

CITY OF NEBRASKA CITY, NEBRASKA  
MINUTES OF CITY COUNCIL REGULAR MEETING  
March 15, 2010

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 March 15, 2010. 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. 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 led in the Pledge of Allegiance. Upon roll call the following answered present: Brett Gay, Jeff Crunk, and Dean Handy. Absent: Mark Mercer. The following City Officials were present: City Administrator Pat Haverty, City Clerk Arnold M. Ehlers, City Attorney William Davis, Police Chief David Lacy and Public Properties Director/Zoning Director Dan Giittinger.

Commissioner Handy moved to approve the minutes of the March 1, 2010, City Council Regular Meeting, seconded by Commissioner Crunk. Upon roll call the following voted YES: Crunk, Handy and Mayor Hobbie. Voting NO: None. Abstain: Gay. Motion adopted.

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

Mayor Hobbie appointed Brad Kingery to a three year term on the Board of Adjustment. Upon roll call the following voted YES: Gay, Crunk, Handy and Mayor Hobbie. Voting NO: None. Motion passed.

Mayor Hobbie appointed JoAnn Martens to a four year term on the LB840 Citizen Advisory Review Committee. Upon roll call the following voted YES: Gay, Crunk, Handy and Mayor Hobbie. Voting NO: None. Motion passed.

Mayor Hobbie appointed Marv Penning to a four year term on the LB840 Citizen Advisory Review Committee. Upon roll call the following voted YES: Gay, Crunk, Handy and Mayor Hobbie. Voting NO: None. Motion passed.

Mayor Hobbie issued a proclamation recognizing the 100<sup>th</sup> Anniversary of the Boy Scouts in America.

Mayor Hobbie opened the Public Hearing to consider amending the CDBG Contract #08-DTR-108 on the Downtown Revitalization Project. Pat Haverty explained that the "Livingston Project" was more expensive than estimated and that downtown property owners were not accessing the funds set aside for property rehab. Stephanie Shrader did comment that there is one more applicant for the rehab funds. Haverty continued that the time allotted to use the funds was ending. No one else spoke in support or opposition to the amendment. Commissioner Handy moved to close the Public Hearing. Upon roll call the following voted YES: Crunk, Handy and Mayor Hobbie. Voting NO: None. Abstain: Gay. Motion passed.

Pat Haverty stated that there would be no Administrator's Report.

The Treasurer's Report showed a beginning balance on February 1, 2010 of \$2,097,386.76 with revenues of \$462,451.62 and expenditures of \$491,808.09 leaving a balance on February 28, 2010 of \$2,068,030.29.

Stephanie Shrader, Executive Director of Nebraska City Area Economic Development provided the Council with the 4<sup>th</sup> Quarter 2009 Profit & Loss Statement and answered questions from the Council.

Mayor Hobbie accepted all reports and asked that they be placed on file.

Christy Francis requesting that parking be allowed on both sides of Steinhart Park Road at 138 for an auction on April 17<sup>th</sup>. Bill Moore expressed concern about pedestrians darting from between cars. Commissioner Handy moved to allow parking on both sides of the street at 138 Steinhart Park Road for the auction on April 17<sup>th</sup>. Upon roll call the following voted YES: Crunk, Gay, Handy and Mayor Hobbie. Voting NO: None. Motion passed.

Michael Hartman requested that the Skate Park be opened earlier than scheduled. Mayor Hobbie, Jeff Crunk and Dan Giittinger expressed concern about the damage being done to the facility and the trash strewn about the grounds with tobacco and alcohol usage on site. Mr. Hartman agreed that he also felt that those were problems but that only a few that used the skate park caused the damage. City Attorney Bill Davis informed the Council that there may be funds available through the Nebraska City Foundation. Commissioner Crunk moved to postpone a decision on the request until the safety and cleanliness at the skate park can be addressed. Upon roll call the following voted YES: Handy, Gay, Crunk and Mayor Hobbie. Voting NO: None. Motion carried.

Commissioner Handy moved to amend CDBG Contract #08-DTR-108 moving \$63,750.00 to Public Facilities from Rehab. Upon roll call the following voted YES: Crunk, Handy and Mayor Hobbie. Voting NO: None. Abstain: Gay. Motion passed.

