

CITY OF NEBRASKA CITY, NEBRASKA
MINUTES OF CITY COUNCIL REGULAR MEETING
March 19, 2012

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 March 19, 2012. 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, Mark Mercer and Mayor Hobbie. Absent: Brett Gay and Dean Handy. 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 Mercer moved to approve the minutes of the March 5, 2012, City Council Regular Meeting, seconded by Commissioner Crunk. Upon roll call the following voted AYE: Crunk, Mercer and Mayor Hobbie. Voting NO: None. Motion adopted.

Commissioner Mercer moved to pay all claims except Claim # 72500, seconded by Commissioner Crunk. Upon roll call the following voted YES: Crunk, Mercer and Mayor Hobbie. Voting NO: None. Motion passed.

Commissioner Crunk moved to pay Claim #72500 seconded by Mayor Hobbie. Upon roll call the following voted YES: Crunk and Mayor Hobbie. Voting NO: None. Abstain: Mercer. Motion passed.

Mayor Hobbie moved to appoint Kathy Davenport to a three year term in the Land Reutilization Commission, seconded by Commissioner Mercer. Upon roll call the following voted YES: Crunk, Mercer, Mayor Hobbie. Voting NO: None. Motion passed.

Mayor Hobbie opened the Public Hearing on the Liquor License application by Ron Scott McGinnis and Loyd Teten DBA MT Hospitality LLC. Mr. McGinnis was present for the hearing. City Attorney Bill Davis asked Mr. McGinnis about staff training and any personal experience in alcohol sales. Moved by Commissioner Mercer and seconded by Commissioner Crunk to close the Public Hearing. Upon roll call the following voted YES: Crunk, Mercer and Mayor Hobbie. Voting NO: None. Motion passed.

Moved by Mayor Hobbie to postpone the Public Hearing on the rezone request by Mark Cotrupi until the April 2, 2012 City Council meeting seconded by Mercer. Upon roll call the following voted YES: Crunk, Mercer and Mayor Hobbie. Voting NO: None. Motion passed.

Joe Johnson highlighted portions of the City Administrator's Report. The Treasurer reported a beginning balance on February 1, 2012 of \$1,044,179.69, revenues of \$769,921.39, expenses of \$799,890.49 leaving a balance on hand as of February 29, 2012 of \$1,017,363.71. Mayor Hobbie asked that the reports be placed on file.

Moved by Commissioner Mercer and seconded by Commissioner Crunk to approve the Class "I" Liquor License application by Ron McGinnis and Loyd Teten DBA MT Hospitality LLC. Upon roll call the following voted YES: Crunk, Mercer and Mayor Hobbie. Voting NO: None. Motion passed.

Kennedy Whipple, Taelyn Allen, Langston Hoover, Isabella Dennisten, Trey Pursel and Fernando Dominguez representing Hayward School Student Council offered a slide presentation whereby the students would adopt a park. Moved by Commissioner Mercer and seconded by Commissioner Crunk to approve the request by the Hayward Student Council to adopt a park and have the City provide a sign acknowledging the park adopted and supply trash bags and gloves. Upon roll call the following voted YES: Crunk, Mercer and Mayor Hobbie. Voting NO: None. Motion passed.

Dan Giittinger explained the request by Don Hoyle to allow an off-street paved parking area at 1311 2nd Avenue. Moved by Commissioner Mercer and seconded by Commissioner Crunk to

approve the parking area for Don Hoyle. Upon roll call the following voted YES: Crunk, Mercer, and Mayor Hobbie. Voting NO: None. Motion passed.

Leroy Frana and Joe Johnson explained the basis of and the benefits to Nebraska City the joint agreement with GIS Workshop to provide a geographical information IT database that will be improve city services. Moved by Commissioner Mercer and seconded by Commissioner Crunk to approve the agreement with GIS Workshop. Upon roll call the following voted YES: Crunk, Mercer and Mayor Hobbie. Voting NO: None. Motion passed.

