

CITY OF NEBRASKA CITY, NEBRASKA  
MINUTES OF CITY COUNCIL REGULAR MEETING  
February 7, 2011

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 7, 2011. 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 Jack 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: Brett Gay, Jeff Crunk, Dean Handy, Mark Mercer and Mayor Hobbie. The following City Officials were present: City Administrator Pat Haverty, City Clerk-Treasurer Arnold M. Ehlers, City Attorney William Davis, Police Chief David Lacy, and Public Properties Director/Zoning Director Dan Güttinger.

Commissioner Handy moved to approve the minutes of the January 17, 2011, City Council Regular Meeting. Upon roll call the following voted Yes: Crunk, Handy, Gay, Mercer and Mayor Hobbie. Voting NO: None. Motion adopted.

Commissioner Handy moved to approve the minutes of the January 26, 2011, City Council Regular Meeting. Upon roll call the following voted Yes: Crunk, Handy, and Mayor Hobbie. Voting NO: None. Absent: Gay and Mercer. Motion adopted.

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

Commissioner Mercer moved to approve the Plumber's License application. Upon roll call the following voted YES: Mercer, Crunk, Gay, Handy and Mayor Hobbie. Voting NO: None. Motion carried.

Commissioner Mercer moved to approve the Electrician's Work Permit application. Upon roll call the following voted YES: Crunk, Gay, Mercer, Handy and Mayor Hobbie. Voting NO: None. Motion passed.

Mayor Hobbie moved to appoint Kylee Spellmyer and Emily Barrett as probationary members of the Nebraska City Volunteer Fire and Rescue Dept. Upon roll call the following voted YES: Mercer, Crunk, Gay, Handy and Mayor Hobbie. Voting NO: None. Motion adopted.

Mayor Hobbie opened the Public Hearing on the Wastewater Treatment Plant Expansion & Improvements Project Preliminary Engineering Report and SRF Funding. Tom Satchell of Short, Elliott and Hendrickson provided information on the history of the wastewater treatment plant and the need for the improvement project. Mr. Satchell also presented several proposed funding options. Tom Fuenning from Nebraska Department of Environmental Quality added that funding is available at 2.25% plus a 1.00% fee until April 1<sup>st</sup> 2011. No one else spoke in support or opposition to the proposed project. Commissioner Handy moved to close the Public Hearing. Upon roll call the following voted YES: Mercer, Gay, Crunk, Handy and Mayor Hobbie. Voting NO: None Motion passed.

Mayor Hobbie opened the Public Hearing on the One & Six Year Plan for Street Improvements. Evan Wickersham of JEO Consulting presented the plan and answered questions from the Council. No one else spoke in support or opposition to the proposed plan. Commissioner Handy moved to close the Public Hearing. Upon roll call the following voted YES: Mercer, Crunk, Gay, Handy and Mayor Hobbie. Voting NO: None. Motion passed.

Pat Haverty informed the Council that property owners along 4<sup>th</sup> Corso have been sent letters concerning no parking along the right-of-way. The asbestos and lead paint survey has been completed and the consultant estimated clean-up to be around \$15,000.00. Stephanie Shrader, Executive Director of Nebraska City Area Economic Development Corp. presented the Mayor and Council with the annual report for the organization. Barbara Hegr, Morton-James Library Director presented the annual report on the usage and condition of Morton-James Library. Mayor Hobbie accepted the reports and asked that the written reports be placed on file.

Mayor Hobbie introduced Resolution 2505-11 approving the One & Six Year Plan for Street Improvements. Commissioner Handy moved to approve Resolution 2505-11. Upon roll call the following voted YES: Gay, Mercer, Handy and Mayor Hobbie. Voting NO: Crunk. Motion passed and adopted. A true, correct and complete copy of said resolution is as follows:

**RESOLUTION 2505-11**

“**WHEREAS**, the City Street Superintendent has prepared and presented a One and Six Year Plan for Street Improvement Program for the City of Nebraska City, Nebraska and, **WHEREAS**, a public meeting was held on the 7<sup>th</sup> day of February, 2011, to present this plan and there was a discussion held with respect to said plan; **THEREFORE, BE IT RESOLVED BY THE** Mayor and City Council of Nebraska City, Nebraska that the plans and data as furnished and/or modified are hereby in all things accepted and adopted.”

