

March 19, 2007

The City Council of Nebraska City met in the Council Chambers on March 19, 2007 at 6:00 pm to conduct a public hearing for the approval of the One and Six-Year Road Plan. Mayor Adelung led in the Pledge of Allegiance then called the Public Hearing to order and on roll call the following answered present: Leon Schiermeyer, Dean Handy, Erv Friesen, Mark Mercer and Mayor Adelung.

Mayor Adelung stated that a public hearing was now in session for the proposed One and Six-Year Road Plan as required by Sec. 39-2119 et seq. R.R.S. (Supp. 1969) submitted by JEO. No one spoke in favor of or in opposition to the proposed One and Six Year Street Plan.

No one spoke in favor of or in opposition to the proposed One and Six-Year Road Plan.

Commissioner Friesen moved to close the public hearing and reconvene in the regular meeting. Commissioner Mercer seconded the motion and on roll call the following voted YEA: Schiermeyer, Handy, Friesen, Mercer and Mayor Adelung. Voting NAY: none.

The City Council of Nebraska City met in regular session immediately following the pub hearings on March 19, 2007 in the Council chambers at City Hall. Mayor Jo Dee Adelung called the meeting to order and on roll call the following answered present: Leon Schiermeyer, Dean Handy, Erv Friesen, Mark Mercer and Mayor Adelung.

In the absence of the Police Chief, Dave Lacy, Captain Lonnie Neeman recognized all who participated in the Citizen's Police Academy: Donald Chapin, James Cook, Dale Haverty, Kathy Davenport, Arnold Durr, Paulette Fleming, Deone Gibbs, Ken Johnson, Corey Moyer, Larry Nebelsick, Jeanie O'Riley, Delrosa Riege, Dallas Svoboda, Jan Svoboda, Rodney Walters, Brian Whalen, Patricia Whalen

Mayor Adelung recognized Don Chapin for donating 18 gallons of blood and his many years of service with the Rescue Squad.

Commissioner Friesen moved for the approval of the March 5, 2007 City Council Minutes. Commissioner Handy seconded the motion and on roll call the following voted YEA: Handy, Friesen, Mercer, and Schiermeyer. Voting NAY: none. Abstaining: Mayor Adelung.

City Administrator, Scott Bovick, summarized the Council's retreat with department heads to discuss the budget on March 16, 2007 at the Lewis & Clark Center.

Commissioner Handy moved to accept the City Administrator's Report. Commissioner Friesen seconded the motion and on roll call the following voted YEA: Handy, Friesen, Schiermeyer, Mercer and Adelung. Voting NAY: None.

Mayor Adelung introduced and read Resolution No. 2322-07 to approve the One and Six Year Plan. Commissioner Handy moved for passage of Resolution No. 2322-07. Commissioner Friesen seconded the motion and on roll call the following voted YEA: Handy, Friesen, Schiermeyer and Mayor Adelung. Voting NAY: none. Mayor Adelung declared the motion carried.

RESOLUTION NO. 2322-07

"Whereas, the City Street Superintendent has prepared and presented a One Year and Six Year Road Plan for Street Improvement Program for the City of Nebraska City, Nebraska and

"Whereas, a public meeting was held on the 19 day of March 2007, to present this plan and there was discussion held with respect to said plan;

THEREFORE, BE IT RESOLVED BY THE Mayor and City council of Nebraska City, Nebraska, that the plans and data as furnished and/or modified are hereby in all thins accepted and adopted."

Passed and approved this 19th day of March 2007.

Jo Dee Adelung, Mayor

ATTEST:

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Mary Wallen
Deputy City Clerk-Treasurer

Pat Haverty appeared before the Council seeking approval for Triple Crown Baseball to use the ballfields on June 18-27, 2007. Commissioner Schiermeyer moved to approve the use of the ballfields on June 18-27, 2007. Commissioner Handy seconded the motion and on roll call the following voted YEA: Mercer, Schiermeyer, Handy, Freisen and Mayor Adelong. Voting NAY: None.

Brad Kaufman, Baseball Association, presented an update on the Jaycees concession stand. He said the Association has given their permission to build the new stand. The City will own the building, but the Jaycees will occupy it. Mayor Adelong suggested that a lease be written.

James and Peggy Amerine requested the City to vacate and sell a portion of North 12th Street and 6th Avenue. Correspondence has been received from the neighbor, William Kramer, stating he had no interest or objection to the vacation. Commissioner Handy moved to direct the city attorney to draft an ordinance to vacate and retain ownership on a portion of North 12th Street at 6th Avenue (alley). Commissioner Friesen seconded the motion and on roll call the following voted YEA: Schiermeyer, Handy, Freisen, Mercer and Mayor Adelong Voting NAY: None.