Pat Haverty outlined the content of the TITLE VI Nondiscrimination Agreement required by the Nebraska Department of Roads if the City is going to use federal aid funds. Commissioner Handy moved to approve the TITLE VI Nondiscrimination Agreement. Upon roll call the following voted YES: Crunk, Gay, Handy and Mayor Hobbie. Voting NO: None. Motion passed.

Pat Haverty outlined the content of the Section 504 – Rehabilitation Act of 1973 and Americans with Disabilities Act of 1990 (ADA) Compliance Policy. This is also required by the Nebraska Department of Roads by City’s receiving federal aid funds. Commissioner Handy moved to approve adoption of the Compliance Policy. Upon roll call the following voted YES: Crunk, Gay, Handy and Mayor Hobbie. Voting NO: None. Motion passed.

Mayor Hobbie introduced Resolution 2456-10 designating the City Clerk-Treasurer as the Section 504 Coordinator. Commissioner Gay moved to approve Resolution 2456-10. Upon roll call the following voted YES: Crunk, Handy, Gay and Mayor Hobbie. Voting NO: None. Motion passed. A true, correct and complete copy of said resolution is as follows:

**RESOLUTION  
TITLE VI– CIVIL RIGHTS  
Americans with Disabilities/Section 504 of Rehabilitation Act  
City of Nebraska City  
Resolution No. 2456-10**

**Whereas:** Certain transportation facilities (roads, streets, trails, and others) in the City of Nebraska City have been designated as being eligible for federal funds by the Federal Highway Administration in compliance with federal laws pertaining thereto;

**Whereas:** The City of Nebraska City desires to continue to participate in Federal-Aid transportation construction programs;

**Whereas:** The Nebraska Department of Roads as a recipient of said Federal funds is charged with oversight of the expenditures of said funds;

**Whereas:** The City of Nebraska City as a sub-recipient of said Federal-Aid funding is charged with the responsibility of expending said funds in accordance with Federal and State law, the rules and regulations of the Federal Highway Administration, the requirements of the Local Public Agency (LPA) Guidelines Manual of the Nebraska Department of Roads and the Americans with Disabilities/Section 504 – Civil Rights Policy of the City of Nebraska City; and

**Whereas:** The City of Nebraska City understands that the failure to meet all requirements for federal funding could lead to a project(s) being declared ineligible for federal funds, which could result in the City of Nebraska City being required to repay some or all of the federal funds expended for a project(s).

**Be It Resolved:** The City of Nebraska City, City Council does hereby adopt and bind itself to comply with all applicable federal law, including the rules and regulations of the Federal Highway Administration, all applicable state law and rules and regulations (Nebraska Administrative Code) and the requirements of the LPA Guidelines Manual of the Nebraska Department of Roads and the Americans with Disabilities/Section 504 – Civil Rights of City of Nebraska City.

**Be It Further Resolved:** The City of Nebraska City, City Council does hereby designate the following as responsible for the management of the Americans with Disabilities/Section 504 – Civil Rights process: The City Clerk-Treasurer.

Adopted this 15th day of March, 2010 at Nebraska City, Nebraska.

The City Council of the City of Nebraska City

Brett Gay	Mark Mercer
Jeff Crunk	Mayor Jack Hobbie
Dean Handy	

Board/Council Member: Gay  
 Moved the adoption of said resolution  
 Member Handy Seconded the motion  
 Roll Call: 4 Yes 0 No    Abstained 1 Absent  
 Resolution adopted, signed and billed as adopted

Attest:

\_\_\_\_\_

Arnold Ehlers, City Clerk-Treasurer

Mayor Hobbie introduced Resolution 2458-10 adopting a “Hazard Mitigation Plan.” Commissioner Handy moved to approve adopting the “Hazard Mitigation Plan” in partnership with Nemaha Natural Resources District. Upon roll call the following voted YES: Crunk, Gay, Handy and Mayor Hobbie. Voting NO: None. Motion passed. A true, correct and complete copy of said resolution is as follows:

**RESOLUTION 2458-10**

**WHEREAS**, the Federal Disaster Mitigation Act of 2000 was signed in to law on October 30, 2000, placing new emphasis on state and local mitigation planning for natural hazards and requiring communities to adopt a hazard mitigation action plan to be eligible for pre-disaster and post-disaster federal funding for mitigation purposes; and

