

July 16, 2007

The City Council of Nebraska City met in the Council Chambers at City Hall on July 16, 2007 to conduct a public hearing. 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.

Mayor Adelung stated that the public hearing was now in session for the proposed budget of Nebraska City Utilities for fiscal year 2007-2008.

Jeff Kohrs, Utilities Accountant gave an overview of the budget and answered questions. No one else spoke at the Public Hearing. Commissioner Friesen made the motion to close the Public Hearing, Commissioner Schiermeyer seconded the motion, on roll call the following voted YEA: Handy, Friesen, Mercer, Schiermeyer and Mayor Adelung. Voting NAY: none. Mayor Adelung declared the motion carried.

Council adjourned from the public hearing and reconvened in regular session.

The City Council of Nebraska City met in regular session on July 16, 2007, immediately following the public hearing in the Council Chambers at City Hall. Mayor Jo Dee Adelung 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 July 2, 2007 meeting. Commissioner Handy 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.

Police Chief Dave Lacy introduced Kevin J. Pummel and Sarah A. Hans as new police officers whose names had been forwarded by the Nebraska City Civil Service Commission and upon completion of training in Grand Island reintroduce them to the Council and community. After their introduction Chief Lacy administered the oath of office to both individuals.

The City Administrator's Report; City Administrator, Scott Bovick; Clerk, Arnold Ehlers and Mayor Adelung attended the last Airport Authority meeting where the Mayor offered the Airport Authority the services of both the Administrator and Clerk to assist the Authority since Jeff Funke has been appointed County Judge. The City budget process is progressing, meeting with each department head and planning on holding the budget workshop on July 30 at 1:00 p.m. Our goal of reducing the property tax levy looks promising as we have been holding down expenses for the past few years. Commissioner Handy moved to approve the Administrator's Report; Commissioner Friesen seconded the motion and on roll call the following voted YEA: Friesen, Mercer, Schiermeyer, Handy and Mayor Adelung. Voting NAY: none.

Pat Haverty, Executive Director of River Country Economic Development Corporation gave the Quarterly Report. Commissioner Friesen moved to approve the report as presented. Commissioner Mercer 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.

Ordinance 2702-07

Mayor Adelung introduced and read Ordinance No. 2702-07 entitled: AN ORDINANCE AMENDING CHAPTER 34; TAXATION; ARTICLE III, OCCUPATION TAX; DIVISION 2. TAX SCHEDULES; TO ADD NEW SECTION 34-75, TO IMPOSE A TWO PERCENT (2%) OCCUPATION TAX FOR RENTAL OF SLEEPING ROOMS AND TO DEFINE TERMS USED IN THE COLLECTION OF SUCH TAX AS PROVIDED HEREIN; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND TO PROVIDE FOR AN EFFECTIVE DATE.

July 16, 2007

Mayor Adelung moved that the Statutory Rule requiring reading on three different days be suspended. 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 adopted by three-fifths (3/5) vote of the Council and the Statutory Rule suspended for consideration of said Ordinance.

Mayor Adelung read the ordinance by title only and moved for final passage of Ordinance No. 2702-07. Commissioner Handy seconded the motion. Mayor Adelung asked, "Shall Ordinance No. 2702-07 be passed and adopted?" and on roll call the following voted YEA: Handy, Friesen, Mercer, and Schiermeyer and Mayor Adelung. Voting NAY: none. Mayor Adelung declared Ordinance No. 2702-07 adopted and signed same in the presence of the council and the Clerk who attests to same.

The bid for 4th Corso Bridge Deck Repair Project was reviewed for the Council by City Administrator Bovick. He said the bid was substantially higher than the engineer's estimate and recommended rejecting the single bid and to re-bid the project later this year. Commissioner Handy moved to reject the bid and the motion was seconded by Commissioner Mercer and on roll call the following voted YEA: Handy, Friesen, Mercer, Schiermeyer and Mayor Adelung. Voting NAY: none. Mayor Adelung declared the motion carried.

City Administrator Bovick first summarized the Phase I Environmental Site Assessment Survey from Terracon property known as the "Larson Property", and the Limited Site Assessment second. The only asbestos containing material was in approximately 250 square foot of tile and can easily be mediated. Bovick will submit a proposal for a Phase II ESA at the August meeting.

Mayor Adelung introduced and read Resolution No. 2334-07 Commissioner Friesen moved for the passage of Resolution No. 2334-07. Commissioner Handy seconded the motion and on roll call the following voted YEA: Schiermeyer, Handy, Friesen, Mercer and Mayer Adelung. Voting NAY: none. Mayor Adelung declared the motion carried.

RESOLUTION NO. 2334-07

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF NEBRASKA CITY, NEBRASKA, that Arnold M. Ehlers, City Clerk-Treasurer 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 Otoe County Bank & Trust, all in Nebraska City, Nebraska, and said banks are hereby authorized to honor the same.

BE IT FURTHER RESOLVED, that Arnold M. Ehlers, City Clerk-Treasurer of the City of Nebraska City, Nebraska, be and is hereby authorized to purchase and redeem Certificates of Deposit on behalf of the City of Nebraska City, at the banks and institutions referred to above; is authorized to make deposits to the accounts of the City of Nebraska City at said banks; and is further authorized to mortgage, pledge, assign, endorse and deliver to said banks any assets of the City of Nebraska City, as security for all obligations of any kind of the City of Nebraska City to said banks, with full power to withdraw, exchange, and substitute other securities for those originally pledged.

