

CITY OF NEBRASKA CITY, NEBRASKA
 MINUTES OF CITY COUNCIL REGULAR MEETING
 March 2, 2015

Pursuant to due call and notice thereof, a Regular Meeting of the City Council of the City of Nebraska City was conducted in the William F. Davis Room at City Hall, 1409 Central Avenue, on March 2, 2015. 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.

Acting Mayor Mindy Briley called the meeting to order at 6:00 p.m. The Acting 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. Acting Mayor Mindy Briley then led in the Pledge of Allegiance. Upon roll call the following answered present: Jim Stark, Jeff Crunk, Vic Johns, and Mindy Briley. The following City Officials were present: City Clerk-Treasurer Arnold M. Ehlers, City Attorney David Partsch, Police Chief David Lacy, Fire Chief Alan Viox, and Public Properties Director/Zoning Director Dan Giittinger.

Briley moved and Johns seconded to move Agenda Item #15 to the top of the agenda to accommodate rescue personnel in attendance. Upon roll call the following voted YES: Stark, Crunk, Johns and Briley. Voting NO: None. Motion carried.

Crunk moved to approve the minutes of the February 6, 2015, City Council Special Meeting, seconded by Stark. Upon roll call the following voted YES: Crunk, Johns, Stark, and Briley. Voting NO: None. Motion adopted.

Stark moved to approve the minutes of the February 16, 2015, City Council Regular Meeting, seconded by Crunk. Upon roll call the following voted YES: Stark, Johns, Crunk, and Briley. Voting NO: None. Motion adopted.

Crunk moved to approve the minutes of the February 19, 2015, City Council Special Meeting, seconded by Stark. Upon roll call the following voted YES: Crunk, Stark, Johns, Briley and Mayor Hobbie. Voting NO: None. Motion adopted.

Briley moved to pay all claims as presented, seconded by Stark. Upon roll call the following voted YES: Crunk, Johns, Stark, and Briley. Voting NO: None. Motion carried.

Adkins Signs	Sup	214.50	Mercer's Do-It-Best	Sup	74.11
Allied Insurance	Contr	100.00	Mullenax Auto Supply	Sup	130.97
Arbor Mart, Inc	Fuel	1886.06	Nationwide	Inv	12,777.25
AVAC	Contr	121.65	NC Clerk - Treasurer	Post	20.91
ARROW INT'L	Sup	471.12	NC Museum Assoc	Contr	2406.25
Associated Fire Protect.	Maint	355.00	NCTC	Contr	6250.00
BKD	Audit	2530.00	NE Liquor Control	Dues	45.00
Blum's Custom Frames	Misc	73.00	NPZA	Dues	220.00
Boatright, K	Dance	375.00	NE Salt and Grain Co	Chem	6481.80
Bohl Plumbing and Heating	Maint	67.00	NE Window Covering	Blinds	1436.00
Bound Tree Medical LLC	Sup	407.65	O'Reilly Auto Parts	Sup	17.97
Callaway Golf	Mdse	1744.02	Otoe County Clerk	Contr	557.00
Christiansen Painting	Painting	1540.00	Ottemann Photo	Loans	6390.00
City of NC Wildwood	Artist	126.45	Payroll	Payroll	158,613.39
D & D Communications	Rep	290.00	PETERSEN, TERRY	Rfund	25.00
Douglas Tire Co.	Rep	612.00	Quill Corporation	Sup	41.98
Eakes Office Solutions	Sup	509.53	RIVER'S END TRADING	Mdse	843.51
Fastenal Company	Sup	19.18	Shell Street	Fuel	40.00
Fire Protection Service	Maint	262.00	Smith, T	Dance	266.00
Gatehouse Media	Adv	54.92	SPIRAL	Tele	703.54
Henry Motors South	Rep	598.70	St. Mary's	Sup	263.56

