

CITY OF NEBRASKA CITY, NEBRASKA
MINUTES OF CITY COUNCIL REGULAR MEETING
September 20, 2013

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 September 16, 2013. 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 3:00 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, Mark Mercer and Mayor Hobbie. 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.

Mayor Hobbie opened the Public Hearing on the proposed budget for fiscal year 2013-2014. Joe Johnson stated that the budget is a zero-sum budget meaning that the proposed expenditures are no more than the estimated revenues. He continued that the City employees will receive a 1% COLA with merit raises for some employees. No one else spoke in support of opposition to the proposed budget. Moved by Commissioner Handy and seconded by Commissioner Crunk to close the Public Hearing. Upon roll call the following voted YES: Mercer, Crunk, Handy and Mayor Hobbie. Voting NO: None. Motion passed.

Mayor Hobbie opened the Public Hearing to set the final tax request at a different amount than the previous year. Joe Johnson informed the Council that debt service payments are up slightly the levy will increase very little. However, the total tax asking will go from \$1,318,295.00 to \$1,317,636.00 for 2013-2014 due to a reduction in assessed valuation by the County Assessor. No one else spoke in support or opposition to the tax request. Moved by Commissioner Handy and seconded by Commissioner Mercer to close the Public Hearing. Upon roll call the following voted YES: Crunk, Mercer, Handy and Mayor Hobbie. Voting NO: None. Motion passed.

Mayor Hobbie introduced Resolution 2610-13 approving an additional 1% increase in restricted funds authority. Joe Johnson explained how approval of this resolution will benefit Nebraska City. Mr. Johnson added that approving this resolution will help Nebraska City fund large future projects such as a new pool, the Highway 75 Overpass and the 4th Corso Viaduct. Moved by Commissioner Handy and seconded by Stark to approve Resolution 2610-13. Upon roll call the following voted YES: Mercer, Stark, Handy and Mayor Hobbie. Voting NO: Crunk. Motion passed and adopted. A true and correct copy of said resolution is as follows:

Resolution No. 2610-13

WHEREAS, pursuant to Nebraska Revised Statute §13-519 the City of Nebraska City is limited to increasing its total of budgeted restricted funds by no more than the prior year's total of budgeted restricted funds plus population growth plus two and one-half percent (2½%) expressed in dollars; and

WHEREAS, §13-519 authorizes the City of Nebraska City to exceed the foregoing budget limit for a fiscal year by an additional one percent (1%) increase in budgeted restricted funds upon affirmative vote of at least seventy-five (75%) of the governing body; and

WHEREAS, the Annual Budget for Fiscal Year 2013-2014 and Program for Municipal Services in the Lid Computation Fiscal year 2013-2014 supported by the detail relating to restricted revenue accounts, proposes an additional increase in budgeted restricted funds of one percent (1%) as provided by the statute; and

WHEREAS, approval of the additional one percent (1%) increase in budgeted restricted funds is prudent fiscal management, does not increase authorized expenditures and is in the best interests of the City of Nebraska City and its citizens.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND BOARD OF COMMISSIONERS OF THE CITY OF NEBRASKA CITY, NEBRASKA, that by an affirmative vote by more than seventy-five percent (75%) of the Board of Commissioners, budgeted restricted funds for Fiscal Year 2013-2014 shall be increased by an additional one percent (1%) as provided by Nebraska Revised Statute § 13-519.

PASSED and APPROVED this 20th day of September, 2013.

Jack Hobbie, Mayor

Mayor Hobbie introduced Ordinance No. 2923-13 entitled AN ORDINANCE TO ADOPT THE BUDGET STATEMENT TO BE TERMED THE 2013-2014 ANNUAL APPROPRIATION BILL; TO APPROPRIATE SUMS FOR NECESSARY EXPENSES AND LIABILITIES; AND TO PROVIDE FOR 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: Mercer, Stark, 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.

Mercer stated that the Emergency Expense Line Item needs to be brought before the full council for approval prior to spending any portion of the allocated amount. Later, Mercer stated: "I am very uncomfortable with this budget and I would say that if any of the numbers come out of wack like they have been or mistakes made like they have been I would be requesting an audit of this budget."

