

CITY OF NEBRASKA CITY, NEBRASKA  
MINUTES OF CITY COUNCIL REGULAR MEETING  
December 17, 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 December 17, 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, 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 December 3, 2012, City Council Regular Meeting, seconded by Mercer. Upon roll call the following voted YES: Crunk, Gay, Mercer, Handy and Mayor Hobbie. Voting NO: None. Motion adopted.

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

Moved by Commissioner Handy and seconded by Crunk to approve Claim #7250X. Upon roll call the following voted YES: Stark, Crunk, Handy and Mayor Hobbie. Voting NO: None. Abstain: Mercer. Motion passed.

Chief of Police David Lacy introduced new Police Officers Clayton Jones and Chris Richardson. City Clerk Arnold Ehlers administered the Oath of Office to both and welcomed them into the City family.

Mayor Hobbie opened the Public Hearing on the request for a subdivision of property within the two (2) mile jurisdiction of Nebraska City by Hans Gosch. Mr. Gosch requests to subdivide 2.00 acres out of the farm. David Schmitz, Surveyor explained to the Council that the request met all the requirements for subdivision. No one else spoke in support or opposition to the request. Moved by Commissioner Handy and seconded by Mercer to close the Public Hearing. Upon roll call the following voted YES: Crunk, Stark, Mercer, Handy and Mayor Hobbie. Voting NO: None. Motion passed.

Joe Johnson provided the monthly City Administrator's Report. The Treasurer reported a beginning balance on hand on November 1, 2012 of \$1,514,338.91; with revenues of \$813,865.31; expenditures of \$1,385,805.50 leaving a balance on hand November 30, 2012 of \$942,816.68 after accounting for an insufficient funds check. Barbara Hegr, Library Director presented the Morton-James Library Annual Report. Mayor Hobbie accepted the reports and asked that they be placed on file.

Moved by Commissioner Handy and seconded by Mercer to approve the Final Plat for the Gosch Subdivision. Upon roll call the following voted YES: Crunk, Stark, Mercer, Handy and Mayor Hobbie. Voting NO: None. Motion passed and adopted.

David Lacy requested the Council approve starting Officer Jones at Step Three (3) at \$18.27 per hour based on his education, experience and certification. Moved by Mercer and seconded by Commissioner Handy to approve starting Officer Jones at Step 3. Upon roll call the following voted YES: Stark, Mercer, Handy and Mayor Hobbie. Voting NO: None. Abstain: Crunk. Motion passed.

David Lacy requested the Council approve starting Officer Richardson at Step Three (3) at \$18.27 per hour based on his education, experience and certification. Moved by Mercer and seconded by Commissioner Handy to approve starting Officer Richardson at Step 3. Upon roll call the following voted YES: Stark, Mercer, Handy and Mayor Hobbie. Voting NO: None. Abstain: Crunk. Motion passed.

Leroy Frana, General Manager of Nebraska City Utilities presented a recommendation from the BPW to approve the purchase of a Dewatering Separator/Centrifuge in the amount of \$242,000.00. Mr. Frana explained that this equipment was in the original plans for the wastewater treatment plan but was deleted to wait for better pricing. Moved by Commissioner Stark and seconded by Commissioner handy to purchase a Dewatering Separator/Centrifuge in the amount of \$242,000.00 from GEA Mechanical Equipment US, Inc. Upon roll call the following voted YES: Crunk, Mercer, Handy, Stark and Mayor Hobbie. Voting NO: None. Motion passed.

Leroy Frana presented a recommendation by the BPW to remove the existing defective Westfalia Centrifuge and install a GEA Westfalia Separator Water Master CF4000 in the amount of \$57,180.00. Moved by Commissioner Stark and seconded by Commissioner Handy to approve the removal and replacement of the Westfalia Centrifuge for \$57,180.00 in labor costs. Upon roll call the following voted YES: Crunk, Mercer, Handy, Stark and Mayor Hobbie. Voting NO: None. Motion passed.

Leroy Frana presented a recommendation by the BPW to purchase a Sodium Hypochlorite Generating System from Parkson Company in the amount of \$101,792.00. The SHG Equipment is a disinfection system required to be used from May through September. Moved by Commissioner Stark and seconded by Mercer to approve the purchase of a Sodium Hypochlorite Generating System from Parkson Company in the amount of \$101,792.00. Upon roll call the following voted YES: Crunk, Handy, Mercer, Stark and Mayor Hobbie. Voting NO: None. Motion passed.