**WHEREAS**, a Multi-jurisdictional Hazard Mitigation Plan was prepared by Nemaha Natural Resources District with assistance from JEO Consulting Group, Inc. of Lincoln, NE which includes the City of Nebraska City; and

**WHEREAS**, the purpose of the mitigation plan was to lessen the affects of disasters by increasing the disaster resistance of the District and participating jurisdictions located within the planning boundary by identifying the hazards that affect the District and prioritize mitigation strategies to reduce potential loss of life and property damage from those hazards; and

**WHEREAS**, FEMA regulations require documentation that the plan has been formally adopted by the governing body of the City of Nebraska City in the form of a resolution and further requesting approval of the plan at the Federal Level; and

**NOW, THEREFORE**, the governing body of the City of Nebraska City does herewith adopt the Nemaha Natural Resources District Multi-jurisdictional Hazard Mitigation Plan in its entirety and request approval of the plan at the federal Level.

PASSED AND APPROVED this fifteenth day of March, 2010.

\_\_\_\_\_  
Mayor, Jack Hobbie  
Attest:

\_\_\_\_\_  
City Clerk, Arnold M. Ehlers

Pat Haverty presented two more housing rehab projects recommended for approval by SENDD. Commissioner Handy moved to approve housing rehab projects 08-NEB-016 in the amount of \$17,565.00 and 08-NEB-017 in the amount of \$17,080.00. Upon roll call the following voted YES: Gay, Crunk, Handy and Mayor Hobbie. Voting NO: None. Motion passed.

Mayor Hobbie introduced Ordinance 2797-10 entitled AN ORDINANCE TO AMEND ARTICLE IX. SIDEWALK CAFÉS OF THE CODE OF THE CITY OF NEBRASKA CITY, OTOE COUNTY, NEBRASKA, TO PROVIDE NEW DEFINITIONS; NEW PERMIT FEES; APPLICATIONS; INSURANCE; NOTICE TO ABUTTING PROPERTY OWNERS; REVIEW OF APPLICATIONS; CONDITIONS OF OPERATION; AND DENIAL OR SUSPENSION OF PERMIT; TO REPEAL THE ORIGINAL SECTIONS 33-140 TO 33-147, BOTH INCLUSIVE; AND ANY OTHER ORDINANCES IN CONFLICT WITH THIS ORDINANCE AND TO DELCARE AN EFFECTIVE DATE; and, moved that the statutory rule requiring reading on three different days be suspended. Commissioner Handy seconded the motion to suspend the rules and upon roll call the following voted YES: Gay, Crunk, Handy and Mayor Hobbie. Voting NO: None. The motion to suspend was adopted by three-fifths of the Council 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 Crunk. The Mayor then stated the question: “Shall Ordinance No. 2797-10 be passed and adopted?” Upon roll call the following voted YES: Gay, Crunk, 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 Council, the Mayor declared the ordinance adopted and the Mayor, in the presence of the Council, signed and approved the ordinance and the Clerk attested the passage and approval of the same and affixed his signature thereto. A true, correct and complete copy of said ordinance is as follows:

**ORDINANCE NO. 2797-10**

AN ORDINANCE TO AMEND ARTICLE IX. SIDEWALK CAFÉS OF THE CODE OF THE CITY OF NEBRASKA CITY, OTOE COUNTY, NEBRASKA, TO PROVIDE NEW DEFINITIONS; NEW PERMIT FEES; APPLICATIONS; INSURANCE; NOTICE TO ABUTTING PROPERTY OWNERS; REVIEW OF APPLICATIONS; CONDITIONS OF OPERATION; AND DENIAL OR SUSPENSION OF PERMIT; TO REPEAL THE ORIGINAL SECTIONS 33-140

TO 33-147, BOTH INCLUSIVE; AND ANY OTHER ORDINANCES IN CONFLICT WITH THIS ORDINANCE AND TO DELCARE AN EFFECTIVE DATE.