Phillip Euler with NMPP Energy presented the Council with the 2012 Integrated Resource Plan for Nebraska City Utilities. Some information contained in the plan is Nebraska City’s own generating capacity along with the agreements the utilities department has with electric suppliers. Also a peak demand and load factor was discussed. Moved by Commissioner Mercer and seconded by Commissioner Crunk to approve the 2012 Integrated Resource Plan for Nebraska City Utilities. Upon roll call the following voted YES: Crunk, Mercer and Mayor Hobbie. Voting NO: None. Motion passed.

Police Chief Lacy requested use of City Hall parking lot for an expired prescription drug disposal day on April 21, 2012. Lacy added that funds for the collection is provided by a grant so there would be no cost to the City. Moved by Commissioner Mercer and seconded by Commissioner Crunk to approve the request by Chief Lacy to use City Hall parking lot on April 21 for prescription drug disposal. Upon roll call the following voted YES: Crunk, Mercer and Mayor Hobbie. Voting NO: None. Motion passed.

Building Inspector Alan Viox provided a report to the Council on the condition and safety concerns of some structures located at 1009 7th Corso. Mr. Viox added that there is a report being prepared by a structural engineer and that the Council should wait for the final report to make a decision. Moved by Commissioner Mercer and seconded by Commissioner Crunk to postpone action the structures located at 1009 7th Corso until a review of the final engineers report can be made. Upon roll call the following voted YES: Crunk, Mercer and Mayor Hobbie. Voting NO: None. Motion passed.

No one was present to provide information on signs and posters on City property. No action was taken.

Mayor Hobbie introduced Resolution 2559-12 assessing clean-up costs to the property owner. Moved by Commissioner Mercer and seconded by Commissioner Crunk to approve Resolution 2559-12. Upon roll call the following voted YES: Mercer, Crunk and Mayor Hobbie. Voting NO: None. Motion passed and adopted. A true and correct copy of said resolution is as follows:

RESOLUTION 2559-12

BE IT RESOLVED BY THE MAYOR AND BOARD OF COMMISSIONERS OF THE CITY OF NEBRASKA CITY, NEBRASKA;

WHEREAS, Section 18-58, of the Code of Ordinances, Nebraska City, Nebraska provides that the City may have a lien upon real property for the mowing of weeds, grasses and worthless vegetation or clean up of litter, which under said Ordinance constitutes a nuisance; and,

WHEREAS, Notice to abate and remove such nuisance was given to each of the owner(s) and occupant(s) of the following described property(s) at least five (5) days prior to removal by the City of Nebraska City, Nebraska; and,

WHEREAS, The City of Nebraska City, Otoe County, Nebraska has mowed weeds, grasses, worthless vegetation or cleaned up the following described real estate, to-wit:

417 3rd Corso – Lot 4; Blk3; South Nebraska City, Otoe County, Nebraska City, Nebraska – 228.92 000966500

After failure of the owner(s) to abate and remove the same from said real estate; and

WHEREAS, the City of Nebraska City, Otoe County, Nebraska has incurred the cost relative to the mowing of weeds, grasses and worthless vegetation or cleaned up said real estate and,

WHEREAS, the City sent the property owner a bill for said cleanup which has not been paid, and

WHEREAS, the City may file a Special Assessment for Improvements against property for which a City bill for services has not been paid.

WHEREAS, Said Special Assessments shall draw interest at the rate provided by Section 45-104.1 of the Revised Statutes of Nebraska, from the effective date hereof.

NOW THEREFORE BE IT RESOLVED, that the City Clerk-Treasurer of Nebraska City, Nebraska is hereby authorized to file with the Otoe County Treasurer, Special Assessments for Improvements in the amount(s) and against the property(s) specified above, all located within Nebraska City, Otoe County, Nebraska.

Passed and approved this 5th day of March 2012.