BE IT FURTHER RESOLVED, that Mary Wallen, the Deputy City Clerk-Treasurer of Nebraska City, Nebraska, who has previously been authorized to act on behalf of the City of Nebraska City, with respect to the accounts at the above referenced banks shall continue to be so authorized in the absence of the City Clerk-Treasurer, Arnold M. Ehlers

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 16th day of July, 2007

ATTEST
Arnold M. Ehlers
City Clerk-Treasurer

APPROVED
Jo Dee Adelung, Mayor

July 16, 2007

David W. Martin applied for a Plumbers License and Thomas A. Combs applied for an Electricians License. Commissioner Handy moved to approve plumber and electrician licenses as presented, Commissioner Schiermeyer seconded the motion and on a roll call the following voted YEA: Handy, Friesen, Mercer, Schiermeyer and Mayor Adelung. Voting NAY: none.

CLAIMS LIST

July 16, 2007

City of Nebraska City	53,155.43	Payroll	Safe Kids	60.00	Registration
Farmers Bank	17,195.22	Payroll	Southeast Safety for Kids	90.00	Registration
A-1 Locksmith	42.95	Rep	League of Nebr. Municipal	353.00	Training
Action Technology Serv	532.30	Contract	Mead Lumber Do-It Best	46.53	Rep.
Alco Store #155	158.42	Sup.	Medtronic Emergency Resp	186.29	Sup
Windstream Nebraska	1,848.78	Tel.	Mellage Truck & Tractor, I	499.84	Rep
Allied Recycling	392.50	Gar.	Mercer's Do It Best	125.12	Rep.
KonicaMinolta Business	174.77	Copies	Midlands Financial Benefit	427.50	Consult
Arbor Mart, Inc	1,424.93	Fuel	Midwest Farmers Coop	501.95	Chem
Arbor Outdoor Power	17.98	Oil	Midwest Right of Way Serv	572.50	Eng
Auburn Newspapers	60.00	Adv	Miller Monroe Farrell	40.00	Ins
Barrett Construction Co.	724.00	Rep.	Missoula Children's Theatr	2,600.00	Misc
Bennett, Richard D. Jr.	431.64	Sup.	Mullenax Auto Supply	213.11	Sup.
Bishop Plumbing	35.00	Rep.	Murphy Tractor & Equipment	104.68	Rep.
Cappen, Kevin	1,285.71	Contract	National Arbor Day Foundat	15.00	Dues
Casey's General Stores	1,284.38	Fuel	Nebraska City Airport Auth	6,833.34	Op.
Cintas Corporation #749	192.52	Sup.	Petty Cash / Reimbursement	70.33	Postage
City of Nebraska City	1,034.32	Comm	Nebraska City Jaycees	700.00	Ins
City of Nebraska City	4,013.75	Int	Nebraska City News Press	455.81	Adv
Concrete Industries, Inc.	374.97	Sup	Nebraska City Utilities	10,456.89	Util
Orscheln	269.42	Sup.	Nebraska Dept. of Revenue	2,337.69	Sales Tax
Douglas Tire Co.	157.40	Tires	Nebraska Workforce Develop	503.00	UIC
Ehlers, Arnold M.	175.00	Sup.	Neeman, Lonnie	369.57	Mileage
Estes, Incorporated	1,169.00	Chem	NEXTEL Partners Inc.	222.10	Tele
Food Pride	35.00	Misc	AMSAN/Nogg Chemical	81.38	Sup
GALLS	302.13	Sup	Omaha Tractor, Inc.	84.18	Sup
Giittinger, Dan	69.35	Mileage.	Otoe County Register of De	26.50	Adv
Great American Outdoor	91.50	Rep.	Nebraska City Medical Clin	128.00	Misc
Wood Family Fuel	226.76	Fuel	Pitney Bowes	217.00	Postage
Heartland Classified	43.72	Adv	Quill Corporation	334.15	Sup
Hopkins Automotive Inc.	82.34	Rep	Schendel Pest Control	44.00	Pest ConT
Ideal Pure Water	107.42	Water	SAT/TECH, L.L.C.	13.05	FrT
Int'l. Inst. of Muni.Clerk	190.00	Dues	Schneider Electric & Refri	130.35	Rep.
JEO Consulting Group	335.00	Contract	Shell (P)	2,206.42	Fuel
Jebro Inc.	623.25	Sup	THT Designs, Inc	112.45	Mdse
Landis Engine	98.20	Rep	Tom's Radio	347.00	Rep
Larson Motors	5,834.07	Rep	Van-Wall Group	91.50	Repair
Law Enforcement Sys	26.00	Sup	Viox, Alan	389.46	Mileage
			Watkins True Value	76.71	Repair

Commissioner Mercer moved to pay all claims except Claim #7250D. Commissioner Friesen seconded the motion and on roll call the following voted YEA: Friesen, Mercer, Schiermeyer, Handy and Mayor Adelung. Voting NAY; none.

Commissioner Friesen moved to pay Claim #7250D; seconded by Commissioner Schiermeyer, on roll call the following voted YEA: Schiermeyer, Handy, Friesen, Adelung. Voting NAY; None. ABSTAIN: Mercer.

Mayor Adelung announced that Jeanene Pummel is the "EMS Person of the Year" and that we are all very proud of her.

Commissioner Friesen moved to adjourn the meeting at 7:16, Commissioner Handy seconded the motion and on a roll call the following voted YEA: Mercer, Schiermeyer, Handy, Friesen and Mayor Adelung. Voting NAY: none

July 16, 2007

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.

City Clerk-Treasurer