WHEREAS, a request has been made to the City to expand its sidewalk café ordinance to authorize the sale and consumption of food and alcoholic beverages on public sidewalks adjacent to the business of a permit holder, and

WHEREAS, the Mayor and City Commissioners of the City of Nebraska City, find and determine that adopting this Ordinance will be in the best interests of the City of Nebraska City.

NOW THEREFORE, Be It Ordained by the Mayor and City Commissioners of the City of Nebraska City, Nebraska as follows:

Section 1. That Article IX. Sidewalk Cafes, of the Code of the City of Nebraska City, Nebraska, be amended to read as follows:

**“ARTICLE IX. SIDEWALK CAFES**

**Sec. 33-140. Sidewalk cafes.**

It shall be unlawful for any person or entity to own or operate a sidewalk café on the public sidewalks of Nebraska City, without first having obtained an annual written permit therefore from the city clerk.

**Sec. 33-141. Definitions.**

- (a) *Abutting property owners or occupants.* Any owner or occupant of property, which abuts the subject sidewalk café site excluding public right-of-way, and any other person who has requested in writing to be provided such notice.
- (b) *Alcoholic beverages.* Any beverage derived from a process of distillation and or fermentation.
- (c) *Adjacent sidewalk area.* That portion of the public sidewalk between the curb line and the property line demarcated by extending the side building line of the premises until they intersect with the curb.
- (d) *Food.* Any raw, cooked or processed edible substance or ingredient, used or intended for use in whole or in part for human consumption, and shall include nonalcoholic beverages allowed to be sold in accordance with this article, but this definition shall not include alcoholic beverages.
- (e) *Operate a sidewalk café.* Serving food or beverages from a business establishment to patrons seated at tables located within the permitted sidewalk area adjacent to said business.

**Sec. 33-142. Permit fee: disposition of funds.**

- (a) The city clerk-treasurer shall at the time a person or entity makes application to operate a sidewalk café in Nebraska City, charge and collect a fee of one-hundred dollars (\$100.00) for such permit.
- (b) All fees collected under the provisions of this section shall be credited to the general fund of the city, to be used to defray the costs and expense of administering this article and thereafter for general purposes.

**Sec. 33-143. Application, insurance and indemnity.**

- (a) The application to obtain a permit to operate a sidewalk café shall be made at the city hall on a form provided by the city clerk-treasurer and shall contain:
  - 1.) A completed application.
  - 2.) A diagram of the sidewalk area to be used including the dimension thereof, and a description of the tables and materials to be used.
  - 3.) A certificate of insurance showing the applicant has acquired public liability, food products liability and property damage insurance in the sum of not less than five hundred thousand dollars (\$500,000.00) combined single limit, which insurance may not be cancelled prior to the expiration of the permit without providing thirty (30) days written notice to the city.
- (b) Such applicant shall also agree, in consideration of the issuance of such permit, to indemnify the City of Nebraska City, its elected officials, and employees, for any claims for damages to property, or injury to persons, which may occur in connection with any activity carried on under the terms of the permit.

**Sec. 33-144. Notice to abutting owner or occupants.**

Prior to the issuance of such permit, the city clerk-treasurer shall mail a notice to the abutting property owners and occupants that an application for a sidewalk café permit has been filed. The notice shall contain the diagram submitted by the applicant, and state that all comments concerning the proposed sidewalk café must be received by the city clerk's office within ten (10) calendar days from the date of mailing the notice and shall also contain the date and time of the meeting of the city council when such application shall be considered by the mayor and council.

**Sec. 33-145. Review of applications.**

- (a) The building inspector and zoning administrator shall review all applications for compliance with the following criteria and shall recommend approval or denial to the city council, which shall then approve or deny each application.
  - 1.) The operation of a sidewalk café is limited to structures which abut a public sidewalk, and which are located in the C-2 zoning district (downtown business).
  - 2.) The operation of a sidewalk café shall be located such that there is at least a five foot clear and unobstructed passageway between the sidewalk café tables, chairs, and barriers and street trees, lamp posts, sign posts and street curbs. The sidewalk café may only be located in the adjacent area to the applicant's business, but may extend in front of adjacent businesses with the written consent of both the property owner and the adjacent business owner or occupant, subject to review by the city council.
  - 3.) The type of barrier and all items placed in the designated sidewalk area shall be subject to approval in the application process. The City reserves the right to approve construction material and style of these items.
  - 4.) The sidewalk café shall be located five (5) feet from driveways and alleys, and ten (10) feet from intersections.

