

CITY OF NEBRASKA CITY, NEBRASKA
September 15, 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 September 15, 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, Police Chief Dave Lacy and Building Inspector Alan Viox.

Mayor Adelung led in the Pledge of Allegiance.

Commissioner Friesen moved to approve the minutes of the September 2, 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 on the Grant Application by Kimmel Education and Research Center for Wild Fruit and Nut Jam. Pat Haverty and Vaughn Hammond presented information on the application. No one else spoke in support or opposition to the Grant Application. Commissioner Handy moved to close the public hearing, seconded by Commissioner Friesen. Upon roll call the following voted AYE: Schiermeyer, Friesen, Mercer, Handy and Mayor Adelung. Voting NO: None. Motion adopted.

Mayor Adelung proclaimed the week of September 21 – 27, 2008 as “Women of Today Week.”

Michael Miller representing Troop 353 extended an invitation to the Mayor and Commissioners to attend their camporee at 6:00 p.m. on October 11, 2008.

Commissioner Schiermeyer moved to approve the request by Tammi Thompson of St. Mary’s Hospital to hold a Fun Run/Walk at 8:15 a.m. on October 11, 2008, seconded by Commissioner Friesen. Upon roll call the following voted AYE: Mercer, Handy, Friesen, Schiermeyer and Mayor Adelung. Voting NO: None. Motion passed.

Commissioner Friesen moved to approve Resolution 2375-08 to adopt the revised Personnel Manual, seconded by Commissioner Schiermeyer. Upon roll call the following voted AYE: Mercer, Handy, Schiermeyer, Friesen and Mayor Adelung. Voting NO: None. Motion passed. A true, correct and complete copy of said resolution is as follows:

RESOLUTION NO. 2375-08

WHEREAS, on the 3rd day of April, 1989, the Mayor and Commissioners of the City of Nebraska City, Nebraska adopted a revised Personnel Manual for the employees of the City of Nebraska City, and

WHEREAS, on the 7th day of May 2007, the Mayor and Commissioners of the City of Nebraska City, passed Resolution No. 2326-07 to update the Personnel Manual, and

WHEREAS, changes in the law and changes in City policies have affected the regulations outlined in the Personnel Manual, it is determined that in order to keep up to date with such changes, the Personnel Manual is in need of revision.

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

Section 1. That the Personnel Manual of the City of Nebraska City, Nebraska dated October 1, 2008 and attached as Exhibit A, setting forth in writing the provisions affecting the employment policies, benefits, disciplinary procedures, and drug policies for all full-time, part-time and temporary personnel of the City, be and the same is hereby adopted.

Section 2. That such Manual shall be published in pamphlet form with the original to be maintained in the office of the City Clerk-Treasurer, and copies to be made available to all employees of the City.

Passed and Approved this 15th day of September, 2008

Jo Dee Adelung, Mayor
Attest:

Arnold M. Ehlers, Clerk Treasurer

Commissioner Handy moved to approve Resolution 2376-08 which places “No Outlet” signs on 7th Avenue west of 18th Street, seconded by Commissioner Mercer. Upon roll call the following voted AYE: Friesen, Schiermeyer, Mercer, Handy and Mayor Adelong. Voting NO: None. Motion passed. A true, correct and complete copy of said resolution is as follows:

RESOLUTION NO. 2376-08

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

That sign(s) designating “No Outlet” be placed at the following location for the regulation of traffic and that said regulation shall be effective for twenty-four hours each day, to-wit:

On the West side of 18th Street where it intersects with 7th Avenue on Blocks Twenty-eight (28) and Twenty-nine (29) Elmwood Addition, Otoe County, Nebraska.

Passed and Approved this 15th day of September, 2008.

Jo Dee Adelong, Mayor

Attest:

Arnold M. Ehlers, City Clerk-Treasurer

Commissioner Mercer moved to approve Resolution 2377-08 which grants \$1,500.00 to “Kimmel Education and Research Center,” seconded by Commissioner Handy. Upon roll call the following voted AYE: Schiermeyer, Friesen, Handy, Mercer and Mayor Adelong. Voting NO: None. Motion passed. A true, correct and complete copy of said resolution is as follows.

