alternate location in Nebraska City. Commissioner Handy suggested asking interested golfers for donations to build the addition. Commissioner Crunk added using volunteer help to bring down the cost. The Council took no action on the proposed plan.

Adkins Signs	2,215.00	Merch	Landis Engine	24.50	Supp
Americhoice	179.37	Ref	Larson Motors	118.89	Rep
Arbor mart, Inc	3,913.80	Fuel	LaRue Coffee	207.31	Supp
AVAC	173.60	Serv	Lerdahl, Al	25.00	Refund
BC/BS	259.38	Refund	Nichols, Linda	186.00	Referee
Benefiel Trk Rep	379.80	Repairs	Matheson Tri-Gas	443.13	Supp
Bill Walters & Son	62.50	Repairs	Matt Parrott & Sons	398.12	Supp
Boehm Welding	207.50	Repairs	Mead Lumber	144.94	Supp
Bohl Plbg & Htg	65.00	Repairs	Menard's - Lincoln	297.00	Equip
Bolton, Greg	25.00	Refund	Mercer's Do-It-Best	1,013.60	Supp
Bound Tree Medical	301.92	Supp	Microfilm Imaging	80.00	Office
Brown Glass Co.	35.76	Merch	Miller - Monroe	2,390.00	Ins
Brown's Shoe Fit	125.00	Merch	Mullenax Auto Supply	309.40	Supp
City of N.C. - WW	1,382.38	Comm	N.C. Public Schools	475.00	Cont/Tax
Callaway Golf	8.00	Frt	NCTC	1,225.00	Reimburs
Orscheln	93.74	Repairs	NE Dept of Rev	25.00	Dues
Card Services	385.78	Equip	NE Dept of Rev	1,303.66	Tax
Casey's	285.64	Fuel	Nebraska City Utilities	13,410.42	Util
Cintas	60.32	Supp	Nebraska Golf	61.77	Supp
Citizen Printing	321.00	Office	NSVFA	800.00	Dues
City Tire & Auto	32.98	Repairs	O' Glory Kettle Corn	90.00	Refund
Douglas Tire	4,084.95	Tires	Omaha Tractor, Inc	60.08	Supp
Dutch Oven Cookin	70.00	Refund	O'Reilly Auto Parts	23.88	Supp
Food Pride	109.13	Supp	Otoe County Clerk	5,142.24	Permits
Gatehouse Media	64.00	Adv	Payroll	97,309.05	Wages
Giittinger, Dan	114.89	Mlge	Physio-Control, Inc	2,369.00	Equip
Giittinger, Nick	100.00	Referee	Presto-X	75.00	Pest Cont
GTS Tire & Tow	125.00	Serv	Recreation Supply	3,420.36	Equip
Harding & Shultz	672.36	Legal	Warner, Richard	1,833.50	Repairs
Hincapie, Jose	25.00	Refund	Rohlf's, Brady	75.00	Serv
Hobbie, Ralph	81.88	Ref	Shell	3,056.99	Fuel
Hopkins Automotive	38.25	Supp	NE State Treasurer	91.18	Tax
Ideal Pure Water	88.92	Supp	Stutheit Impl. Co.	160.80	Supp
JEO	2,450.00	Eng	Tielke's	26.94	Food
Jerry's Landscaping	263.00	Serv	Tri-State Pump & Exc	250.00	Repairs
Johnson, Joe	107.16	Office	W.W. Grainger	20.62	Supp
Jones Automotive	5,872.43	Repairs	Watkins	46.75	Supp
KNCY	190.89	Adv	Wichman, Darrell	25.00	Refund
Knook & Kranny	2,300.00	Clng	Windstream	2,209.07	Phone
KonicaMinolta	145.60	Office	Wood Family Fuel	44.00	Fuel
Kreifels Conservation	59,704.42	Const	Wurtele Dist	56.16	Bev
Kreifels Electric	112.50				

Meeting adjourned at 7:17 p.m.

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Arnold M. Ehlers, City Clerk - Treasurer

### AFFIDAVIT

I, the undersigned City Clerk for the City of Nebraska City, Nebraska, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Mayor and Board of Commissioners, 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 City 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 from which the foregoing proceedings have been extracted 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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Arnold M. Ehlers, City Clerk-Treasurer