- 5.) Following approval, the sidewalk café boundaries shall be marked on the sidewalk, by city employees, to identify the area designated.

**Sec. 33-146. Conditions of operation.**

- (a) Each permit issued shall terminate December 31<sup>st</sup> of the year in which it is issued.
- (b) The permit is specifically limited to a business which derives seventy-five (75) percent of all gross receipts from the sale of food. The business shall be required to provide sufficient evidence to satisfy this requirement at the time of application.
- (c) The permit shall be personal to the permittee only and is not transferable in any manner.
- (d) The permit is specifically limited to the area approved or as modified by the city council, and will include a diagram indicating the area approved for the sidewalk café.
- (e) The sidewalk and all things placed there shall at all times be maintained in a clean and orderly condition. Only those things authorized by the permit are allowed on the public sidewalk.
- (f) Storage of tables and chairs will not be allowed on the public sidewalk except inside of an approved barrier. Furnishings may not be attached, even in a temporary manner, to the sidewalk or other public property, except that covers and railings may be secured by means of flush-mounted anchors in an approved manner. The property owner is responsible for restoration of the sidewalk or public right-of-way if any damage is caused by the sidewalk café.
- (g) The operation of a sidewalk café requires that trash containers be provided on site.
- (h) No signs shall be attached to any furniture, umbrellas, awnings or other structure related to the operation of the sidewalk café.
- (i) Tables, chairs, and other structures associated with the sidewalk café shall be kept free of litter and other debris at all times.
- (j) Sidewalk cafes and adjoining properties shall remain clear of litter, food scraps and soiled dishes. Sidewalk areas must be cleaned daily, including adjacent sidewalk areas.
- (k) The sidewalk café permit shall be visibly displayed on the premises.
- (l) The City of Nebraska City has the right to repeal or amend this article and thereby terminate or modify all sidewalk café operations. No permittee shall gain any property right in the continued private commercial use of the public sidewalk.
- (m) Sidewalk cafes shall meet all requirements of the State of Nebraska Department of Agriculture.
- (n) The sale and consumption of alcoholic beverages may be permitted in the designated sidewalk area so long as the following conditions are met:
  - 1.) The City enters into an agreement of revocable consent with the applicant to authorize the use of that portion of the sidewalk where the alcohol will be served.
  - 2.) A license to sell alcohol has been obtained from the Nebraska Liquor Control Commission and includes the area of the sidewalk café.
  - 3.) The operator of a Sidewalk Café shall install and maintain a physical boundary separating the permitted outdoor seating from the remainder of the public sidewalk. The operator shall leave a minimum of five (5) feet of public sidewalk unobstructed for pedestrian passage. The physical boundary shall be self-supporting, not less than thirty (30) inches in height nor more than forty-two (42) inches in height and easily removable from the sidewalk.
  - 4.) All barriers used for sidewalk cafes serving liquor shall also conform to state liquor control commission regulations and local building codes.
  - 5.) Outdoor areas serving alcoholic beverages shall be supervised by employees of the establishment. A one-foot square sign reading “no food or beverages allowed beyond railing” shall be posted at a conspicuous location within the perimeter of outdoor cafes serving alcoholic beverages.

**Sec. 33-147. Denial, revocation, or suspension of permit.**

- (a) The City Council may deny, revoke, or suspend the permit upon finding that any provision of this article or condition of approval will be or has been violated.
- (b) Upon denial, revocation, or suspension the city council shall give notice of such action to the applicant or permittee, in writing, stating the action, which has been taken and the reason therefore. The action shall be effective immediately, but the applicant or permittee may make written request, within ten (10) calendar days after the notice is issued, for a hearing by the city council. Upon hearing the matter, the city council shall render a final decision concerning the permit.”

Section 2. That all Ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

Section 3. That this Ordinance shall be effective from and after its adoption, approval, and publication, as provided by law.

PASSED and APPROVED, this 15<sup>th</sup> day of March, 2010.