Passed and adopted this 7<sup>th</sup> day of February, 2011

Upon roll call the vote is as follows:

Brett Gay	Yes
Jeff Crunk	No
Dean Handy	Yes
Mark Mercer	Yes
Mayor Jack Hobbie	Yes

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**Jack Hobbie, Mayor**

**ATTEST:**

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**Arnold M. Ehlers, Clerk**

Leroy Frana, Nebraska City Utilities General Manager updated the Council on the offer for the decommissioned natural gas border station property located near Syracuse. The previous concerns about the legal description have been addressed. Commissioner Gay moved to accept the offer of \$1,000 plus expenses from Randy Fleming for the property. Upon roll call the following voted YES: Crunk, Mercer, Handy, Gay and Mayor Hobbie. Voting NO: None. Motion carried.

Leroy Frana explained the necessity for the purchase of a new radio communication system for the utility department. Commissioner Gay moved to approve the purchase of new radio equipment for a total amount of \$52,865.73. Upon roll call the following voted YES: Mercer, Crunk, Handy, Gay and Mayor Hobbie. Voting NO: None. Motion passed.

Leroy Frana explained the energy grant which enabled Nebraska City to purchase 105 new LED Street Lights. Commissioner Gay moved to approve the purchase of new Cooper LED Lights for a total price of \$69, 807.30. Upon roll call the following voted YES: Mercer, Crunk, Handy, Gay and Mayor Hobbie. Voting NO: None. Motion passed.

Pat Haverty updated the Council on the Employee Health Benefits Insurance renewal. Commissioner Handy moved to authorize staff to renew the Employee Health Benefits Package with Midlands Financial Benefits. Inc. Upon roll call the following voted YES: Gay, Crunk, Handy, Mercer and Mayor Hobbie. Voting NO: None. Motion passed.

Pat Haverty explained the request by Lourdes Central Catholic Schools to vacate 2<sup>nd</sup> Avenue between 4<sup>th</sup> Street and 5<sup>th</sup> Street and the alley in Block 26; N.C. Proper. Scott Miller added that the school owned all but one of the properties and that last one should close later this spring. Commissioner Handy moved to approve the request to vacate said street and alley and direct the City Attorney to draft the ordinance. Upon roll call the following voted YES: Mercer, Crunk, Gay, Handy and Mayor Hobbie. Voting NO: None. Motion passed and adopted.

Mayor Hobbie opened the discussion on parking along 14<sup>th</sup> Corso west of 11<sup>th</sup> Street. Erin Barr, co-owner of the McDonald’s said he was aware of the problem and would ask his staff to not park on 14<sup>th</sup> Corso especially when there is snow on the ground. Mr. Barr suggested that the city declare 14<sup>th</sup> Corso from 11<sup>th</sup> to 13<sup>th</sup> Streets an “Emergency Snow Route” thereby allowing snow plows access to the full width of the street for cleaning. Stephanie Fisher, District Manager for Pizza Hut addressed the Council about the parking problem. With the street replacement the new guidelines narrow the entrance to Pizza Hut and with parking on 14<sup>th</sup> Corso food vendor trucks can not make the turn to get into Pizza Hut to make the deliveries. Jackie Kraenow stated that with vehicles parked on 14<sup>th</sup> Corso close to 11<sup>th</sup> Street there is not enough room for vehicles wanting to turn on to 14<sup>th</sup> Corso. Donald Wampler was concerned that by banning parking to McDonald’s north drive that the problem will be moved up 14<sup>th</sup> to the west. Commissioner Handy moved to direct the City Attorney to draft a resolution banning parking on the south side

of 14<sup>th</sup> Corso XXX feet from the back side of the curb on the west side of 11<sup>th</sup> Street. Upon roll call the following voted YES: Crunk, Gay, Mercer, Handy and Mayor Hobbie. Voting NO: None. Motion passed and adopted.

Commissioner Mercer moved to direct the City Attorney to revise the ordinance designating “Snow Emergency Routes” to include 14<sup>th</sup> Corso from 11<sup>th</sup> Street to 13<sup>th</sup> Street. Upon roll call the following voted YES: Gay, Crunk, Handy, Mercer and Mayor Hobbie. Voting NO: None. Motion passed and adopted.

