

CITY OF NEBRASKA CITY, NEBRASKA
MINUTES OF CITY COUNCIL REGULAR MEETING
September 2, 2014

Pursuant to due call and notice thereof, a Regular Meeting of the City Council of the City of Nebraska City was conducted in the William F. Davis Room at City Hall, 1409 Central Avenue, on September 2, 2014. 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: Jim Stark, Jeff Crunk, Dean Handy, and Mayor Hobbie. Absent: Mark Mercer. The following City Officials were present: City Administrator Joe Johnson, City Clerk-Treasurer Arnold M. Ehlers, City Attorney David Partsch, Police Chief David Lacy, and Public Properties Director/Zoning Director Dan Giittinger.

Commissioner Handy moved to approve the minutes of the August 18, 2014, City Council Regular Meeting, seconded by Crunk. Upon roll call the following voted YES: Stark, Crunk, Handy, and Mayor Hobbie. Voting NO: None. Motion adopted.

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

ACCO	Chem	475.00	MJPL	Misc	26606.37
Adkins Signs	Sup	91.00	Nationwide	Inv	76524.17
Alamar	Unif	61.94	NC Clerk	Misc	16.99
Burnison, A	LB840	4350.00	NC Jaycees	Donatio	1875.00
Arbor Mart	Fuel	2391.28	NC Museum Assoc	Contr	2406.25
AVAC	Contr	201.98	NE Comm Energy	Dues	1000.00
Arrow Towing	Maint	175.00	NCTC	Contr	6250.00
B.C. Meyer	Rfnd	200.00	NE Dept Labor	Maint	36.00
Bill Walters	Rep	33.95	NE Expressways	Dues	1137.09
Bound Tree	Sup	287.79	Nebraska Golf	Sup	83.29
Callaway	Mdse	600.26	NE Life Magazine	Adv	300.00
Cede and Co	Bond	58487.50	NE-IA Door Serv	LB840	17365.34
Citizen Printing	Sup	665.00	O'Reilly Auto	Sup	72.95
Coca-Cola	Bev	194.72	Omaha Tractor	Sup	173.58
Concrete Ind	Sup	10.26	Orscheln	Sup	56.60
Don's Johns	Sup	200.00	Otoe Co Clerk	Contr	203.50
Double Eagle	Bev	135.45	Payroll	Payroll	108596.81
Douglas Tire	Rep	80.00	Rembolt Homes	Rfnd	200.00
Fareway	Conc	87.69	Right Choice Ptg	LB840	1200.00
Fastenal	Sup	262.34	Roberts, R	Rfnd	25.00
Fireguard	LB840	3015.06	Schneider Elec	Rep	110.80
First Class Flowers	Misc	40.00	Security Equip	Contr	624.00
Galls	Unif	116.91	SEND	Dues	6687.00
Gatehouse	Adv	93.22	Snodgrass, A	Rfnd	25.00
Grimm's Gardens	Maint	545.91	St. Mary's	Sup	249.50
Hincapie, J	Rfnd	25.00	Tielke's	Conc	54.40
Hopkins Auto	Sup	24.14	Titanium Sprinkler	LB840	10843.75
J. Park, LLC	Dance	900.00	Tom's Radio	Contr	900.00
JEO Consulting	Contr	2625.00	Tri-State Office	Sup	53.29
Jerry's Landscaping	Misc	335.00	Two Sisters Clg	Contr	100.00
Johnson, J	Rfnd	100.00	UHC	Ins	6909.30
K & Z Dist	Bev	49.15	Verizon	Tele	372.84

Konica Minolta	Contr	245.00	Diamond Vogel	Sup	837.95
Landis	Sup	39.30	Watkins	Sup	116.96
Larson Motors	Rep	372.39	Welch, D	Rfnd	25.00
Matheson	Sup	103.50	Wredt, P	Rfnd	25.00
Midwest Machine	Rep	9.00	Young, A	Rfnd	25.00
Miller & Sons	Sup	72.63			

Mayor Hobbie moved to appoint Cindy Patton to the Wildwood Center Board seconded by Commissioner Handy. Upon roll call the following voted YES: Stark, Crunk, Handy and Mayor Hobbie. Voting NO: None. Motion adopted.

Mayor Hobbie proclaimed the week of September 7 – 13, 2014 as “National Assisted Living Week” in Nebraska City.

Mayor Hobbie opened the Public Hearing on the Class “C” liquor license application from Tim Pendrell DBA Dinty Moore’s Lunchroom. Tim Pendrell explained the hours of operation and business plan. No one else spoke in support or opposition to the application. Moved by Commissioner Handy and seconded by Crunk to close the Public Hearing. Upon roll call the following voted YES: Stark, Crunk, Handy and Mayor Hobbie. Voting NO: None. Motion carried.

