

August 20, 2007

The City Council of Nebraska City met in regular session on August 20, 2007 at 6:00 p.m. in the Council Chambers at City Hall. Mayor Adelung led in the Pledge of Allegiance, Mayor Adelung then called the meeting to order and on roll call the following answered present: Leon Schiermeyer, Dean Handy, Mark Mercer and Mayor Jo Dee Adelung. Absent: Erv Friesen.

Notice of this 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. Notice of this meeting was given to the Mayor and all members of the City Council and a copy of their acknowledgement of receipt of notice and the agenda is attached to these minutes. Availability of the agenda is communicated in the advance notice to the Mayor and Council of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

Commissioner Handy moved to approve the minutes from the August 6, 2007 meeting. Commissioner Schiermeyer seconded the motion and on roll call the following voted YEA: Mercer, Schiermeyer, Handy, and Mayor Adelung. Voting NAY: none. Absent: Friesen. Mayor Adelung declared the motion carried.

The City Administrator, Scott Bovick, updated the council on many projects including the 10th Corso Bridge removal, 11th Street widening and 11th Corso realignment, 4th Corso Bridge deck repair, Highway 2 Overpass, the Steinhart Park Trail Project, and diseased trees in Wildwood Park. Commissioner Handy moved to accept the report as presented. Commissioner Mercer seconded the motion and on roll call the following voted YEA: Mercer, Schiermeyer, Handy and Mayor Adelung. Voting NAY: none. Absent: Friesen. Mayor Adelung declared the motion carried.

Mayor Adelung introduced Ordinance 2704-07:

AN ORDINANCE TO REPEAL ORDINANCE 2684-06, OF THE CITY OF NEBRASKA CITY, NEBRASKA, DUE TO AN ERROR IN SAID ORDINANCE; AND TO REPEAL ARTICLE III, CHAPTER 15, OF THE FIRE PREVENTION CODE, IN ITS ENTIRETY, FROM THE CODE OF THE CITY OF NEBRASKA CITY, 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 vote the following voted YEA: Schiermeyer, Mercer, Handy, and Mayor Adelung. Voting NAY: None. Absent: Friesen. Mayor Adelung declared the motion carried.

The motion to suspend the rules 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 in its entirety and thereafter Mayor Adelung moved for final passage of the ordinance, which motion was seconded by Commissioner Handy. The Mayor then stated the question "Shall Ordinance No. 2704-07 be passed and adopted?" Upon roll call the following voted YEA: Schiermeyer, Mercer, Handy, and Mayor Adelung. Voting NAY: None. Absent: Friesen. Mayor JoDee Adelung declared Ordinance 2407-07 adopted and signs same in the presence of the Council and the Clerk who attests to same.

Steven Middaugh is requesting the use of 4 picnic tables and 6 barricades on September 9, 2007 from 11:00 a.m. to 3:00 p.m. for the MINTS Ride. Dan Giittinger advised the Commissioners that he did not have a problem supplying the requested equipment. Commissioner Schiermeyer moved to approve the request for picnic tables and barricades for the MINTS Ride, September 9, seconded by Commissioner Mercer, upon roll call the following voted YEA: Handy, Mercer, Schiermeyer, and Mayor Adelung. Voting NAY: None. Absent: Friesen. Mayor Adelung declared the motion carried.

Carl Abbott, Secretary of the Nebraska City Fraternal Order of Eagles is requesting additional handicap spaces adjacent to their building. Dan Giittinger, Public Properties Director presented photographs and options to the commissioners. Chief Lacy provided information concerning history of parking and turn regulations at that location. Commissioner Schiermeyer moved to have a resolution drafted for a handicap parking space on the west side of 6th Street, south of the existing handicap space and a diagonal space on the north side of 1st Corso, the 1st space west of the intersection with 6th Street. Commissioner Handy seconded the motion and on roll call the following voted YEA: Mercer, Schiermeyer, Handy, and Mayor Adelung. Voting NAY: None. Absent: Friesen. Mayor Adelung declared the motion carried.