\_\_\_\_\_  
Jack Hobbie, Mayor

Attest:

\_\_\_\_\_  
Arnold M. Ehlers, City Clerk-Treasurer

Mayor Hobbie introduced Ordinance 2798-10 entitled AN ORDINANCE TO AMEND SECTION 34-53, ALCOHOLIC BEVERAGES, OF THE CODE OF THE CITY OF NEBRASKA CITY, NEBRASKA, TO PROVIDE FOR AN ANNUAL OCCUPATION TAX IN THE AMOUNT SPECIFIED IN SECTION 1 HEREOF ON THE VARIOUS BUSINESSES HANDLING THE SALE OF ALCOHOLIC BEVERAGES IN THE CITY OF NEBRASKA CITY; TO REPEAL THE EXISTING SECTION 34-53 AND ANY OTHER ORDINANCES IN CONFLICT WITH THIS ORDINANCE AND TO DELCARE AN EFFECTIVE DATE; and

moved that the statutory rule requiring reading on three different days be suspended. Commissioner Handy seconded the motion to suspend the rules and upon roll call the following voted YES: Gay, Crunk, Handy and Mayor Hobbie. Voting NO: None. The motion to suspend was adopted by three-fifths of the Council 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 Crunk. The Mayor then stated the question: "Shall Ordinance No. 2798-10 be passed and adopted?" Upon roll call the following voted YES: Gay, Crunk, 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 Council, the Mayor declared the ordinance adopted and the Mayor, in the presence of the Council, signed and approved the ordinance and the Clerk attested the passage and approval of the same and affixed his signature thereto. A true, correct and complete copy of said ordinance is as follows:

**ORDINANCE NO. 2798-10**

AN ORDINANCE TO AMEND SECTION 34-53, ALCOHOLIC BEVERAGES, OF THE CODE OF THE CITY OF NEBRASKA CITY, NEBRASKA, TO PROVIDE FOR AN ANNUAL OCCUPATION TAX IN THE AMOUNT SPECIFIED IN SECTION 1 HEREOF ON THE VARIOUS BUSINESSES HANDLING THE SALE OF ALCOHOLIC BEVERAGES IN THE CITY OF NEBRASKA CITY; TO REPEAL THE EXISTING SECTION 34-53 AND ANY OTHER ORDINANCES IN CONFLICT WITH THIS ORDINANCE AND TO DELCARE AN EFFECTIVE DATE.

WHEREAS, the Mayor and City Commissioners of the City of Nebraska City have determined that as part of an update of the City's ordinances, that the annual occupation tax levied on the various classifications of liquor licenses should be revised and levied as hereinafter se forth.

NOW THEREFORE, Be It Ordained by the Mayor and City Commissioners of the City of Nebraska City, Nebraska as follows:

Section 1. There is hereby levied and assessed upon the following businesses conducted within the City, an annual occupation tax as follows:

- 1. Class A: On-sale beer only, for consumption on the premises \$ 200.00
- 2. Class B: Off sale beer only, for consumption off the premises,
  - a. Sales in the original packages only \$ 200.00
- 3. Class D: Alcoholic liquor, including Beer and Wine, for
  - a. consumption off the premises, sales in original packages only \$ 400.00
- 4. Class I: Alcoholic liquor, for consumption on the premises \$ 500.00
- 5. Class K: Catering License \$ 200.00
- 6. Class W: Wholesale Beer Distributor \$1,000.00
- 7. Class X: Wholesale Alcoholic Liquor Distributor \$1,500.00
- 8. Special Designated permit per day \$ 80.00

Section 2. That the existing Section 34-53 of the Code of Nebraska City, and all other ordinances in conflict with this Ordinance are hereby repealed.

Section 3. This Ordinance shall become effective from and after its passage, approval and publication, as provided by law.

Passed and Approved this 15<sup>th</sup> day of March 2010.

\_\_\_\_\_  
Jack Hobbie, Mayor

Attest:

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Arnold M Ehlers, City Clerk-Treasurer

Gordon Andersen from the City of Omaha Wastewater Treatment Facilities presented applications for the Land Application of Sludge on property within the two mile jurisdiction of Nebraska City. Mayor Hobbie moved to approve the applications by the City of Omaha for Land Application of Sludge in the Nebraska City jurisdiction. Upon roll call the following voted YES: Handy, Crunk, Gay and Mayor Hobbie.