Mayor Hobbie introduced Resolution 2506-11 revising the 2-hour downtown parking district. Pat Haverty explained that the substance of this resolution is based on the discussions held during previous City Council meetings. Dr. Paul Salansky stated that he was opposed to losing the 2-hour restriction in front of his office. Bob Moser added that the 2-hour parking was not effectively enforced which created problems for retail businesses in the downtown district. Mr. Moser also stated that a lot of the problems were caused by businesses that do not rely on a higher volume of customers and leave their vehicles parked all day in the 2-hour district and that the parking ticket fine is a joke. Police Chief David Lacy responded that the \$3.00 fine is not a deterrent. Commissioner Mercer moved to action on the resolution indefinitely.. Upon roll call the following voted YES: Gay, Crunk, Handy, Mercer and Mayor Hobbie. Voting NO: None. Motion passed and adopted.

Pat Haverty explained the purpose for Resolution 2509-11. In order to expedite the 4<sup>th</sup> Corso Mill & Overlay Project certain documents must be approved by the Department of Roads. This resolution seeks approval of the National Environmental Policy Act services for the project. Commissioner Handy moved to approve Resolution 2509-11. Upon roll call the following voted YES: Mercer, Gay, Crunk, Handy and Mayor Hobbie. Voting NO: None. Motion passed and adopted. A true, correct and complete copy of said resolution is as follows:

Resolution 2509-11

**Whereas:** Nebraska City is developing a transportation project for which it intends to obtain Federal funds; and

**Whereas:** Nebraska City as a sub-recipient of Federal-Aid funding is charged with the responsibility of expending said funds in accordance with Federal, State and local laws, rules, regulations, policies and guidelines applicable to the funding of the Federal-Aid project; and

**Whereas:** Nebraska City and Olsson Associates wish to enter into an Engineering Services Agreement to complete National Environmental Policy Act (NEPA) services for the Federal-Aid project.

**Now, Therefore Be It Resolved:** by the Mayor and Commissioners of the City of Nebraska City that; Mayor Jack Hobbie is hereby authorized to sign the attached Task Order Agreement between the City of Nebraska City and Olsson Associates.

Passed and adopted this 7<sup>th</sup> day of February, 2011.

The City Council of Nebraska City:

Brett Gay	
Jeff Crunk	
Dean Handy	
Mark Mercer	
Mayor Jack Hobbie	

Commissioner Handy moved the adoption of said resolution. Commissioner Mercer seconded the motion.

Roll Call: 5 Yes 0 No 0 Abstained 0 Absent  
Resolution adopted, signed and billed as adopted.

Attest:

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Arnold M. Ehlers, City Clerk - Treasurer

Mayor Hobbie introduced Resolution 2508-11 approving signatures of AFLAC officials on a City bank account for an Employee Flexible Spending Account. Commissioner Mercer moved to approve Resolution 2508-11. Upon roll call the following voted YES: Gay, Crunk, Handy, Mercer and Mayor Hobbie. Voting NO: None. Motion passed and adopted. A true, correct and complete copy of said resolution is as follows:

RESOLUTION 2508-11

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF NEBRASKA CITY, NEBRASKA, that Robert Ottman, Senior Vice-president of AFLAC and Jason Goodrow, 2<sup>nd</sup> Vice-president of AFLAC, be and are hereby authorized to draw checks, drafts, or other orders for the payment of money on behalf of the City of Nebraska City, on account 27 at Farmers Bank & Trust Co., in Nebraska City, Nebraska, and said bank is hereby authorized to honor the same. Passed and adopted this 7<sup>th</sup> day of February, 2011.

Jack Hobbie, Mayor  
Attest:

Arnold M. Ehlers, City Clerk – Treasurer

Pat Haverty explained the request by the N.C. Rotary Club to use a shelter in Wildwood Park for “Paws for a Cause on April 30. Commissioner Crunk moved to approve the use of Wildwood Park by N. C. Rotary Club and waive the fee. Upon roll call the following voted YES: Gay, Mercer, Handy, Crunk and Mayor Hobbie. Voting NO: None. Motion passed and adopted.