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Lori Creek owner of PJ's at the Depot is requesting a Special Designated Liquor License for September 15th 4:00 p.m. to 1:00 a.m. Police Chief Lacy submitted a letter indicating that the department knew of no reason to deny the request and recommends appropriate fence and adequate monitoring of underage attendees. Commissioner Mercer moved to approve the Special Designated Liquor License for Lori Creek doing business as PJ's at the Depot, seconded by Commissioner Handy. Upon roll call the following voted YEA: Schiermeyer, Handy, Mercer and Mayor Adelung. Voting NAY: None. ABSENT: Friesen. Mayor Adelung declared the motion carried.

John Kay and Richard Thorn of Sinclair-Hille Architects presented a report on possible space allocation and potential costs associated with the remodeling of the "Larson Motors Property." Scott Bovick, City Administrator, gave an overview of the city's vision of the future usage of the property. Carl Satterfield then spoke and described what Nebraska City Rescue would like. Some of his requests were a large training/meeting room (1800 square feet) with plenty of storage and a large kitchen which could be rented to the public. Mr. Satterfield also informed the council that in a few years additional office space and multiple bedrooms and bathrooms might be needed. Another issue is vehicle storage and washing that would allow drive-through parking rather than having the drivers back the units into the building. Chief Lacy did comment that he was not in favor of renting to the public as people in the building might compromise the security of the police department.

John Kay and Richard Thorn of Sinclair-Hille Architects presented options for improving parking and kitchen at Riverview Terrace. Dan Giittinger, Public Properties Director and Alan Viox, Building Inspector provided estimates for new equipment and labor to remodel the kitchen at Riverview Terrace. Tracy Wieckhorst, Manager, Riverview Terrace stated that parking would need to be the priority but that the kitchen should be usable in its current state. Dale Haverty agreed that the parking needed to be addressed but that the kitchen would also need to be remodeled due to the type and amount of cooking that will take place daily. Vernon Brooke added that some of the equipment in the Memorial Building kitchen might be good enough to trade in and thereby save the city money. Karen DeHart representing the Nebraska City Housing Authority said that all of this would have to be approved by the Housing Authority Board. Commissioner Schiermeyer moved and Commissioner Handy seconded the motion to have city staff work with the WOTA Board and the Housing Authority Board to present a plan to the city council at the next meeting. Upon roll call the following voted YEA: Mercer, Handy, Schiermeyer, and Mayor Adelung. Voting NAY: None. ABSENT: Friesen. Mayor Adelung declared the motion carried.

Scott Bovick, City Administrator asked the Commissioners to review a proposal from JEO Consulting for a "Drainage Study" of the 14th Avenue Area Watershed. Scott informed the commissioners that on October 9, 2007 the Nebraska City Public School District is placing a bond issue before the voters and that a drainage study would be part of the project if the bond passes and that the city could partner with the school district on the study rather than both do a study. Scott Coon & Bill Aultz presented photos and spoke about the necessity of getting something done as soon as possible. No action taken.

Dan Giittinger recommends acceptance of the low bid of \$19,275.00 from Pine Acres Nursery & Landscaping to replace and repair the retaining wall at Wildwood Golf Course and that 90% will be paid by FEMA. Commissioner Schiermeyer moved to accept the bid from Pine Acres Nursery for \$19,275.00 to repair the retaining wall on the 8th hole of the golf course, seconded by Commissioner Mercer. Upon roll call the following voted YEA: Handy, Mercer, Schiermeyer and Mayor Adelung. Voting NAY: None. Absent: Friesen.

Scott Bovick gave a short presentation of the City of Nebraska City Condemnation Process which was presented to the Nebraska Housing Developers Association.

Commissioner Handy moved to approve the Electricians Permit for Jonathon Oswald seconded by Commissioner Schiermeyer. Upon roll call the following voted YEA: Mercer, Schiermeyer, Handy and Mayor Adelung. Voting NAY: None. Absent: Friesen.