J. Park, LLC	Rent	900.00	Tag's One Stop	Fuel	61.50
Jensen, E	Dance	292.50	Tri-State Pumping	Maint	1440.00
JEO Consulting	Contr	232.50	UHC	Ins	4,708.64
KR Creative	Maint	35.00	Unifirst Corporation	Sup	43.95
Larson Motors	Rep	211.31	Van Wall Turf & Irr.	Rep	212.33
Matheson Tri-Gas, Inc.	Sup	128.01	VERIZON WIRELESS	Tele	479.84
MCNEELY, JASON	Rfund	25.00	Watkins True Value	Sup	41.58
Menards - Lincoln South	Misc	269.00	Windstream,Inc.	Tele	1783.49

Acting Mayor Briley proclaimed March 2015 as "Gambling Awareness Month".

Acting Mayor Briley opened the Public Hearing on the Class "B" Liquor License application from Western Oil II, LLC. Alice Barton representing Western Oil II, LLC answered questions related to the Class "B" Liquor License application for Speedee Mart. Ms. Barton explained that there will be no changes in the day-to-day operations of Speedee Mart just in the ownership. Ms. Barton stated that all current employees would remain and all had certified alcohol training. Moved by Johns and seconded by Crunk to close the Public Hearing. Upon roll call the following voted YES: Stark, Crunk, Johns and Briley. Voting NO: None. Motion carried.

Acting Mayor Briley opened the Public Hearing on the request for a grant of \$10,000 per year for ten years to locate and care for hanging flower baskets in the downtown business district. Stephanie Shrader, Executive Director of Nebraska City Area Economic Development presented a loan and grant history of LB840 program. Ms. Shrader then presented the application and proposed budget to the council for the downtown beautification project (installing flower baskets on light poles) and answered questions. Kelly Bequette provided additional information to the council. Stark asked about business participation in this project. Ms. Bequette stated that 10 businesses have already agreed to participate and more are being solicited. Crunk asked about equipment to water the baskets. Kim Crossfield asked the council to extend the project to include Central Avenue to 4th Street. City Attorney stated that there could be another grant applied for to fund the additional baskets and brackets. Moved by Briley and seconded by Crunk to close the Public Hearing. Upon roll call the following voted YES: Johns, Stark, Crunk, and Briley. Voting NO: None. Motion carried.

Tracy Wieckhorst presented the annual report for the Nebraska City Housing Authority.

Acting Mayor Briley announced the resignation of Mayor Jack Hobbie and expressed thanks for his service to Nebraska City. City Attorney David Partsch informed those present that an individual can be appointed as mayor or a special election can be held, but that an election will be expensive and advised that a new mayor be appointed.

Moved by Johns and seconded by Briley to approve the Class "B" liquor license application from Western Oil II, LLC for Speedee Mart. Upon roll call the following voted YES: Stark, Crunk, Johns and Briley. Voting NO: None. Motion carried.

Moved by Stark and seconded by Crunk to approve the LB840 grant for the Downtown Beautification Project (Flower Baskets) Phase I. Upon roll call the following voted YES: Johns, Crunk, Stark and Briley. Voting NO: None. Motion carried.

Tracy Wieckhorst asked the council to reduce or forego the Payment-in-lieu-of-taxes for River View Terrace. Moved by Crunk and seconded by Briley to forego PILOT for the next two years. Upon roll call the following voted YES: Johns, Stark, Crunk and Briley. Voting NO: None. Motion carried.

Tracy Ottens requested approval of a Special Designated Liquor License for a Softball Tournament to be held on April 25, 2015. Moved by Stark and seconded by Johns to approve the SDL for Nebraska City Fast Pitch Assoc. Upon roll call the following voted YES: Crunk, Johns, Stark and Briley.

Jeff Walters with Nebraska City Youth Wrestling asked that parking be allowed on both sides of Steinhart Park Road by the high school on March 15, 2015. Moved by Stark and seconded by Crunk to approve the request to allow parking on both sides of Steinhart Park Road in front to the high school. Upon roll call the following voted YES: Johns, Crunk, Stark and Briley. Voting NO: None. Motion carried.