Action Tech	400.00	Contr	Mayhew Cabin	100.00	Advert
Alamar	141.48	Unif	Mead Lumber	215.27	Rep
Allied Refuse	302.25	Garbage	MED Alliance	226.76	Med
Ameritas	118.72	Ins	Menards	121.04	Maint
Anthens, G	156.00	Rec	Meyer, L	51.51	Mileage
AQS Envir	1976.00	Contr	Microfilm Image	240.00	Contr
Arbor Bank	1571.51	ROW	Midwest Co-op	1370.20	Fuel
Arbor Mart	5602.34	Fuel	Midwest Machine	97.26	Rep
Arborlinks	763.00	Misc	Midwest Service	4250.28	Equip
Assoc Fire	220.00	Contr	Midwest Turf	255.73	Equip
Auburn News	52.00	Advert	Miller Monroe	424.34	Ins
AVAC	30.00	Contr	MO-ARK	250.00	Dues
Barrett Const	22362.50	Contr	Moore Medical	33.00	Med
Benefiel Repair	86.74	Equip	Mullenax Auto	833.51	Rep
Bill Walters	444.72	Equip	Nationwide	19600.43	Inv
BKD	6540.00	Contr	NC Newspress	1062.50	Advert
Blue Cross	1251.46	Ins	NC Public School	240.00	Contr
Bob's Welding	213.50	Equip	NCTC	5817.00	Contr
Bohl Plumbing	102.50	Rep	NE Cemetery Asso	40.00	Dues
Bound Tree	439.40	Med	NE Comm Found	2291.67	Contr
Brown's Shoe	176.00	Unif	NE Dept Roads	10125.54	ROW
Carrot-Top	170.24	Supp	NE Liquor Comm	45.00	Contr
Casey, J	240.48	Mileage	NE P/Z Comm	280.00	Dues
Casey's	131.35	Fuel	NE Public Health	168.00	Supp
Century Lumber	205.40	Supp	NE Salt & Grain	4357.58	Maint
Cintas	57.70	Contr	NE Sec State	20.00	Dues
Citizen Printing	97.00	Supp	NE State Treas	195.00	Contr
Conner, J	184.00	Rec	North Star	13420.00	CDBG
Cornhusker Intl	48.61	Rep	Omaha Tractor	709.87	Equip
D&D Comm	304.50	Rep	OMB Guns	923.00	Supp
Diesel Power	9.91	Rep	O'Reilly Auto	15.99	Rep
Doiel, R	42.79	Tele	Orscheln	255.70	Rep
Douglas Tire	1189.81	Equip	Palfleet Truck	43.24	Equip
Ehlers, A	31.99	Tele	Paper Tiger	35.00	Contr
Farris, M	52.00	Rec	Payroll	139826.84	Payroll
Farris, P	208.25	Rec	Petty Cash	76.63	Postage
Food Pride	18.65	Supp	Pitney Bowes	249.00	Contr
Frat Ord Eagles	986.70	Misc	Polk Directory	215.00	Supp
GFOA	63.50	Supp	Rarig, C	46.00	Rec
Giittinger, D	33.66	Mileage	Schendel Pest	128.00	Pest Cont
Goebel, G	10.40	Travel	Schneider Elec	885.98	Maint
Heartland Class	503.61	Advert	Sec Equip	482.00	Contr
Hockenbergs	1279.50	Cap Ex	SEND	157.82	Contr
Holiday Inn	75.95	Travel	Shiplee Flooring	528.98	Maint
Holland, D	10.40	Travel	Sicard	325.81	Rep
Hopkins Auto	36.92	Rep	St. Mary's Hosp	155.00	Med
Image Trend	1000.00	Contr	Stutheit Imp	66.57	Rep
Industrial Sales	80.00	Equip	Sunflower Sales	64.00	Rep
JEO	282.00	Contr	Thurman's	848.25	Supp
Johnny's Cycle	61.02	Rep	Titan Machinery	1094.29	Equip
Jones & Bartling	1928.20	Supp	Tom's Radio	44.00	Rep
Jones, N	10.40	Travel	Tri-State Office	539.28	Supp
Konica Premier	245.00	Contr	Tri-State Pumping	2915.00	Contr
Landis Engine	6.00	Supp	Truck Equip Serv	220.89	Equip

Larson Motors	747.99	Equip	UNL-LTAP	25.00	Dues
LaRue Coffee	169.38	Supp	Vasa, J	44.00	Rec
Law Enf System	80.00	Supp	Verizon Wireless	710.12	Tele
Linweld	453.87	Med	Viox, A	199.92	Mileage
Lynn Peavy Co	35.00	Supp	Watkins	144.35	Rep
Madsen, D	195.50	Rec	Wenzl Hardware	14.75	Rep
Mark Hydraulic	19.41	Rep	Wick's - Omaha	153.26	Rep
Martin Marietta	180.89	Maint	Winter Equip Co	982.89	Equip

Meeting adjourned at 8:18 p.m.

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Arnold M. Ehlers, City Clerk - Treasurer