Leroy Frana presented a recommendation by the BPW for the installation of bio solids storage mixing and pumping equipment and demolition of obsolete equipment in the amount of \$244,935.00. Moved by Commissioner Stark and seconded by Mercer to award a contract to Midlands Contractor’s Inc. in the amount of \$244,935.00 to demo existing structures and install new Sludge Holding Tanks. Upon roll call the following YES: Crunk, Handy, Mercer, Stark and Mayor Hobbie. Voting NO: None. Motion passed.

Mayor Hobbie introduced Resolution 2584-12 amending the vesting schedule and contribution percentages for the Police Officers Retirement Plan. Moved by Commissioner handy and seconded by Mercer to approve Resolution 2584-12. Upon roll call the following voted YES: Crunk, Stark, Mercer, Handy and Mayor Hobbie. Voting NO: None. Motion passed and adopted. A true, correct and complete copy of said resolution is as follows:

RESOLUTION 2584-12

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

RESOLVED, that effective July 1, 2012, Section 6.4(b)(1), Vesting schedule, will be amended to read: The vested portion of the Employer contribution Account shall be determined in accordance with the following vesting schedule:

Vesting Schedule	
Years of Service Percentage	
Less than 2	0%
2	40%
3	50%
4	60%
5	80%
6	90%
7	100%

RESOLVED, that effective October 1, 2013, Section 4.1(a) Formula for Determining Employer Contribution, of the City of Nebraska City, Nebraska Police Officer’s Retirement Plan, is amended and shall read: For each Plan Year, the Employer shall contribute 6.5% of the total salary reduction elections of all Participants, which amount shall be deemed “Pick-Up” contributions under Code Section 414(h) and made from a reduction in a Participant’s Compensation. These Contributions are not available to the Participant as current income, and the Participant has no discretion to receive them as such.

RESOLVED, that effective October 1, 2015, Section 4.1(a) Formula for Determining Employer Contribution, of the City of Nebraska City, Nebraska Police Officer’s Retirement Plan, is amended and shall read: For each Plan Year, the Employer shall contribute 7.0% of the total salary reduction elections of all Participants, which amount shall be deemed “Pick-Up” contributions under Code Section 414(h) and made from a reduction in a Participant’s Compensation. These Contributions are not available to the Participant as current income, and the Participant has no discretion to receive them as such.

Resolved, that the undersigned is hereby authorized to execute, on behalf of the Employer, all documents necessary to effect the changes authorized herein.

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Arnold M. Ehlers, City Clerk – Treasurer

December 17, 2012  
Date

Mayor Hobbie introduced Resolution 2585-12 amending the vesting schedule and contribution percentages for City Employees Retirement Plan. Moved by Commissioner Handy and seconded by Mercer to approved Resolution 2585-12. Upon roll call the following voted YES: Crunk, Stark, Mercer, Handy and Mayor Hobbie. Voting NO: None. Motion passed and adopted. A true, correct and complete copy of said resolution is as follows:

RESOLUTION 2585-12

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

RESOLVED, that effective July 1, 2012, Section 6.4(b)(1), Vesting schedule of the General Employees’ Pension Plan (the Plan) will be amended to read: The Vested portion of the Employer contribution Account shall be determined in accordance with the following vesting schedule:

Vesting Schedule	
Years of Service	Percentage
Less than 2	0%
2	40%
3	50%
4	60%
5	80%
6	90%
7	100%

RESOLVED, that effective October 1, 2013, Section 4.1(a) Formula for Determining Employer Contribution, of the City of Nebraska City, Nebraska General Employee’s Retirement Plan, is amended and shall read: For each Plan Year, the Employer shall contribute 6.5% of the total salary reduction elections of all Participants, which amount shall be deemed “Pick-Up” contributions under Code Section 414(h) and made from a reduction in a Participant’s Compensation. These Contributions are not available to the Participant as current income, and the Participant has no discretion to receive them as such.

RESOLVED, that effective October 1, 2015, Section 4.1(a) Formula for Determining Employer Contribution, of the City of Nebraska City, Nebraska General Employee’s Retirement Plan, is amended and shall read: For each Plan Year, the Employer shall contribute 7.0% of the total salary reduction elections of all Participants, which amount shall be deemed “Pick-Up” contributions under Code Section 414(h) and made from a reduction in a Participant’s Compensation. These Contributions are not available to the Participant as current income, and the Participant has no discretion to receive them as such.

Resolved, that the undersigned is hereby authorized to execute, on behalf of the Employer, all documents necessary to effect the changes authorized herein.

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Arnold M. Ehlers, City Clerk – Treasurer

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Fire Chief Alan Viox addressed the Council concerning the lack of volunteers picking up EMS shifts Monday through Thursday. Alan and EMS Chief put together a plan of paying \$25.00 stipend to volunteers who made themselves available for the 6:00 p.m. to 6:00 a.m. shift Monday through Thursday. Moved by Commissioner Stark and seconded by Commissioner Handy to approve a \$25.00 stipend for volunteers for night shifts Monday through Thursday plus \$9.00 per hour call back pay. Upon roll call the following voted YES: Crunk, Mercer, Handy, Stark and Mayor Hobbie. Voting NO: None. Motion passed.