Jim Johnston presented the Nebraska City Tourism and Commerce Quarterly Report. Commissioner Friesen moved to approve the NCTC Quarterly report. Commissioner Mercer seconded the motion and on roll call the following voted YEA: Handy, Freisen, Mercer, Schiermeyer and Mayor Adelong. Voting NAY: none.

Dan Gittinger, Public Properties Director, requested that the Council declare a 1992 and a 1993 Dodge pick-up and a utility box as surplus property to be sold. Commissioner Handy moved to declare a 1992 and a 1993 Dodge pickup and a utility box as surplus property to be sold. Commissioner Schiermeyer seconded the motion and on roll call the following voted YEA: Friesen, Mercer, Schiermeyer, Handy and Mayor Adelong. Voting NAY: none.

Commissioner Handy moved to approve and authorize mayor to sign an agreement with JEO to provide engineering service for 4th Corso deck repairs. Commissioner Friesen seconded the motion and on roll call the following voted YEA: Mercer, Schiermeyer, Handy, Friesen and Mayor Adelong. Voting NAY: none.

The Nebraska City Volunteer Fire Department requested approval of changes to their Constitution. Commissioner Friesen moved to approve changes to the Constitution of Nebraska City Volunteer Fire Department. Commissioner Mercer seconded the motion and on roll call the following voted YEA: Schiermeyer, Handy, Freisen, Mercer and Mayor Adelong. Voting NAY: none.

A letter was received from Michael Miller requesting to hold a toy boat race at Steinhart Pond on May 26, 2007. Commissioner Schiermeyer moved to approve a request from Michael Miller to hold a toy boat race at Steinhart Pond on May 26, 2007 with hours to be determined and with adequate adult supervision. Commissioner Handy seconded the motion and on roll call the following voted YEA: Handy, Freisen, Mercer, Schiermeyer, and Mayor Adelong. Voting NAY: none.

Commissioner Handy moved to approve a request from Doug Moody of Hampton Commercial Construction to install a chain link fence at 7th & Central Avenue for construction of the new Commercial State Bank. Commissioner Mercer seconded the motion and on roll call the following voted YEA: Friesen, Mercer, Schiermeyer, Handy and Mayor Adelong. Voting NAY: none. Mayor Adelong declared the motion carried.

Kevin Cappen, Pro-Shop Manager requested an increase to his contract in the amount of \$2,000. Commissioner Schiermeyer moved to leave the contract amount as is. Commissioner Handy seconded the motion and on roll call the following voted YEA: Mercer, Schiermeyer, Handy, Friesen and Mayor Adelong. Voting NAY: none. Mayor Adelong declared the motion carried.

Mayor Adelong read Ordinance No. 2689-07 for Anderson's South Annexation Plat for the second time. No Action was taken.

Mayor Adelong read Ordinance No. 2690-07 for Orchard Park Subdivision Annexation for the second time. No Action was taken.

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Mayor Adelung read Ordinance No. 2691-07 for Arbor Village Subdivision Annexation for the second time. No Action was taken.

Mayor Adelung read Ordinance No. 2692-07 for Oak Hill Subdivision Annexation for the second time. No Action was taken.

Leroy Frana, Utilities Director, requested approval of and authorization for the mayor to sign a resolution authorizing the appointment of Leroy Frana as the representative of the City as Director of the Public Power Generation Agency and authorizing the Director, Jack Hobbie, the Chairman of the Board of Public Works, and Dennis Marshall, the Secretary of the Board of Public Works to appoint an Alternate Director to the Public Power Generation Agency in the event that the Director is unable to attend a meeting.

Commissioner Friesen moved to postpone a resolution authorizing the appointment of Leroy Frana as the representative of the City as Director of the Public Power Generation Agency and authorizing the Director, Jack Hobbie, the Chairman of the Board of Public Works, and Dennis Marshall, the Secretary of the Board of Public Works to appoint an Alternate Director to the Public Power Generation Agency in the event that the Director is unable to attend a meeting to the next regularly scheduled meeting on April 2, 2007. Commissioner Handy seconded the motion and on roll call the following voted YEA: Schiermeyer, Handy, Friesen, Mercer and Mayor Adelung. Voting NAY: none.

Commissioner Friesen moved for the approval of Water Work Order # 380 in the amount of \$29,192.00 for the installation of various large pipefittings and devices and the extension of underground vaults, to provide for the installation of water main cleaning equipment at the City's Water Well Field. Commissioner Mercer seconded the motion and on roll call the following voted YEA: Handy, Friesen, Mercer, Schiermeyer and Mayor Adelung. Voting NAY: none.