Said ordinance was then read by title and thereafter Mayor Hobbie moved for final passage of the ordinance, which motion was seconded by Commissioner Handy. The Mayor then stated the question: "Shall Ordinance No. 2923-13 be passed and adopted?" Upon roll call the following voted YES: Mercer, Stark, 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 and correct copy of said ordinance is as follows:

ORDINANCE No. 2923-13

AN ORDINANCE TO ADOPT THE BUDGET STATEMENT TO BE TERMED THE 2013-2014 ANNUAL APPROPRIATION BILL; TO APPROPRIATE SUMS FOR NECESSARY EXPENSES AND LIABILITIES; AND TO PROVIDE FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF NEBRASKA CITY, NEBRASKA:

SECTION 1. That after complying with all procedures required by law, the budget presented and set forth in the budget statement is hereby approved as the Annual Appropriation Bill for the fiscal year beginning October 1, 2013, through September 30, 2014. All sums of money contained in the budget statement are hereby appropriated for the necessary expenses and liabilities of the City of Nebraska City. A copy of the budget document shall be forwarded as provided by law to the Auditor of Public Accounts, State Capitol, Lincoln, Nebraska, and to the County Clerk of Otoe County, Nebraska, for use by the levying authority.

SECTION 2. This ordinance shall take effect and be in force from and after its passage, approval and publication as required by law.

Passed and approved this 20th day of September, 2013.

Jack Hobbie, Mayor

Mayor Hobbie introduced Ordinance No. 2924-13 entitled AN ORDINANCE TO AMEND THE EIGHT-STEP PAY SCHEDULE REFERRED TO IN SECTION 2-9 OF THE CODE OF THE CITY OF NEBRASKA CITY RELATNG TO SALARIED OFFICERS AND EMPLOYEES AND TO DECLARE 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: Mercer, Stark, 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 Handy. The Mayor then stated the question: "Shall Ordinance No. 2924-13 be passed and adopted?" Upon roll call the following voted YES: Mercer, Stark, 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 and correct copy of said ordinance is as follows:

ORDINANCE No. 2924-13

AN ORDINANCE TO AMEND THE EIGHT-STEP PAY SCHEDULE REFERRED TO IN SECTION 2-9 OF THE CODE OF THE CITY OF NEBRASKA CITY RELATNG TO SALARIED OFFICERS AND EMPLOYEES AND TO DECLARE AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF NEBRASKA CITY, NEBRASKA:

SECTION 1. That THE EIGHT-STEP Pay Schedule attached to and made a part of this ordinance, be and is hereby adopted for various employee positions of the City of Nebraska City, Nebraska.

SECTION 2. The rates of pay as provided for by the Pay Schedule shall be effective from the first day of October 2013.

SECTION 3. All ordinances or parts of ordinance in conflict with this ordinance are hereby repealed.

SECTION 4. This ordinance shall take effect and be in force from and after its passage, approval and publication as required by law.

Passed and approved this 20th day of September 2013.

Jack Hobbie, Mayor

Mayor Hobbie introduced Resolution 2611-13 setting the property tax request different than the previous year. Moved by Mercer and seconded by Commissioner Handy to approve Resolution 2611-13. Upon roll call the following voted YES: Gay, Handy, Mercer and Mayor Hobbie. Voting NO: None. Abstain: Crunk. Motion passed and adopted. A true, and correct copy of said resolution is as follows:

RESOLUTION NO. 2611-13

WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the property tax request for the prior year shall be the property tax request for the current year for the purpose of setting the levy by the County Board of Equalization unless the Governing Body of the City passes by a majority vote a resolution or ordinance setting the tax request at a different amount; and

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request; and

WHEREAS, it is in the best interests of the City that the property tax request for the current year be a different amount than the property tax request for the prior year,

NOW, THEREFORE, THE MAYOR AND CITY COMMISSIONERS OF THE CITY OF NEBRASKA CITY, NEBRASKA, BY A MAJORITY VOTE, RESOLVE THAT:

1. The property tax request for the fiscal year beginning October 1, 2013, be set at the following amounts:

General Fund	\$ 847,636.00
Bonded Indebtedness Fund	\$ 470,000.00

2. The City Clerk-Treasurer shall certify and forward a copy of this resolution to the County Clerk prior to October 10, 2013.

PASSED and APPROVED this 20th day of September, 2013.

Jack Hobbie, Mayor

Meeting adjourned at 3:22 p.m.

Arnold M. Ehlers, City Clerk - Treasurer