

June 4, 2007

The City Council of Nebraska City met in regular session in the Council Chambers at City Hall on June 4, 2007. Mayor Adelung led in the Pledge of Allegiance then called the meeting to order and on roll call the following members were present: Leon Schiermeyer, Dean Handy, Erv Friesen, Mark Mercer and Mayor 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 previous meeting. Commissioner Schiermeyer seconded the motion and on roll call the following voted YEA: Schiermeyer, Handy, Friesen, Mercer and Mayor Adelung. Voting NAY: none. Mayor Adelung declared the motion carried.

City Administrator, Scott Bovick, showed a pictorial update of the razing of the Barton property. The following reports were presented for Council consideration: Wyuka Cemetery report for May: Sales, \$1650.00; Interments, \$3375.00; Misc. \$36.00; Memorial Bldg. Receipts for May; \$420; City Treasurer's monthly report: Balance on hand May 1, 2007: \$20,398,660.74 Receipts: \$4,729,330.23; Disbursements: \$3,633,804.52 Balance on hand May 31, 2007: \$21,494,186.45. Commissioner Friesen moved that all reports be accepted as presented and ordered them placed on file. Commissioner Mercer seconded the motion and on roll call the following voted YEA: Handy, Friesen, Mercer, Schiermeyer, and Mayor Adelung. Voting NAY: none. Mayor Adelung declared the motion carried.

Roy Schneider of Duff's Friendship Villa asked that the request to close 12th St from 3rd Avenue to 4th Avenue from 10 am to 2 pm on June 16 for the annual Summer Picnic Party be postponed because the date of the party had to be changed.

Roy Schneider of Duff's Friendship Villa requested the Council to discuss the condition of property on the corner of 12th and 4th Avenue. The property owner has several vehicles parked on the lawn and in the alley. Mr. Schneider said that the vehicles are unsightly and causes problems for the delivery trucks. Mr. Schneider also questioned the amount of wood that is stacked inside the wooden fence.

The City Administrator, Scott Bovick, said that there are ordinances against obstructing the alley and operating a mechanic's shop on property zoned residential. We do not have an ordinance that restricts the number of vehicles a property owner can have but vehicles must be operable and licensed.

Police Chief Lacy said our ordinances are vague. The property owner has been contacted in the past and has always complied. The code enforcement officer has asked whether he was running a junkyard and he denied it. All the vehicles are licensed to the property owner.

Fire Chief, Alan Viox said that if either Duff's or the house were to catch fire it would be a dangerous situation.

Commissioner Friesen directed the City Attorney to write a letter to the property owner addressing the parking issue, the zoning issue, obstructing the alley and the height of wood pile

River City Investments requested the alley in Block 43 South Nebraska City Addition be vacated. Brad Maybee owns the entire block and the alley not only is of no value to anyone but already has a building built on it. The alley was never formally vacated. Commissioner Handy moved to direct the city attorney to draft an ordinance vacating the alley in Block 43 South Nebraska City Addition to the City of Nebraska City and title to such property shall vest in the owners of the abutting property and become a part of such property, one-half on each side thereof. Commissioner Friesen seconded the motion and on roll call the following voted YEA: Friesen, Mercer, Schiermeyer, Handy and Mayor Adelung. Voting NAY: none. Mayor Adelung declared the motion carried.

Correspondence was received from the Book Clinic Inc. requesting the closure of 8th Street from the intersection of 1st Corso south to the alley from 11:00 pm July 20, 2007 until 1:30

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am on July 21, 2007. Commissioner Handy moved to approve closing 8th Street from the intersection of 1st Corso south to the alley from 11:00 pm July 20, 2007 until 1:30 am on July 21, 2007. Commissioner Schiermeyer seconded the motion and on roll call the following voted YEA: Mercer, Schiermeyer, Handy, Friesen and Mayor Adelung. Voting NAY: none. Mayor Adelung declared the motion carried.

