

CITY OF NEBRASKA CITY, NEBRASKA
MINUTES OF CITY COUNCIL REGULAR MEETING
January 5, 2009

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 of City Hall, 1409 Central Avenue, on January 5, 2009. 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.

Mayor Hobbie called the meeting to order at 6:00 p.m. Upon roll call the following answered present: Brett Gay, Jeff Crunk, Dean Handy, and Mark Mercer. The following City Officials were present: City Administrator Scott Bovick, City Clerk Arnold M. Ehlers, City Attorney William Davis, Building Inspector Alan Viox, and Public Properties Director/Zoning Director Dan Giittinger.

Mayor Jack Hobbie led in the Pledge of Allegiance.

Commissioner Mercer moved to approve the minutes of the December 15, 2008 City Council Regular Meeting, seconded by Commissioner Handy. Upon roll call the following voted AYE: Crunk, Handy, Gay, Mercer and Mayor Hobbie. Voting NO: None. Motion adopted.

The Treasurers' Report showed a beginning balance Dec 1, of \$3,711,499.88; Revenues of \$3,328,262.72; Expenses of \$2,121,468.98 and an ending balance of \$4,918,293.62. Wyuka Cemetery Month End Report had \$2,855.50 in income. Both reports were accepted and placed on file.

Mayor Hobbie introduced Ordinance 2742-09: AN ORDINANCE DIRECTING THE SALE AND CONVEYANCE OF THE NORTH 44 FEET OF THE WEST ½ OF LOT 3, BLOCK 1, LOWREY'S ADDITION TO THE VILLAGE OF DUNBAR, OTOE COUNTY, NEBRASKA, TO JESSE ANDERSON; DIRECTING NOTICE OF SALE BY PUBLICATION; AND TO PROVIDE FOR AN EFFECTIVE DATE, and moved that the statutory rule requiring reading on three different days be suspended. Commissioner Mercer seconded the motion and upon roll call the following voted AYE: Gay, Crunk, Handy, Mercer and Mayor Hobbie. Voting NO: None. The motion to suspend the rule was adopted by three-fifths of the Board 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 stated the question "Shall Ordinance No. 2742-09 be passed and adopted?" Upon roll call the following voted AYE: Gay, Crunk, 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 Board, the Mayor declared the ordinance adopted and the Mayor in the presence of the Board signed and approved the ordinance and the Clerk attested the passage and approval of the same and affixed his signature thereto and ordered the Ordinance to be published in pamphlet form as provided therein. A true, correct and complete copy of said ordinance is as follows:

ORDINANCE NO. 2742-09
AN ORDINANCE DIRECTING THE SALE AND
CONVEYANCE OF THE NORTH 44 FEET OF THE WEST ½
OF LOT 3, BLOCK 1, LOWREY'S ADDITION TO THE
VILLAGE OF DUNBAR, OTOE COUNTY, NEBRASKA, TO
JESSE ANDERSON; DIRECTING NOTICE OF SALE BY
PUBLICATION; AND TO PROVIDE FOR AN EFFECTIVE
DATE.

WHEREAS, Jesse Anderson, has requested the sale and conveyance of the real estate hereinafter described to him for the reason that his garage encroaches upon said property, and the Mayor and City Commissioners of the City of Nebraska City, Nebraska, have approved said sale for the consideration hereinafter stated:

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSIONERS OF THE CITY OF NEBRASKA CITY, NEBRASKA:

Section 1. That the City of Nebraska City does hereby sell for the consideration of Five Hundred Dollar(s), plus all expenses involved in this sale, including legal expenses, advertising charges and filing fees, and subject to existing taxes and special assessments, if any, and also subject to any existing easements, the following described property:

The North 44 feet of the West half of Lot 3, Block 1, Lowrey's Addition to the Village of Dunbar, Otoe County, Nebraska,

and the Mayor is hereby directed to execute and acknowledge for and in the name of the City of Nebraska City, a deed of conveyance to be attested by the City Clerk-Treasurer, with the seal of the City affixed, conveying said real estate to Jesse Anderson.

Section 2. The City Clerk-Treasurer is hereby directed to publish in the Nebraska City News Press, a newspaper published and of general circulation in the City of Nebraska City, immediately after the passage and publication of this ordinance, a notice of said sale for three consecutive weeks.

Section 3. The Mayor and City Clerk-Treasurer are hereby directed to deliver said deed to said purchaser of said real estate, after the publication of said notice as hereinbefore provided and after thirty days from the passage and publication of this ordinance, and upon payment by the purchaser of said consideration in cash.

This ordinance shall take effect and be in force from and after its passage, approval and publication.

PASSED and APPROVED this 5th day of January, 2009.