Jack Hobbie, Mayor

Attest:

Arnold M. Ehlers, Clerk - Treasurer

Steven Recker asked the Council for permission to build off-street diagonal parking on the east side of 14th Street from Central Avenue to the alley north to accommodate visitors to the Nebraska City Museum of Firefighting. Moved by Commissioner Mercer and seconded by Commissioner Crunk to approve the request to construct paved parking on the east side of 14th Street north of Central Avenue and designate said parking to two (2) hour parking. Upon roll call the following voted YES: Crunk, Mercer and Mayor Hobbie. Voting NO: None. Motion passed.

Mayor Hobbie introduced Resolution 2560-12 adopting changes in the Personnel Manual. Moved by Commissioner Crunk and seconded by Commissioner Mercer to postpone action on Resolution 2560-12 to allow the Mayor and Commissioners additional time to review the revisions and additions. Upon roll call the following voted YES: Mercer, Crunk and Mayor Hobbie. Voting NO: None. Motion passed and adopted.

A-1 Locksmith	55.00	Rep		Nationwide	14194.76	Inv
Alamar Uniforms	140.98	Unif		NCAEDC	16300.00	Contr
Arbor Mart, Inc	2653.39	Fuel		NC EMS Assoc	360.00	Training
Asphalt & Concrete	395.28	Maint		NC Museum Assoc	14000.00	Contr
Aufenkamp, C.	100.00	Rfnd		NCPS	15.00	Contr
Ayars & Ayars	200.00	Rfnd		NC Utilities	12177.40	Util
Bennett, R.	3646.49	Maint		NE Dept of Revenue	190.08	Sls Tax
Bohl, K	25.00	Rfnd		NE Public Health	84.00	Supp
Bound Tree Med	10.92	Med		NE Salt and Grain	4261.28	Maint
Callaway Golf	3777.70	Supp		Odey's Inc.	4247.51	Supp
Card Services	818.04	Supp		Omaha Tractor, Inc.	36924.59	Equip
Casey's	716.94	Fuel		Orscheln	149.29	Rep
Century Lumber	128.52	Rep		Otoe County Clerk	8152.59	Contr
Channing Bete	136.25	Med		Payroll	89,646.52	Payroll
Cintas	60.57	Contr		Pearson Educ	213.38	Med
City Tire	98.64	Rep		Pepsi-Cola	102.75	Conc
Douglas Tire Co.	899.64	Rep		Physio-Control, Inc	2737.48	Rep
Emblem Enterprises	423.87	Unif		Purchase Power	400.00	Postage
Food Pride	131.03	Conc		Release, Inc.	200.00	Rfnd
Gatehouse Media	382.31	Advert		Rhoades, B	666.25	Rfnd
Harding & Shultz	210.62	Contr		Schneider Elec	100.60	Rep
HireRight	25.00	Med		Shell	2871.89	Fuel
Howe, J	25.00	Rfnd		St. Mary's Hospital	31.00	Med
Ideal Pure Water	41.42	Contr		Stutheit Implement	393.17	Hose
Johnson, J	418.35	Training		Texas Refinery Corp	334.91	Supp
Jorgensen, C	100.00	Rfnd		Tielke's Sandwiches	53.88	Conc
K&Z Distributing	176.75	Conc		Tim Engel Const	77.50	Rep
Knook & Kranny	2300.00	Contr		Tri-State Office	614.84	Supp
Landis Engine	49.70	Rep		Van Wall Equipment	2400.49	Rep
Larson Motors	376.72	Rep		Verizon Wireless	320.11	Tele
Linweld	108.55	Med		Watkins True Value	592.04	Rep
Martin Marietta	606.71	Maint		Wenzl Hardware	7.90	Rep
Mead Lumber	51.04	Supp		Windstream, Inc.	2376.61	Tele
Mercer's	95.09	Rep		Wood Family Fuel	48.75	Fuel
Midwest Service	1660.80	Supp		Wurtele Distributing	177.25	Conc
Miller Monroe	78060.00	Ins		Wurtele, G	50.23	Supp
Mullenax Auto	109.82	Supp				

Meeting adjourned at 7:08 p.m.

Arnold M. Ehlers, City Clerk - Treasurer