

CITY OF NEBRASKA CITY, NEBRASKA  
MINUTES OF CITY COUNCIL REGULAR MEETING  
February 4, 2013

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 February 4, 2013. 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: Jeff Crunk, Dean Handy, and Mayor Hobbie. Absent: Jim Stark and Mark Mercer. 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 Giittinger.

Commissioner Handy moved to pay all claims as presented, seconded by Commissioner Crunk. Upon roll call the following voted YES: Crunk, Handy and Mayor Hobbie. Voting NO: None. Motion passed.

Moved by Mayor Hobbie and seconded by Commissioner Handy to approve the re-appointment of Brad Kingery to the Board of Adjustment. Upon roll call the following voted YES: Crunk, Handy and Mayor Hobbie. Voting NO: None. Motion passed.

Moved by Mayor Hobbie and seconded by Commissioner Handy to re-appoint Myron Hahn and Dan Patton to the Dock Board. Upon roll call the following voted YES: Crunk, Handy and Mayor Hobbie. Voting NO: None. Motion passed.

Sara Crook from Peru State College attended the City Council meeting with students from the Legislative Class.

Warren Shuros from Foth Infrastructure & Environment, LLC presented the findings from a study completed on the Solid Waste Management system in place in Nebraska City. Interviews with several citizens and businesses were highlighted. Common themes came from all the interviews. Cost relative to service. The report put forth several options for improving solid waste management and reducing costs. The full report is posted on the city's website.

Ordinance 2895-13 now came up for second reading. Ordinance 2895-13 was read by title only. Moved by Commissioner Handy and seconded by Crunk to approve Ordinance 2895-13 on its second reading. Upon roll call the following voted YES: Crunk, Handy and Mayor Hobbie. Voting NO: None. Motion passed.

Ordinance 2896-13 now came up for second reading. Ordinance 2896-13 was read by title only. Moved by Commissioner Handy and seconded by Crunk to approve Ordinance 2896-13 on its second reading. Upon roll call the following voted YES: Crunk, Handy and Mayor Hobbie. Voting NO: None. Motion passed.

Shelly Stromp presented the Nebraska City Utilities Audit prepared by KPMG. Ms. Stromp stated that there were no findings of significant deficiencies or material weaknesses. Financial testing revealed no issues. Leroy Frana, General Manager of Nebraska City Utilities provided highlights of asset, cash balances, revenue and expenses in graph format.

Chris Lindner of BKD presented the audit for the City of Nebraska City. Mentioned were a couple of deficiencies. First, that by having such a small office staff there is not adequate separation of duties, but the City Clerk – Treasurer has implemented extra safeguards at all levels of the financial chain. Second, due to the staff size preparation of detailed financial reports ready for audit would create a financial burden for the city. Mr. Lindner prepared four year histories of the major city departments indicating confirmed trend lines in revenues and expenses in line with actual annual data from the federal government. Additional data presented showed Nebraska City's capital debt per citizen significantly lower than other communities of similar size in Nebraska.

Mayor Hobbie accepted all the reports and asked that they be placed on file. All reports are available at City Hall or on the City's website.

Mayor Hobbie introduced a claim from Lori Bennett in the amount of \$150,000.00 for emotional distress caused from a statement made by a police officer. Lori Bennett appeared before the Council and stated that the letter she submitted to the City explained her position accurately. Moved by Commissioner Handy and seconded by Crunk to deny the claim. Upon roll call the following voted YES: Crunk, Handy and Mayor Hobbie. Voting NO: None. Motion passed.

Mayor Hobbie introduced Ordinance 2897-13. Ordinance 2897-13 was read by title only. Moved by Commissioner Handy and seconded by Crunk to approve Ordinance 2897-13 on its first reading. Upon roll call the following voted YES: Crunk, Handy and Mayor Hobbie. Voting NO: None. Motion passed.

Amy Allgood with NCTC requested the use of the Memorial Building parking lot for the Farmers Market from May 30 to September 12, 2013 and also place a banner advertising the Farmers Market at 8<sup>th</sup> and Central Avenue. Moved by Commissioner Handy and seconded by Mayor Hobbie to approve the request by NCTC to use the Memorial Building parking lot for a Farmers market for May 30 to September 12, 2013 and hang a Farmers Market banner at 8<sup>th</sup> & Central Avenue. Upon roll call the following voted YES: Crunk, Handy and Mayor Hobbie. Voting NO: None. Motion passed.