Correspondence was received from the Nebraska City Jaycees requesting permission to hold the annual 4th of July Celebration road block fundraiser on Saturday the 16th of June from 9 am to 1 pm at the intersection of 10th Street and Central Avenue. Commissioner Friesen moved to approve the request from the Nebraska City Jaycees to hold their annual 4th of July Celebration road block fundraiser on Saturday the 16th of June from 9 am to 1 pm at the intersection of 10th Street and Central Avenue. Commissioner Handy seconded the motion and on roll call the following voted YEA: Schiermeyer, Handy, Friesen, Mercer, and Mayor Adelung. Voting NAY: none. Mayor Adelung declared the motion carried.

Discussion was held to address the issue of traffic impediment caused by boats and vehicles parked on 4th Street north of 8th Avenue. Chief Lacy said that when vehicles are parked across from each other it leaves 10' 1" for the passing lane. The fire trucks are 10' wide. He asked the council to consider no parking on 4th Street to within 30' of each intersection. This is a major route to the marina involving large recreational vehicles.

Debra Klick, 914 N 4th Street, said there had been a lot of controversy in the neighborhood because of the parking.

Commissioner Handy moved to direct the city attorney to draft a resolution prohibiting parking on both sides of 8th Avenue between 4th Street and 6th Street. Commissioner Friesen seconded the motion and on roll call the following YEA: Handy, Friesen, Mercer, Schiermeyer and Mayor Adelung. Voting NAY: none. Mayor Adelung declared the motion carried.

Commissioner Handy moved to direct the city attorney to draft a resolution prohibiting parking on both sides of 4th Street between 8th Avenue and 14th Avenue. Commissioner Friesen seconded the motion and on roll call the following YEA: Friesen, Mercer, Schiermeyer, Handy and Mayor Adelung. Voting NAY: none. Mayor Adelung declared the motion carried.

Commissioner Handy moved to direct the city attorney to draft a resolution placing a stop sign at the northwest corner of the intersection on 4th Street and 8th Avenue. Commissioner Mercer seconded the motion and on roll call the following voted YEA: Mercer, Schiermeyer, Friesen, Handy and Mayor Adelung. Voting NAY: none. Mayor Adelung declared the motion carried.

Mayor Adelung introduced and read Resolution No. 2328-07. Commissioner Friesen moved for passage of Resolution No. 2328-07. Commissioner Handy seconded the motion and on roll call the following voted YEA: Schiermeyer, Handy, Friesen and Mayor Adelung. Voting NAY: none. Mayor Adelung declared the motion carried.

RESOLUTION NO. 2328-07

WHEREAS, a request has been received from the First Christian Church of Nebraska City, Nebraska, to designate the first parking space North of the alley adjacent to Lot 6, in Block 8, Nebraska City Proper, as a handicap parking space; and

WHEREAS, the Mayor and City Commissioners approve such request as being in the public interest;

NOW THEREFORE, Be It Resolved by the Mayor and City Commissioners of the City of Nebraska City, Nebraska, that the first parking space North of the alley adjacent to Lot 6, in Block 8, Nebraska City Otoe County, Nebraska, be and the same is hereby designated as a handicapped parking space and that an appropriate sign be posted designating such parking space as handicapped, with such designation to be effective immediately for twenty-four hours each day.

Passed and approved this 4th day of June 2007.

Jo Dee Adelung, Mayor

ATTEST:

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Mary Wallen
Acting Clerk-Treasurer

Mayor Adelung introduced and read Resolution No. 2329-07. Commissioner Friesen moved for passage of Resolution No. 2327-07. Commissioner Handy seconded the motion and on roll call the following voted YEA: Schiermeyer, Handy, Friesen and Mayor Adelung. Voting NAY: none. Mayor Adelung declared the motion carried.

RESOLUTION NO. 2329-07

WHEREAS, a request has been made to the Mayor and Council to limit parking on one side of Second Corso, between 21st Street and 22nd Street, and

WHEREAS, the Mayor and City Commissioners have determined that limiting the parking on Second Corso between 20th Street and 22nd Street to the South side of the street will be in the best interest of the public.

NOW THEREFORE, Be It Resolved by the Mayor and City Commissioners of the City of Nebraska City, Nebraska, that "No Parking" signs be placed on the North side of 2nd Corso, between 20th Street and 22nd Street, in the City of Nebraska City, Nebraska, to provide that no parking be permitted on the North side of said street, effective twenty-four hours each day.

