

CITY OF NEBRASKA CITY, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

May 5, 2008

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 May 5, 2008. 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 Adelung called the meeting to order at 6:00 p.m. Upon roll call the following answered present: Leon Schiermeyer, Dean Handy, Erv Friesen, and Mark Mercer. The following City Officials were present: City Administrator Scott Bovick, City Clerk Arnold M. Ehlers, City Attorney William Davis, and Public Properties Director/Zoning Director Dan Gittinger, Police Captain Lonnie Neeman and Golf Pro Jon Casey.

Mayor Adelung led in the Pledge of Allegiance.

Commissioner Friesen moved to approve the minutes of the April 21, 2008 City Council Regular Meeting, seconded by Commissioner Schiermeyer. Upon roll call the following voted AYE: Schiermeyer, Handy, Friesen, Mercer and Mayor Adelung. Voting NO: None. Motion adopted.

Mayor Adelung opened the Public Hearing to consider the Class "A" Liquor License application by the City of Nebraska City dba Wildwood Golf Course. Jon Casey answered questions concerning policy that will be adhered to at the Wildwood Golf Course. No one else spoke in opposition or support of the application. Commissioner Handy moved to close the Public Hearing, seconded by Commissioner Mercer. Upon roll call vote the following voted AYE: Friesen, Schiermeyer, Mercer, Handy and Mayor Adelung. Voting NO: None. Motion passed.

Mayor Adelung then proclaimed May 28<sup>th</sup> as "*National Senior Health and Fitness Day.*" May 6<sup>th</sup> through May 12<sup>th</sup> as "*Nurses Week.*" May 11<sup>th</sup> through May 17<sup>th</sup> as "*Nursing Home Week.*" And May 2008 as "*Community Action Month.*"

City Administrator Scott Bovick informed the Council that the Mill and Overlay Project at the Soft Ball Complex will begin next week. The manpower and equipment cost for the City Wide Clean-up was over \$17,000.00. The Arbor Day Celebration came off well despite the weather. The Steinhart Park Trail is 95% complete and a ribbon cutting will be next month. Nebraska City is a finalist for a Downtown Revitalization Grant and there will be a group here next Friday to interview citizens and inspect the downtown district. Treasurer's Report beginning balance \$ 22,854,206.99 and month ending balance \$ 22,581,628.28. Wyuka Cemetery Report was included in packet. Commissioner Friesen moved to accept and place on file all reports as presented, seconded by Commissioner Handy. Upon roll call the following voted AYE: Mercer, Schiermeyer, Handy, Friesen and Mayor Adelung. Voting NO: None. Motion passed.

Commissioner Handy moved to approve the Liquor License request for the Wildwood Golf Course, seconded by Commissioner Schiermeyer. Upon roll call vote the following voted AYE: Friesen, Mercer, Schiermeyer, Handy and Mayor Adelung. Voting NO: None. Motion passed.

No action was taken on the request by Jim and Peggy Amerine to purchase the vacated alley in Block 69; Greggspport Addition pending additional information from Jim and Peggy Amerine.

Kay Young Director of Nebraska City Main Street requested permission to place an information sign on the Southeast Corner of 8<sup>th</sup> Street and Central Avenue. Commissioner Schiermeyer moved to approve the placement of the sign, seconded by Commissioner Handy. Upon roll call vote the following voted AYE: Friesen, Mercer, Handy, Schiermeyer and Mayor Adelung. Voting NO: None. Motion passed.

Commissioner Schiermeyer moved to award the bid for operating the Steinhart Pool Concessions to Patty and Steve Pierce for \$700.00, seconded by Commissioner Friesen. Upon roll call vote the following voted AYE: Mercer, Handy, Friesen, Schiermeyer and Mayor Adelung. Voting NO: None. Motion passed.

Mayor Adelung introduced Resolution 2360-08, to call the Highway Allocation Bonds. Commissioner Friesen moved for passage and adoption of Resolution 2360-08, seconded by Commissioner Mercer. Upon roll call vote the following voted AYE: Schiermeyer, Handy, Mercer, Friesen, and Mayor Adelung. Voting NO: None. Motion passed. A true, correct and complete copy of said resolution is as follows:

**RESOLUTION 2360-08**

BE IT RESOLVED AND ENACTED BY THE MAYOR AND BOARD OF COMMISSIONERS OF THE CITY OF NEBRASKA CITY, NEBRASKA, as follows:

SECTION 1. that the following bonds, in accordance with their option provisions, are hereby called for payment on July 15, 2008, after which date interest on the bonds will cease:

Highway Allocation Fund Pledge Bonds, 2006 Series, dated July 20, 2006, in the principal amount of \$185,000.00, numbered as they are shown on the books and records of the Paying Agent and Registrar, maturing in the principal amount and bearing CUSIP numbers as follows:

<u>Principal Amount</u>	<u>Maturity Date</u>	<u>CUSIP No.</u>
\$15,000	July 15, 2009	639591 GW0
20,000	July 15, 2010	639591 GX8
50,000	July 15, 2011	639591 GY6
50,000	July 15, 2012	639591 GZ3
50,000	July 15, 2013	639591 HA7

SECTION 2. These bonds are to be paid at the office of the City Treasurer in Nebraska City, Nebraska, as Paying Agent and Registrar.