Chief Lacy presented a request from the Nebraska City High School to allow parking on the west side of Steinhart Park Road from Central Avenue to Arbor Road on Feb 8<sup>th</sup> & 9<sup>th</sup> for district wrestling. Moved by Commissioner Handy and seconded by Crunk to allow parking on the west side of Steinhart Park Road from Central Avenue to Arbor Road on Feb 8<sup>th</sup> & 9<sup>th</sup>. Upon roll call the following voted YES: Crunk, Handy and Mayor Hobbie. Voting NO: None. Motion passed.

Action Tech Serv	Contr	400.00	Midwest Serv	Supp	400.00
Adkins Signs	Supp	50.00	Midwest Turf	Supp	265.25
Alamar Uniforms	Unif	133.96	Mullenax	Supp	428.98
Arbor Mart	Fuel	2072.26	Nationwide	Supp	17493.17
AVAC	Misc	213.41	NC Apple Corp	Adv	20.00
Baird Holm	Contr	330.00	NC Clerk - Treasurer	Misc	148.63
Benefiel Truck	Rep	3838.33	NC Museum Assoc	Contr	2406.25
Bill Walters Shop	Rep	276.70	NC Public School	Contr	9183.08
Bob's Radiator	Rep	976.00	NC Utilities	Util	2777.30
Bound Tree	Supp	624.74	NCTC	Contr	5416.67
Jenni Brant	Contr	331.77	NE Dept of Roads	Contr	19483.30
Bremer Agency	Bond	100.00	NE Enviro Products	Supp	285.70
Bridgestone Golf	Supp	204.46	NE Salt and Grain	Chem	2937.55
Callaway	Msde	3604.99	O'Reilly	Supp	33.21
CDW	Contr	129.24	Omaha Tractor	Rep	582.99
Cintas	Supp	59.98	OMB Guns	Ammo	930.00
Citizen Printing	Supp	665.00	Orscheln	Supp	114.22
D & D Comm	Rep	327.71	County Clerk	Contr	443.00
Davis, William	Contr	1062.50	Payroll	Payroll	144611.18
Eggers Brothers	Rep	322.85	Powerplan	Supp	83.46
Farrell, T	Rfnd	200.00	River View Pest	Pst Cnt	176.00
First Class Flowers	Supp	59.00	Rose Equip	Supp	3268.31
First Step Learning	Rfnd	25.00	RR Donnelley	Supp	102.70
Galls	Supp	350.28	Sammons, D	Rfnd	232.81
Gatehouse Media	Adv	77.28	SE Area Clerks	Dues	10.00
Giittinger, D	Mileage	126.26	Stutheit Impl	Supp	37.86
Hopkins	Supp	226.14	The Linemen	Rfnd	90.00
City Directories	Supp	234.00	Thurman's Bike	Supp	35.00
Isaacs, E	Rfnd	25.00	Tree City Tees	Unif	40.00
JEO	Contr	150.00	Tri-State Office	Supp	39.98
Konica Minolta	Contr	318.89	Tri-State Pumping	Contr	700.00
Larson Motors	Rep	541.53	Van Wall Turf	Rep	1561.09
LaRue Coffee	Supp	211.92	Verizon	Tele	451.83
Matheson Tri-Gas	Supp	107.21	Walters, S	Rfnd	100.00
McGowen, V	Rfnd	25.00	Watkins	Supp	291.41

Mead Lumber	Supp	125.56	Welter, J	Rfnd	200.00
Microfilm Imaging	Contr	80.00			

Meeting adjourned at 7:07 p.m.

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Arnold M. Ehlers, City Clerk - Treasurer

### AFFIDAVIT

I, the undersigned City Clerk for the City of Nebraska City, Nebraska, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Mayor and Board of Commissioners, 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 City 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 from which the foregoing proceedings have been extracted 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.

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Arnold M. Ehlers, City Clerk-Treasurer