RESOLUTION NO. 2377-08

TO USE PROGRAM FUNDS FROM THE CITY OF NEBRASKA CITY ECONOMIC DEVELOPMENT PROGRAM (LB840)

WHEREAS, the City of Nebraska City has received Program Funds through the City of Nebraska City Economic Development Plan and,

WHEREAS, Program funds for Economic Development are allowed to be used for making grants for the promotion of tourism and related activities in accordance with the City of Nebraska City Economic Development Plan, program and governing regulations, and,

WHEREAS, the City of Nebraska City Economic Development Plan has previously been adopted, and,

WHEREAS, the Citizens Advisory Review Committee has recommended a project presented through application by an eligible entity for a grant of \$1,500 under specified conditions, and,

WHEREAS, the City Council of Nebraska City conducted a public hearing upon the proposed use of Economic Development Program funds,

NOW, THEREFORE, BE IT RESOLVED by the City Council of Nebraska City, that the obligation of funds is approved according to the recommendations of the Citizens Advisory Review Committee and the Mayor is hereby authorized to execute all necessary and appropriate documents on behalf of the City and the City of Nebraska City Economic Development Program to complete the grant project for the “**Kimmel Education and Research Center,**” contingent upon approval of the City Attorney as to form.

Passed and Adopted on the 15th day of September, 2008 by the City Council of Nebraska City.

Jo Dee Adelong, Mayor

ATTEST: _____

Arnold M. Ehlers, City Clerk

Commissioner Friesen moved to approve Resolution 2378-08 which approves the revised Otoe County Local Emergency Operations Plan, seconded by Commissioner Schiermeyer. Upon roll call the following voted AYE: Mercer, Handy, Schiermeyer, Friesen and Mayor Adelong. Voting NO: None. Motion passed. A true, correct and complete copy of said resolution is as follows:

RESOLUTION NO. 2378-08

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

That in order to provide for a coordinated response to a disaster or emergency in Otoe County, the City of Nebraska City and other cities and villages in Otoe County, the Nebraska City, City Council deems it advisable and in the best interests of the community and Otoe County to approve the attached Otoe County Local Emergency Operations Plan.

Passed and Approved this 15th day of September, 2008.

Jo Dee Adelong, Mayor

Attest:

Arnold M. Ehlers, City Clerk-Treasurer

Commissioner Schiermeyer moved to vacate a portion of the right of way located East of 3rd Street and South of 10th Corso and sell the vacated land for \$400.00 to Fran Biskup, seconded by Commissioner Handy. After discussion Commissioner Schiermeyer moved to withdraw the

motion, seconded by Commissioner Handy. Upon roll call the following voted AYE: Mercer, Friesen, Handy, Schiermeyer and Mayor Adelung. Voting NO: None. Motion passed.

Commissioner Handy moved to award the contract for the 2008 Downtown Revitalization Initiative Project to RDG Planning and Design and authorize the Mayor to sign, seconded by Commissioner Schiermeyer. Upon roll call the following voted AYE: Mercer, Friesen, Schiermeyer, Handy and Mayor Adelung. Voting NO: None. Motion passed.

Commissioner Handy moved to authorize staff to advertise for bids for the 10th Corso Bridge Removal Project, seconded Commissioner Friesen. Upon roll call the following voted AYE: Mercer, Schiermeyer, Friesen, Handy and Mayor Adelung. Voting NO: None. Motion passed.

Commissioner Mercer moved to pay all claims except Claim #7250S, seconded by Commissioner Friesen. Upon roll call the following voted AYE: Schiermeyer, Handy, Friesen, Mercer and Mayor Adelung. Voting NO: None. Motion passed.

Commissioner Friesen moved to pay Claim #7250S, seconded by Commissioner Schiermeyer. Upon roll call the following voted AYE: Handy, Schiermeyer, Friesen and Mayor Adelung. Voting NO: None. Abstain: Mercer. Motion passed.