Adkins Signs	388.00	Supp	Menards	64.56	Supp
Alamar	143.98	Unif	Mercer's	172.69	Maint
Alco	6.49	Supp	Mid-America Termite	43.48	Pest
Allied Refuse	222.75	Garbage	Midwest Co-op	38.75	Fuel
America's Fence	2,783.02	Maint	Midwest ROW	68.00	ROW
Angus, C	40.50	Fuel	Miller-Monroe	73,744.00	Ins
Anthens, G	46.00	Rec	Moore Medical	509.70	Med
Arbor Mart	1,312.03	Fuel	Morrow, S	569.23	EMT
Asphalt & Concre	922.32	Rep	Mullenax Auto	210.11	Rep

AVAC	252.00	Contr		Municipal Toy	288.00	Misc
Bennett, Jr., R	2,428.51	Rep		Nationwide	9,325.32	Ins
Blue Cross	41,610.46	Ins		NC Newspress	301.25	Advert
Boehm, B	36.00	EMT		NC Utilities	9,961.84	Util
Bound Tree	727.88	Med		NCAEDC	26,500.00	Loan
Bray, C	200.00	EMT		NE Clerk Institute	230.00	Dues
Callaway	3,052.44	Msde		NE Dept Rev	97.87	Sales
Central Comm Co	200.00	Misc		NE Exp Econ Dev	375.00	Dues
Century Lumber	5.87	Maint		NE Forest	30.00	Dues
Cintas	55.00	Contr		NE Salt & Grain	2,898.00	Maint
City Tire	275.00	Equip		NE Wisconsin Tech	40.00	Contr
Concrete Ind	219.30	Rep		Nextel	229.35	Tele
Curtis, W	36.00	EMT		O'Reilly Auto	98.52	Rep
Douglas Tire	27.95	Equip		Orscheln	264.56	Rep
Emerg Rep Srvc	241.10	Equip		Otoe Co Clerk	5,072.64	Contr
EMS Billing	7,513.90	Contr		Otoe Co Reg Deeds	18.50	Contr
Farris, M	96.00	Rec		Payroll	74,392.77	Payroll
Farris, P	47.00	Rec		Physio-Control	2,112.00	Contr
Food Pride	136.80	Conc		Principal Life	1,517.00	Misc
Galeton	202.15	Supp		Purchase Power	418.99	Contr
Giittinger, D	172.78	Mileage		SEND	7,074.60	Contr
Goebel, G	136.00	EMT		Shallow Creek Kenne	8,800.00	Misc
Hogan, Jr., W	950.00	EMT		Shell	2,940.26	Fuel
Holiday Inn	140.00	Misc		Snodgrass, A	220.00	EMT
Holland, D	20.00	Mileage		St. Mary's Hosp	152.44	Med
Hysell, R	550.00	EMT		Tech & Design	383.49	Maint
Ideal Pure Water	31.50	Contr		Tom's Radio	109.19	Rep
Ist Muni Clerks	200.00	Dues		Tractor Supply	549.98	Misc
Jones Auto	1,261.53	Rep		Tree City Tees	100.78	Unif
Jones, N	1,450.00	EMT		Tri-State Office	567.06	Supp
Konica Business	120.33	Contr		United Healthcare	539.00	Misc
Krog, A	150.00	EMT		Van Wall Turf	329.74	Equip
Laerdal Medical	775.06	Med		Viox, A	292.50	Milage
Landis	264.25	Rep		VISA	460.32	Fuel
Larson Motors	97.97	Equip		Wademan, T	300.00	EMT
LaRue Coffee	300.72	Supp		Watkins True Value	65.40	Maint
Leggio, Jr, W	450.00	EMT		Weible, B	36.00	EMT
Linweld	164.40	Med		Wenzl Hardware	17.50	Maint
Madsen, D	44.00	Rec		Wick Buildings	1,500.00	Contr
Marion, J	250.00	EMT		Wielechowski, W	72.00	EMT
Martin, K	88.00	Rec		Wood Family Fuel	471.95	Fuel
Mead Lumber	230.65	Maint		Wurtele, J	45.00	Rec

Meeting adjourned at 7:09 p.m.