Alan Viox and Andrew Snodgrass informed the council of the overtime issues in the Rescue Department due to non-compliance to FLSA Rules and Regulations. Mr. Viox informed the council that Fitch and Assoc. have verbally informed him that the rescue department probably owes \$50,000 to \$60,000 in back pay due to overtime. A portion of this overtime can be alleviated with the addition of a 4th paramedic. Mr. Viox also stated that the overtime issue may need to be addressed with the fire apparatus employees as well as current city employees who work full time in other city departments and then work as EMTs in the rescue department. Crunk asked why he just received this letter from Harding Schultz that is dated November 26, 2014 and when did staff become aware that there was a problem. Mr. Snodgrass answered that he read an article last year that informed him of possible problems. Moved by Stark and seconded by Johns to approve hiring a 4th full-time paramedic. Upon roll call the following voted YES: Crunk, Johns, Stark and Briley. Voting NO: None. Motion carried.

Crunk left the meeting at 7:15 p.m.

Emily Anthony addressed the council with additional suggested changes to the Nebraska City Employee Personnel Manual. Stark and Partsch both stated that they had questions or suggestions to be considered. Action on the Personnel Manual revisions will be taken at the March 16 city council meeting.

Acting Mayor Briley introduced Ordinance 2954-15 for its first reading. Ordinance 2954-15 was read by title only. Motion was made by Stark and seconded by Briley to approve Ordinance 2954-15 on its first reading. Upon roll call the following voted YES: Johns, Stark and Briley. Voting NO: None. Motion carried.

Acting Mayor Briley introduced Resolution 2656-15 amending No Parking in the area of the old hospital. Moved by Stark and seconded by Johns to approve Resolution 2656-15. Upon roll call the following voted YES: Johns, Stark and Briley. Voting NO: None. Motion adopted. A true and complete copy of said resolution is as follows:

RESOLUTION NO. 2656-15

REMOVAL OF DESIGNATION OF "NO PARKING" AREAS AROUND FORMER HOSPITAL

WHEREAS the City of Nebraska City has reviewed the designated "No Parking" areas around the property formerly used as St. Mary's Community Hospital;

AND WHEREAS said "No Parking" areas are no longer necessary for the control of parking and traffic in that area since the hospital has moved to a new location;

NOW THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of Nebraska City, Nebraska, hereby eliminate the "No Parking" designations on 3rd and 4th Avenues from 13th to 14th Streets, and eliminates the "No Parking" designations on 13th and 14th Streets from 3rd Avenue to 4th Avenue.

Passed and approved this ____ day of _____, 2015.

Mindy Briley, Acting Mayor

The council set March 25, 2015 to hear department head capital improvement requests for the 2015-2016 fiscal year.

City Attorney explained the bank account sweep system at Arbor Bank. The State Auditor and Arbor Bank have informed the City Attorney that the proper documentation is not in place. The City Attorney informed the council that state statute and city code state that all utility claims are to be approved by the Board of Public Works and paid by the City Clerk ó Treasurer. City Attorney stated that City Clerk ó Treasurer Arnold Ehlers had questioned the procedure and was concerned that the City Clerk ó Treasurer was not involved in the payment of utility claims nor was the City Council approving those claims. The City Attorney stated the agreement he drafted would allow the way claims have been paid to continue and asked for a motion to direct the finance commissioner, now acting mayor to sign the banking agreement. Moved by Stark and seconded by Johns to approve the electronic sweep agreement and authorize the acting mayor to sign and also have her as a signatory on that account. Upon roll call the following voted YES: Johns, Stark and Briley. Voting NO: None. Motion adopted.

Bill Moore stood and stated that he feels a tremendous loss and the loss has cost this community and we have not had time to speak about that under Item 9, so with your permission I would like us to have the opportunity to stand and applaud for those who have left us and the memories we have of them.

Meeting adjourned at 7:29 p.m.

March 2, 2015

Arnold M. Ehlers, City Clerk - Treasurer