SECTION 3. A true copy of the Resolution shall be filed by the City Clerk with the Paying Agent at least thirty (30) days prior to the call date and the Paying Agent is hereby irrevocably instructed to take appropriate action to mail notice to the registered owner at least thirty (30) days prior to the call date.

PASSED AND APPROVED this 5<sup>th</sup> day of May, 2008

\_\_\_\_\_  
Jo Dee Adelung, Mayor

(SEAL)

Attest:

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Arnold M. Ehlers, Clerk - Treasurer

Mayor Adelung introduced Resolution 2361-08 to support the Nebraska Expressways for Economic Development. Commissioner Handy moved for passage and adoption of Resolution 2361-08, seconded by Commissioner Friesen. Upon roll call vote the following voted AYE: Schiermeyer, Mercer, Friesen, Handy and Mayor Adelung. Voting NO: None. Motion passed. A true, correct and complete copy of said resolution is as follows:

**RESOLUTION No. 2361 -08**

WHEREAS, a municipal coalition has been formed to obtain funding and support for the completion of the State of Nebraska’s 1988 Expressways Plan, and

WHEREAS, in order to participate in such coalition the City has been requested to approve a contribution of 5.2 cents per resident, per month, based on the 2000 census of the City, which will be the equivalent of \$375.00 per month, retroactive to the 1<sup>st</sup> of February, 2008, and continuing for a period of twelve months, and

WHEREAS, the Mayor and City Commissioners of the City of Nebraska City, believe it will be in the best interests of the citizens of Nebraska City for the City to participate in such coalition.

IT IS THEREFORE RESOLVED, that the City of Nebraska City, Nebraska, participate in the Nebraska Expressways for Economic Development, a coalition of municipalities to support the completion of the State of Nebraska’s 1988 Expressway Plan, and

BE IT FURTHER RESOLVED, that the City of Nebraska City, make a monthly payment of \$375.00 per month to such coalition for a period of twelve months, retroactive to the 1<sup>st</sup> day of February, 2008, to support such coalition, which sum is equivalent to 5.2 cents per resident of the City of Nebraska City, based upon the 2000 federal census.

Passed and Approved this 5<sup>th</sup> day of May, 2008.

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Jo Dee Adelung, Mayor

Attest:

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Arnold M. Ehlers, Clerk-Treasurer

Mayor Adelung introduced Resolution 2359-08 approving the execution of an agreement with the Nebraska Department of Aeronautics for taxiway improvements to the Nebraska City Municipal Airport. Commissioner Schiermeyer moved for passage and adoption of Resolution 2359-08, seconded by Commissioner Mercer. Upon roll call vote the following voted AYE: Friesen, Handy, Mercer, Schiermeyer and Mayor Adelung. Voting NO: None. Motion passed. A true, correct and complete copy of said resolution is as follows:

**RESOLUTION 2359-08 (X02)**

A RESOLUTION ADOPTING AND APPROVING THE EXECUTION OF AN AGENCY AGREEMENT WITH THE DEPARTMENT OF AERONAUTICS OF THE STATE OF NEBRASKA FOR PROJECT NO. X02 TO BE SUBMITTED BY THE DEPARTMENT TO THE FEDERAL AVIATION ADMINISTRATION TO OBTAIN FEDERAL ASSISTANCE FOR THE DEVELOPMENT OF THE AIRPORT:

BE IT RESOLVED by the Mayor and Board of the City of Nebraska City, Nebraska, that:

1. The City of Nebraska City shall enter into an Agency Agreement with the Department of Aeronautics for Project No. X02 for the purpose of obtaining Federal assistance in the development of the Airport and that such agreement shall be set forth hereinbelow.
2. The Mayor of the City of Nebraska City is hereby authorized and directed to execute said Agency Agreement on behalf of the City of Nebraska City, and the Clerk is hereby authorized to attest said execution.
3. The said agreement, referred to hereinabove, is inserted in full and attached herewith, and made part hereof as Exhibit "O".

Upon calling for a vote on the resolution, 5 voted yea, and 0 voted nay, and the resolution therefore was declared passed and approved on May 5, 2008

\_\_\_\_\_  
Jo Dee Adelung, Mayor

Attest:

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Arnold M. Ehlers, Clerk

Commissioner Friesen made the motion to "Agree to a paving district and storm sewer district along 14<sup>th</sup> Avenue between 11<sup>th</sup> Street and 15<sup>th</sup> Street and direct the City Attorney to prepare an Interlocal Agreement with the School Board Attorney," seconded by Commissioner Mercer. Upon roll call vote the following voted AYE: Handy, Schiermeyer, Mercer, Friesen and Mayor Adelung. Voting NO: None. Motion passed.