Passed and approved this 4th day of June 2007.

Jo Dee Adelung, Mayor

ATTEST:
Mary Wallen
Acting Clerk-Treasurer

Commissioner Mercer moved to approve all claims. Commissioner Friesen seconded the motion and on roll call the following voted YEA: Friesen, Mercer, Schiermeyer, Handy and Mayor Adelung. Mayor Adelung declared the motion carried.

CLAIMS LIST
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Ameritas	2,399.76	Ins	Otoe County	631.00	Payroll
Blue Cross	32,403.68	Ins	Principal Mutual	14,058.08	Pension
City of Nebraska City	52,575.90	Payroll	State of Nebraska	4,714.97	Payroll
Conseco	71.45	Ins	United Way	8.00	Donation
Farmers Bank	16,476.87	Payroll	UNUM Provident	1,153.99	Ins
Ameritas	614,650.00				
A-1 Locksmith	48.15	Repairs	Hart, Anna	400.00	Cleaning
ACCO	1,540.25	Chemicals	Heartland Classified Servi	108.41	Adv
Action Technology Services	400.00	Maint.	In the Swim	57.98	Supplies
Adkins Signs	25.00	Sign	KNCY AM-FM	424.10	Adv
Alamar Uniforms	283.81	Uniforms	Landis Engine	166.00	Repairs
Alltel	144.33	Telephone	Larson Motors	81.81	Repairs
AMSAN/Nogg Chemical & Pape	385.33	Supplies	Lawn Order	85.52	Repairs
Arbor Mart, Inc	1,752.87	Fuel	Lesco	198.46	Supplies
Arbor Valley Animal Clinic	300.50	Animal Expense	Lollmann, Jeff	142.45	Training
Auburn Newspapers	69.75	Adv	Mellage Truck & Tractor, I	138.57	Repairs
Beacon Athletics	391.93	Supplies	Mid Con Systems, Inc.	240.27	Supplies
Bishop Plumbing & Heating	502.60	Repairs	Nebraska City Airport Auth	3,416.67	Operating
Bob's Welding Shop	80.00	Repairs	Nebraska City Tourism & Co	5,312.50	Tourism
Bohl Plumbing and Heating	1,379.09	Repairs	Nebraska Community Foundat	2,590.00	Curator
Briley, David	224.47	Training	Nebraska Law Enforcement	375.00	Training
Cappan, Kevin	1,285.71	Contract	O'Flaherty, Joe	305.38	Training
Cass County Public Safety	10.00	Training	Otoe County Clerk	7,537.43	Legal
Century Lumber Center	6.39	Repairs	Peterson Enterprise	43.69	Repair
City of Lawrence	430.00	Training	PGP Publishing	192.00	Office
City of Nebraska City Wild	98.00	Supplies	R & K Cleaning	1,200.00	Cleaning
Concrete Industries, Inc.	354.00	Repairs	R & R Products Co.	138.49	Chemicals
Consolidated Fleet Service	315.00	Repairs	R.C.E.D.C.	4,948.75	Ind. Dev.
CONVENIENCECARD(Orscheln)	52.17	Supplies	State of NE HHS Laboratory	77.00	Testing

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Doheny's Water Warehouse	81.93 Supplies	Turfwerks	119.27 Repairs
Estes, Incorporated	542.00 Chemicals	United Seeds Inc.	340.00 Seed
Food Pride	34.95 Supplies	Viox, Alan	306.04 Mileage
GE Capital	74.67 Telephone	Wenzl Hardware	11.05 Repairs
		Wieckhorst, Larry	247.89 Training

Mayor Adelung moved to reappoint Roger Claussen to the Dock Board for a three-year term ending March 1, 2010. Commissioner Handy seconded the motion and on roll call the following voted YEA: Mercer, Schiermeyer, Handy, Friesen and Mayor Adelung. Voting NAY: none. Mayor Adelung declared the motion carried.

There being no further business to come before the Council at this time, on motion duly made and seconded, the Council adjourned at 6:50.

Acting City Clerk-Treasurer

APPROVED:

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.

Acting City Clerk-Treasurer