Moved by Commissioner Handy and seconded by Commissioner Stark to approve the request by Jill Olson and John Vawter to hold a wedding in Wildwood Park on June 1, 2013. Upon roll call the following voted YES: Mercer, Crunk, Stark, Handy and mayor Hobbie. Voting NO: None. Motion passed.

Joe Johnson explained the reason that the City is being required to have an archaeological survey done on the recently annexed property. SHPO wants to make sure there are no Native American artifacts located on the site. Moved by Commissioner Handy and seconded by Mercer to award a contract to Bluestem CRM to perform an archaeological survey on property know as North Industrial Site. Upon roll call the following voted YES: Crunk, Stark, Mercer, Handy and mayor Hobbie. Voting NO: None. Motion passed.

Mayor Hobbie moved to close City Offices on December 24, 2012, seconded by Commissioner Stark. Upon roll call the following voted YES: Mercer, Crunk, Stark, handy and mayor Hobbie. Voting NO: None. Motion passed.

Action Tech Serv	Rep	462.43	Mercer's Do-It-Best	Supp	250.16
Allied Insurance	Dues	100.00	Microfilm Imaging	Contr	80.00
Allied Recycling	Garbage	236.82	Mid-Con Systems	Supp	141.78
Arbor Day Found	Dues	25.00	Midwest Concrete	Rep	650.00
Arbor Mart, Inc	Fuel	2741.27	Midwest Machine	Supp	14.70
AVAC	Misc	84.00	Missoula Children	Dues	500.00
Asphalt & Concrete	Rep	479.46	Mullenax Auto	Supp	173.76
Barrett Const	Rep	430.00	Nationwide	Inv	14095.75
Beelner Service, Inc.	Contr	650.00	NC Utilities	Util	5120.48
Blue Cross	Rfnd	896.09	NCEMSC	Dues	75.00
Bob's Welding Shop	Supp	82.04	NE Arborists Assoc	Dues	125.00
Bound Tree Medical	Supp	557.10	NE Dept of Revenue	Sls Tax	296.97
Card Services	Misc	1345.72	NE Turfgrass Assoc	Supp	770.00
Cede and Company	Bond	213468.96	NeFSMA	Dues	35.00
Century Lumber	Supp	80.64	O'Reilly Auto Parts	Supp	125.34
Cintas Corporation	Supp	68.30	Orscheln	Supp	247.88
Davis, William	Misc	208.30	Otoe County Clerk	Contr	5752.59
Don's Johns	Contr	125.00	Otoe Co Mutual Aid	Dues	20.00
Douglas Tire Co.	Rep	531.15	Overhead Door Co	Rep	1050.00
EMS Billing Services	Contr	4587.80	Paper Tiger	Contr	35.00
Fire Protection Svcs	Maint	114.50	Payroll	Payroll	82921.55
Food Pride	Supp	3.27	Purchase Power	Postage	400.00
Fremont Co M/A	Dues	30.00	R & R Products Co.	Supp	435.51
Gatehouse Media	Advert	484.88	Rader, A	Rfnd	50.00
Giittinger, D	Mileage	164.84	River View Pest	Pst Cntrl	176.00
Google	Misc	25.00	Shaffer Comm	Contr	660.00
Henry Motors	Equip	10550.00	Shell	Fuel	2008.22
Hopkins	Supp	20.39	St. Mary's Hospital	Med	64.85
Ideal Pure Water	Contr	71.32	State Treasurer	Misc	17.46
International Munic	Dues	480.00	Strange, G	Rfnd	100.00
KNCY AM-FM	Advert	109.62	Stutheit Implement	Rep	135.66
Knook & Kranny	Contr	2300.00	The Handy Man Co	Rfnd	25.00
Konica Minolta	Contr	160.31	Tri-State Office	Supp	369.37
Lacy, D	Training	10.76	Turf Supply Co	Supp	600.00
Landis Engine	Equip	204.99	Van Wall Turf	Contr	300.00
Larson Motors	Rep	294.34	Verizon	Tele	16.80
Loveland Grass Pad	Supp	74.75	Wage Works	Inv	72.00
Matheson Tri-Gas	Supp	95.30	Walmart	Misc	1375.00
Mead Lumber	Supp	161.14	Watkins True Value	Supp	250.56
			Windstream, Inc.	Tele	2392.57

Meeting adjourned at 7:00 p.m.

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Arnold M. Ehlers, City Clerk - Treasurer