Jack Hobbie, Mayor

Attest:

Arnold M. Ehlers, City Clerk-Treasurer

Commissioner Mercer moved to direct the City Attorney to draft an Ordinance for the sale of vacated 12th Avenue and 16th Street North of the Railroad Right-of-way to Aaron Madsen and Doyle Noerrlinger in the amount of \$350.00, seconded by Commissioner Handy. After discussion and information provided by Doyle Noerrlinger, Commissioner Mercer amended his motion to \$250.00, seconded by Commissioner Handy. Upon roll call the following voted AYE: Gay, Crunk, Handy, Mercer and Mayor Hobbie.

Alan Viox presented the results of the bid letting for the demolition what is commonly referred to as the Livingston Building. Commissioner Handy moved to award the contract to the low bidder, Brandt Excavating in the amount of \$108,517.00. Upon roll call the following voted AYE: Gay, Crunk, Handy, Mercer and Mayor Hobbie.

Michael Thomas requested the vacation of the alley in Block 72; Kearney Addition. The Council requested that Mr. Thomas get approval from the adjoining property owners before taking any action on the request.

Commissioner Handy moved to approve all Electricians work registrations as presented. Upon roll call the following voted AYE: Gay, Crunk, Handy, Mercer and Mayor Hobbie.

Commissioner Mercer moved to approve all Plumbers License renewals. Upon roll call the following voted AYE: Gay, Crunk, Handy, Mercer and Mayor Hobbie.

Commissioner Mercer moved to approve all claims as presented. Upon roll call the following voted AYE: Gay, Crunk, Handy, Mercer and Mayor Hobbie.

A-1 Locksmith	74.90	Rekey	Ingenix	79.95	Equip
Action Technology Svc	865.00	Comp	Interstate All Battery	107.75	Rep
Adams Golf	105.63	Msde	JEO Consulting	12,562.50	Contr
Adams, S	72.31	Mileage	KonicaMinolta	180.75	Contr
Adkins Signs	222.00	Supp	Larson Motors	714.40	Rep
Allied Insurance	100.00	Bond	LCL Truck Equip	1,435.26	Supp
Alltel	308.40	Tele	Linweld, Inc	111.80	Supp
American Cemetery	49.00	Dues	Martin Marietta Mat	867.80	Gravel
American Industrial Co	49,588.94	ROW	Mid-America Termite	43.48	Maint
American Industrial Co	12,397.23	ROW	Moore Medical	856.30	Supp
Arbor Mart	1,941.17	Fuel	NC Clerk/Treasurer	79.62	Misc
Awards Unlimited	70.04	Misc	NCTC	5,312.50	Contr
Bob's Welding Shop	185.00	Rep	NE Certified Public Mg	2,500.00	Train
CDW Government	767.53	Comp	NE Community Found	2,291.67	Contr
Century Lumber	55.64	Mater.	NE Salt & Grain	2,645.75	Salt
Citizen Printing	144.00	Supp	NE Supreme Court	185.70	Code
City of La Vista	55.00	Train	Nebraska Arborists	340.00	Dues
Creighton Univ	300.00	Train	NEXTEL	235.36	Tele
Davis, Todd A.	510.00	Comp	Odey's Inc.	1,031.60	Rep
Diesel Power Equip	671.66	Supp	O'Reilly Auto Parts	101.43	Maint
Ed Roehr Safety Prod	4,487.43	Supp	Orscheln	260.07	Supp
EMC Insurance	765.60	Ins	R.C.E.D.C.	937.39	Grant
Emergency Repair Svc	66.00	Rep	Recker, L	10.72	Benefits
Fire Protection Svc	144.25	Maint	Schendel Pest Control	87.00	Pest Cntrl
Food Pride	60.75	Supp	Shell	2,479.40	Fuel
Fouraker, Helen	269.68	Med	South Dakota Muni	50.00	Ads
Fremont National Bank	450.00	Bond	State Chemical Manuf.	120.63	Supp

Galeton Gloves	204.15	Supp	The Handy Man Co	80.00	ROW
Giittinger, D	209.09	Mileage	Thurman Bike & Sport	1,338.75	Uniform
Grainger	234.40	Supp	Tri-State Office Prod	864.52	Supp
Hart, Anna	450.00	Contr	USPS	42.00	Postage
Heartland Classified	34.51	Ads	Vintage Automobile	6,266.18	ROW
HGM Associates Inc	8,230.38	Eng	Viox, A	250.97	Mileage
Hotsy Equipment Co	147.30	Supp	Wage & Benefits	235,383.97	Payroll
HWS Consulting	1,370.70	Eng	Wenzl Hardware	37.89	Rep

Meeting adjourned at 6:32 p.m.

Jack Hobbie, Mayor

Arnold M. Ehlers, Clerk - Treasurer