4imprint, Inc	224.43	Supp	Mellage Truck	743.06	Supp
A-1 Locksmith	10.50	Keys	Mercer's	123.37	Supp
Alamar Uniforms	2,711.82	Unif	Midlands Fin Benefit	875.00	Contr
Alco Store	20.16	Supp	Midwest Farmers Coop	316.59	Chem
Allied Recyc & Refuse	373.17	Garbage	Midwest Machine	618.42	Rep
Arbor Mart	2,737.02	Fuel	Midwest ROW	13,462.00	Eng
Arbor Outdoor Power	16.94	Rep	Miller Monroe Farrell	2,656.00	Ins
Arbor Valley Ani Cl	840.49	Ani Exp	MJ Supply LLC	658.90	Supp
Awards Unlimited	55.60	Misc	Mullenax Auto Supply	740.14	Supp
Barrett Constr. Co.	9,587.42	Rep	Murphy Distributing	102.00	Conc
Bill Walters & Son Shop	284.80	Rep	N.E.E.D.	375.00	Dues
Bob's Welding Shop	141.45	Rep	NC Airport Auth	3,750.00	Contr
Briley, David	1,556.48	Equip	NC Clerk	32.63	Misc
Brown Glass Co	234.00	Rep	NC Medical Clinic	303.00	Med
Cape Truck Topper	1,759.00	Equip	NC News Press	507.26	Ads
Card Services	1,443.45	Supp	NC Public School	300.00	Contr
Casey's General	444.87	Fuel	NC Utilities	13,876.01	Util
Century Lumber	100.52	Supp	NCS	71.62	Supp
Cintas Corp	117.50	Misc	NCTC	5,312.50	Tourism
Citizen Printing	245.00	Supp	NE Community Found	2,291.67	Contr
City of NC Wildwood	594.67	Misc	NE Dept. of Rev	1,386.18	Sales Tax
City Tire & Auto Access	964.61	Rep	Ne Law Enforcement	60.00	Train
Concrete Industries	21.30	Rep	Odey's Inc.	428.40	Supp
Danko Emergency Equip	2,659.64	Supp	O'Reilly Auto Parts	16.44	Rep
Don's Johns & Septic	80.00	Misc	Otoe County Clerk	4,990.86	Contr
Douglas Tire	8.00	Rep	County Reg of Deed	51.50	Deeds
Economy Pest Cntrl	334.00	Pest Cnt	Paper Tiger	35.00	Shred
Fireguard	1,456.64	Supp	Pepsi-Cola	278.50	Conc
Food Pride	314.82	Conc	Pine Acres Nursery	14,040.00	Trees
GE Capital	74.67	Tele	Pitney Bowes	418.99	Postage
Gittinger, D	78.98	Mileage	R.C.E.D.C.	6,371.33	Ind Dev
Harker, Janette	90.00	Refund	Schmitz Land Survey	187.50	Eng
Hart, Anna	400.00	Contr	Schneider Elec & Ref	1,800.00	Rep
Heartland Classified	59.76	Ads	SEND D	2,739.54	Contr
Henry Motors South, Inc	8,629.00	ROW	Shell	2,540.74	Fuel
Hopkins Automotive	192.31	Supp	State Chemical Manuf	158.57	Supp
Hornung's Golf Prod	42.63	Supp	Stutheit Imp Co	11.88	Supp
Ideal Pure Water	180.99	Water	Teten, J	233.26	Equip
Inland Truck Parts	1,417.71	Rep	The Lumberjack Co	7,500.00	Trees
Jebro Inc.	761.75	Asphalt	Thurman Bike & Sport	20.00	Unif
Jones Automotive	4,064.00	Equip	Tielke's Sandwiches	16.80	Conc
Keim Farm Equip	132.96	Hose	Titan Machinery	6,000.00	Contr
KNCY AM-FM	34.53	Ads	Tree City Tees	20.00	Misc
KonicaMinolta Bus Sol	180.75	Contr	Tri-State Office Prod	522.52	Supp
Kreifels Electric	208.50	Rep	Tri-State Pmpg & Exc	295.00	Rep
Landis Engine	802.85	Supp	Viox, A	444.02	Mileage
Lant, J	8.78	Mileage	Wage & Benefits	85,379.67	Payroll

LaRue Coffee	92.24	Supp		Watkins True Value	331.88	Supp
Lawn World	75.00	Sod		Wick's	235.37	Rep
League of NE Muni	1,142.00	Dues		Wildwood Golf Course	482.12	Misc
Loveland Lawns	197.45	Misc		Windstream	1,924.52	Tele
Lyman-Richey Sand	235.68	Gravel		Wood Family Fuel	32.85	Fuel
McLain, Sue	219.00	Speaker		Wurtele Distributing	268.60	Conc
Mead Lumber	643.58	Rep				

Mayor Adelung moved to appoint Shelli Eyman to the LB840 Advisory Board, seconded by Commissioner Friesen. Upon roll call the following voted AYE: Mercer, Schiermeyer, Handy, Friesen and Mayor Adelung. Voting NO: None. Motion passed.

Meeting adjourned at 7:02 p.m.

Arnold M. Ehlers, City Clerk