Commissioner Friesen moved for the approval of and authorization of the Mayor to sign four Line Pack Request Orders with the Natural Gas Pipeline Company of America that can be used for natural gas balancing purposes. Commissioner Mercer seconded the meeting and on roll call the following voted YEA: Friesen, Mercer, Schiermeyer, Handy and Mayor Adelung. Voting NAY: none.

Commissioner Mercer moved for the approval of the claims with the exception of Claim #7250A for which he declared a conflict of interest. Commissioner Friesen seconded the motion and on roll call the following voted YEA: Friesen, Mercer, Schiermeyer, Handy and Mayor Adelung. Voting NAY: none.

Commissioner Freisen moved to approve Claim #7250A. Commissioner Schiermeyer seconded the motion and on roll call the following voted YEA: Schiermeyer, Handy, Friesen and Mayor Adelung. Abstaining: Mercer. Voting NAY: none.

American National Bank	100.00	Nebraska City Tourism & Comm	5,312.50
Blue Cross Blue Shield		Nebraska Community Foundation	2,590.00
City of Nebraska City	1,793.35	Otoe County Clerk	4,807.18
Conseco		R.C.E.D.C.	4,333.33
Farmers Bank	61,899.89	2005B Bond Int	4,331.25
Hart, Anna	400.00	2002 VP Bond	118,075.00
Nebraska City Airport Authority	3,416.67	2005 VP Bond	9,175.00
Action Technology Services	419.48	Midland Equip	433.41
Alamar	399.03	Midlands Financial	3,285.00
Allied Recycling	187.00	Midtown Holiday Inn	277.90
Alltel	20.24	Midwest Farmers Coop	34.30
Ambassador Wellness & Rehab	40.00	Midwest Right Of Way	1,197.50
Arbor Mart	1,715.50	Miller-Monroe-Farrell	70,506.00
ASPA	100.00	Midwest Machine	986.28
Asphalt & Concrete Materials	477.42	Mullenax Auto Supply	1,222.56
Axles & Gears Inc	475.00	Municipal Toy Co	196.00
Barrett Construction	1,650.00	NCBIO	100.00
Barco	304.42	Nebraska City News Press	1,265.75
Beard's Salvage	101.00	Nebraska City Utilities	11,091.38

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Bennett, Richard	1,366.75	Nebraska Dept of Revenue	195.41
BKD	875.00	Nebraska Dept. of Roads	30,000.00
Bohl Plumbing	431.24	Nebraska HHS	40.00
Brown Glass	36.50	Neeman, Lonnie	97.59
Casey's	446.21	Omaha Tractor	23.60
Century Lumber	69.81	O'Reilly Auto Parts	2.79
Cintas	179.02	Orscheln	181.10
Connor, Aaron	41.00	Otoe County Register of Deeds	32.50
Crown Line Plastics	17.20	Otoe County Title	22,299.59
DeBuhr, Justine	51.25	Palmtag, Stephen	44.00
DeVorss, Neil	51.25	Paper Tiger Shredding	35.00
Douglas Tire	15.00	Police Officers Assn	9.00
Earhart, Calli	51.25	Purchase Power	206.99
EDM Equipment	130.65	Schneider Electric	249.00
Ericon, Inc	26.00	Shell	3,004.28
Farris, Madison	44.00	St. Mary's Hospital	221.00
Farris, Paxton	40.00	Super Car Wash	100.00
Fire Protection Service	21.00	Tee's Plus	363.78
Fireguard	184.25	The Peavey Corp	33.30
Food Pride	13.62	Thurman Bike & Sport	308.00
Harris Auto	135.74	Tom's Radio	42.00
Hopkins Automotive	476.43	Tri-State Office Products	8.14
HWS Consulting	3,723.76	Tri-State Pumping	487.50
Ideal Pure Water	49.92	USIS Commercial Services	25.00
Kreifels Plumbing	40.00	Video Home Theater	135.00
Lesoing's	1,200.00	Wal-Mart	179.87
Lubrication Engineers	190.00	Watkins True Value	377.63
Medical & Safety Services	185.00	Wenzl Hardware	12.10
Mercer's	151.41	Windstream	1,718.70
Mid Con Systems	145.91	Wood Family Fuel	557.94

Commissioner Friesen moved to adjourn at 7:47 p.m.

APPROVED:

Jo Dee Adelung, Mayor

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.

Acting City Clerk-Treasurer