Moved by Commissioner Handy and seconded by Stark to approve the Class “C” liquor license application for Tim Pendrell DBA Dinty Moore’s Lunchroom. Upon roll call the following voted YES: Crunk, Stark, Handy and Mayor Hobbie. Voting NO: None. Motion carried.

Moved by Stark and seconded by Crunk to approve the Special Designated License for Bing’s Sports Bar for September 19, 20 & 21, 2014. Upon roll call the following voted YES: Handy, Crunk, Stark and Mayor Hobbie. Voting NO: None. Motion adopted.

Moved by Stark and seconded by Crunk to approve the Special Designated License for Vostrel Prairie Farms, LLC for September 20 & 21, 2014. Upon roll call the following voted YES: Handy, Crunk, Stark and Mayor Hobbie. Voting NO: None. Motion adopted.

Moved by Stark and seconded by Crunk to approve the Special Designated License for Bing’s Sports Bar for October 4, 2014 for ‘Breast cancer Awareness Benefit’. Upon roll call the following voted YES: Handy, Crunk, Stark and Mayor Hobbie. Voting NO: None. Motion adopted.

Moved by Stark and seconded by Crunk to approve the Special Designated License for St. Mary’s Hospital for October 10, 2014. Upon roll call the following voted YES: Handy, Crunk, Stark and Mayor Hobbie. Voting NO: None. Motion adopted.

Brett Gay and Jason Esser appeared before the Council to offer \$36,000.00 for four (4) lots in Deer Trail Subdivision. Mr. Gay and Mr. Esser spoke about the type of development planned for the property. Eight to 12 units would be constructed depending on size the senior market would want. Stark asked if this was a not-for-profit organization. Mr. Gay answered that this is a for profit endeavor. Stark questioned the conditions and number of units. Vic Johns asked, “Aren’t you here just to consider Yes or No to take their offer? You are talking about things that are going to happen in the future.” Mayor Hobbie said the council could accept the offer leaving the lots on the market giving Gay and Esser first right of refusal. Moved by Mayor Hobbie and seconded by Commissioner Handy to accept the offer from Gay and Esser and continue to leave the lots on the market until the conditions being met, a \$1,000.00 down and buyer pays all closing costs and sale to close Nov. 1, 2014. Bill Moore stated that at his and his wife’s age they would like a home with no steps as presented by Gay and Esser. Stark asked Mr. Moore in what size of unit would he be interested. Charles Wiest spoke in support of the planned development. Jackie Smith informed the council that some seniors would qualify for Homestead Exemption and the City might not realize 100% of the taxes assessed on the property. Upon roll call the following voted YES: Handy and Mayor Hobbie. Voting NO: Crunk and Stark. Motion failed. Moved by Mayor Hobbie and seconded by Crunk to deny the offer of \$25,000.00 for two (2) lots from Ryan McConnell. Upon roll call the following voted YES: Handy, Stark, Crunk and Mayor Hobbie. Voting NO: None. Motion carried.

Moved by Stark and seconded by Commissioner Handy to approve the request from Gail Wurtle to allow parking on Steinhart Road south of 4th Corso for Lincoln and Omaha Astronomy Clubs to demonstrate star viewing. Upon roll call the following voted YES: Crunk, Handy, Stark and Mayor Hobbie. Voting NO: None. Motion carried.

Moved by Commissioner Handy and seconded by Stark to approve the request from Ruth Ann Weddle to close 5th Avenue from 16th to 17th on September 20th from 5p.m. to midnight for a block party. Upon roll call the following voted YES: Crunk, Handy, Stark and Mayor Hobbie. Voting NO: None. Motion carried.

Moved by Commissioner Handy and seconded by Stark to approve the request from NCPD to allow the use of City Hall parking lot for unused medication drop-off. Upon roll call the following voted YES: Crunk, Stark, Handy and Mayor Hobbie. Voting NO: None. Motion adopted.

Mayor Hobbie introduced Resolution 2644-14 adding parking spaces on south 6th Street to the two hour parking area. Moved by Commissioner Handy and seconded by Crunk to approve Resolution 2644-14. Upon roll call the following voted YES: Stark, Crunk, Handy and Mayor Hobbie. Voting NO: None. Motion adopted. A true and correct copy of said resolution is as follows:

RESOLUTION NO. 2644-14

WHEREAS, Ordinance No. 2840-11, which was enacted on February 21, 2011, adopted a plan for regulating the parking of motor vehicles in the Central Business District of Nebraska City, and further provided that the Police Department post signs within the area designed by the Mayor and Council, from time to time, for the regulation of parking, and

WHEREAS, the Mayor and Council have determined that the area where two hour parking shall be enforced shall be limited to the following streets: Central Avenue from 6th Street to 12th Street on both sides of the street; 6th Street from 1st Corso North to the alley in Block 7, Nebraska City Proper, on the West side of the Street; 6th Street from 1st Corso North to the Alley in Block 6; on the East side of the street; 7th, 8th, and 9th Streets from 1st Corso North to 1st Avenue on both sides of said streets; 10th Street from the service entrance to the Court House North to 1st Avenue on both sides of 10th Street; and

WHEREAS, the Mayor and City Council have also determined that the Police Department be directed to post signs in the Blocks designated above and such signs shall provide that such parking regulations shall be effective between the hours of 9:00 a.m and 5:00 p.m., Monday through Friday, excluding legal holidays, as may be designated by the Mayor and Council; and

WHEREAS, the penalties for the violation of said parking regulation, as provided in Section 6 and 7 of Ordinance 2840-11, shall remain in full force and effect.