Mayor Adelung presented a request by School Superintendent Keith Rohwer to close 14<sup>th</sup> Avenue from 11<sup>th</sup> Street to 14<sup>th</sup> Street on May 14<sup>th</sup> for a ribbon cutting. Commissioner Handy moved to approve the request by Keith Rohwer, seconded by Commissioner Friesen. Upon roll call vote the following voted AYE: Schiermeyer, Mercer, Friesen, Handy and Mayor Adelung. Voting NO: None. Motion passed.

Commissioner Mercer moved to pay all claims, seconded by Commissioner Friesen. Upon roll call vote the following voted AYE: Schiermeyer, Friesen, Handy, Mercer and Mayor Adelung. Voting NO: None. Motion passed.

CLAIMS LIST						
May 5, 2008						
A-1 Locksmith	1,082.30	Keys		Loveland Lawns	306.9	Sod
ACCO	2,667.70	Chem		Martin Marietta Mat	161.75	Gravel
Action Tech Svc	400	Maint		MDA	204.95	Merch
Adams Golf LTD	410.74	Merch		Medical & Safety Svc	84.95	Supp
Alamar Uniforms	433.03	Unif		Midwest Farmers Coop	20.1	Oxygen
AlmostGolf	164.11	Merch		Midwest Turf & Irrig	75.01	Rep
Arbor Mart	2,103.81	Fuel		Mora, Diana & Giovanna	265	ROW
Arbor Valley Ani Cl	1,002.00	Ani Exp		Mullenax Auto Supply	870.11	Rep
Bohl Plmb & Htg	1,084.18	Rep		NC Airport	3,750.00	Contr
Bovick, S	53.53	Mileage		NC News Press	872.88	Ads
Brown's Shoe Fit	64	Uni		NCTC	5,312.50	Contr

BSN Sports	573.28	Misc	NE Arborists Assoc.	50	Dues
Callaway Golf Co	6,522.92	Merch	NE Community Found	2,291.67	Contr
Card Services	431.34	Lodge	NE Pub Health Envir	78	Invest Exp
Casey, J	636.48	Merch	NE St Fire Marsh	75	Lic Fee
Christiansen Painting	3,385.00	Painting	Norman's IGA	182.09	Groc
Citizen Printing	87.5	Supp	Orscheln	826.55	Misc
City of NC	17,743.75	Interest	Otoe Cnty Clerk	3,460.25	Contr
Continuum EAP	1,875.00	Ins	Pepsi-Cola	166.35	Misc
Cooper, Clifford & Kathlee	880	ROW	Pine Acres Nursery	2,747.48	Trees
Crook, L	90	Trees	Pitney Bowes	249	Contr
D & K Prod	693.2	Chem	R.C.E.D.C.	4,333.33	Ind Dev
Don's Johns & Sep Pump	245	Portables	Recker, L	30.01	Fuel
Douglas Tire Co.	110	Rep	Rhoades, V	32.49	Meals
Earl May	61.91	Misc	Rose Equipment Inc.	82.26	Nozzle
Ehlers, A	88.34	Mileage	Safetyline	9.29	Misc
Fireguard	1,171.33	Uni	Schmitz Land Survey	177.5	Contr
Food Pride	97.67	Groc	Shuster, Mary	430	ROW
Grainger	161.71	Rep	Stutheit Imp Co	117	Rep
Hart, A	400	Contr	Tags One Stop	145.5	Diesel
Heartland Class Svc	30.95	Ads	Tielke's Sandwiches	79.5	Groc
HGM Assoc Inc	3,500.00	Eng	Trade Well Pallet	880	Mulch
Hincapie, John & Silvia	1,375.00	ROW	Treat American Food Svc	1,085.28	Meals
Hornung's Golf Prod	179.19	Supp	Tree City Tees	70	Uni
Jebro Inc.	761.75	Asphalt	Tri-State Office Prod	293.21	Supp
Kirkham Michael & Assoc.	1,698.80	Eng	Viox, A	420.67	Mileage
KonicaMinolta	180.75	Contr	Wages & Benefits	132,289.78	Payroll
Kreifels Electric	1,836.82	Rep	Wenzl Hardware	61.73	Rep
Landis Engine	566.2	Misc	Western Eng Inc	16,201.17	Eng
Larson Motors	262.58	Rep	Wurtele, G	42.08	Com Maint
LaRue Coffee	28.65	Supp	Zimco Supply Co.	420	Chem
Lesco	1,399.70	Supp			

Mayor Adelung moved to appoint Shelli Eyman to the Cemetery Advisory Board, seconded by Commissioner Mercer. Upon roll call vote the following voted AYE: Schiermeyer, Friesen, Handy, Mercer and Mayor Adelung. Voting NO: None. Motion passed.

Meeting adjourned at 7:47 p.m.

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Jo Dee Adelung, Mayor

Attest:

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Arnold M. Ehlers, Clerk-Treasurer

I, the undersigned Clerk hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Mayor and Council; 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 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 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, Clerk-Treasurer