NOW THEREFORE, Be It Resolved by the Mayor and City Council, of the City of Nebraska City, Nebraska:

Section 1. That the parking of motor vehicles on the following streets in Nebraska City be limited to two hours, to-wit: On Central Avenue from 6th Street to 12th Street, on both sides of the street; 6th Street from 1st Corso North to the alley in Block 7, Nebraska City Proper, on the West side of the Street; 6th Street from 1st Corso North to the Alley in Block 6; on the East side of the street; 7th, 8th, and 9th Streets from 1st Corso North to 1st Avenue on both sides of said streets; 10th Street from the service entrance to the Court House North to 1st Avenue on both sides of 10th Street.

Section 2. That the Police Department shall be responsible to post signs on such Streets to clearly indicate that parking is limited to a period of two hours between the hours of 9:00 a.m. to 5:00 p.m., Monday through Friday of each week, excluding legal holidays as designated by the Mayor and City Council of the City of Nebraska City.

Section 3. That the penalties for violation of the parking ordinances are as set forth in Section 6 and 7 of Ordinance No. 2840-11.

Passed and approved this 2nd of September, 2014.

Jack Hobbie, Mayor

Mayor Hobbie introduced Resolution 2645-14 approving the Preliminary Engineering Service Agreement between the City of Nebraska City and Olsson Associates, Inc. Moved by Commissioner Handy and seconded by Stark to approve Resolution 2645-14 approving the Preliminary Engineering Services Agreement for the Comprehensive Plan update. Upon roll call the following voted YES: Crunk, Stark, Handy and Mayor Hobbie. Voting NO: None. Motion adopted. A true and correct copy of said resolution is as follows:

**RESOLUTION 2645-14
SIGNING OF A PRELIMINARY ENGINEERING SERVICES AGREEMENT**

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

Whereas: The City of 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;

Whereas: The City of Nebraska City and Olsson Associates, Inc. wish to enter into a Preliminary Engineering Services Agreement to provide preliminary engineering, environmental documentation and final design services for the Federal-Aid project.

Be It Resolved: by the Mayor and Commissioners of the City of Nebraska City, Nebraska that:

Jack Hobbie, Mayor of the City of Nebraska City, Nebraska, is hereby authorized to sign the attached Preliminary Engineering Services Agreement between the City of Nebraska City, Nebraska and Olsson Associates, Inc.

NDOR Project Number: SPR-1(52)

NDOR Control Number: 0918

NDOR Project Description: Nebraska City Comprehensive Plan

Adopted this 2nd day of September, 2014 at Nebraska City, Nebraska.

The City Council of the City of Nebraska City, Nebraska.

Jim Stark	Public Works Commissioner
Jeff Crunk	Parks Commissioner
Dean Handy	Street Commissioner
Mark Mercer	Finance Commissioner
Jack Hobbie	Mayor

Commissioner Handy moved the adoption of said resolution.
 Commissioner Stark seconded the motion.
 Roll Call: 4 Yes 0 No 0 Abstained 1 Absent
 Resolution adopted, signed and billed as adopted.

Attest:

 Arnold M. Ehlers, City Clerk - Treasurer

Mayor Hobbie opened the discussion on the proposed 2014-2015 Fiscal Year Budget. Joe Johnson explained the South 11th Street engineering will be funded by a Bond Anticipation Note. If Mr. Johnson does not hear from any elected officials to change any line items the budget will be presented with the changes recommended tonight. Stark asked; “How much sales tax did he and Mercer estimate per month for the final two months of this fiscal year. The Treasurer answered that sales tax collections for August were \$173,500.00 less \$14,700.00 motor vehicle sales tax. Stark asked that \$27,000.00 be added to sales tax revenue estimate and \$27,000.00 be added to fire department capital improvements for painting and sealing the interior of the apparatus room. Jeff Kohrs then provided a summary of the utilities department budget for 2014-2015. Mr. Kohrs cited increased revenues due to a rate increase which will be somewhat limited due to increased energy efficient appliances and insulation. Then Mr. Kohrs outlined capital improvements for utilities department.

Meeting adjourned at 7:47 p.m.

 Arnold M. Ehlers, City Clerk - Treasurer