Commissioner Mercer moved to pay all claims except Claim #7250F, seconded by Commissioner Schiermeyer. Upon roll call the following voted YEA: Handy, Schiermeyer, Mercer and Mayor Adelung. Voting NAY: None. Absent: Friesen

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Commissioner Handy moved to pay Claim 7250F, seconded by Commissioner Schiermeyer, the following voted YEA: Schiermeyer, Handy, Mayor Adelung. Voting NAY: None. Abstain: Mercer. Absent: Friesen.

CLAIMS LIST
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Best Buy	1,242.40	Supp	Farmers Bank	480.00	Payroll
City of Nebraska City	54,964.79	Payroll	Farmers Bank	17,362.07	Payroll
City of Nebraska City	275,000.00	Interest	Fun Services	1,000.00	NCTC
Kevin Cappen	2,571.42	Cont	Anna Holmberg	300.00	Payroll
David Connell	112.50	Payroll	NCTC	5,312.50	Tourism
A-1 Locksmith	2.00	Supp	NE Fire Chief Assoc	20.00	Dues
Adelung, Jo Dee	164.22	Rec	NE Law Enforcement	75.00	Dues
Action Tech	47.25	Supp	NMC/CAT	580.80	Repair
ACCO	199.28	Supp	NEXTEL	223.39	Tele
Windstream	1,872.55	Tele	AMSAN/Nogg	33.41	Supp
Allied	392.50	Garb.	Omaha World-Herald	327.20	Ad
Alltel	89.98	Tele	Otoe County Clerk	6,525.19	Cont
Arbor Outdoor Power	17.98	Oil	Otoe County Mutual Aid	40.25	Supp
Bohl Plumbing	443.00	Rep	NC Medical Clinic	282.00	Med
Brown's Shoe Fit Co.	74.40	Supp	Pitney Bowes	416.10	Postage
Cintas Corp	206.02	Rep	Presto-X Company	75.00	Chem
City of NC Wildwood	1,515.37	Comm.	Radiology Assoc, P.C.	52.00	Med
City of NC	290,160.00	Bond	R.C.E.D.C.	450.00	Cont
Douglas Tire	119.95	Supp	Schendel Pest Control	44.00	Repair
Economy Pest Control	321.00	Rep	Sinclair Hille Architects	3,535.00	Eng
Estes, Inc	576.00	Chem	Ambassador Rehab	330.00	Med
Shell	2,236.69	Fuel	Stutheit Implement Co	115.64	Supp
Fremont National Bank	120,081.25	Int	Treat America Food Svc	1,003.20	Meals
GALLS	139.99	Supp	Terracon Consultants, Inc	3,350.00	Eng
Giittinger, Dan	63.53	Mile	Teten, Jim	250.99	Tele
HWS Consulting	504.61	Eng	Michael Todd and Co	2,246.88	Repair
Heartland Classified	10.57	Ad	Tom's Radio	1,044.75	Supp
Ideal Pure Water	123.47	Supp	USIS Commercial Svc	125.00	Med
KNCY AM-FM	366.30	Ad	USPS	82.00	Postage
Landis Engine	506.60	Supp	Wallen, Mary	10.00	Meals
Leag. Of NE Muni	9,935.00	Dues	Wal-Mart	353.14	Ammo
Martin Marietta Mat	1,420.87	Supp	Arbor Landscaping & Const	7,127.00	Cont
Mercer's Do It Best	446.56	Supp	Miltona Turf Products	261.88	Supp
Midwest Marketing	200.00	Ad	Public Agency Training Center	250.00	Educ
Midwest ROW	1,775.00	Eng	John P. Engler PH.D	700.00	Med
NSVFA	615.00	Dues	Action Target	669.00	Misc
NC Utilities	15,641.04	Util	Bill Walters & Son Shop	439.08	Repair
N.C.V.F.D.	225.00	Dues			

Mayor Adelung moved to appoint Corey Swanson to the Nebraska City Volunteer Fire Department, seconded by Commissioner Handy. Upon roll call the following voted YEA: Mercer, Schiermeyer, Handy and Mayor Adelung.

Commissioner Schiermeyer moved to adjourn the meeting. Commissioner Handy seconded the motion and on a roll call the following voted YEA: Mercer, Schiermeyer, Handy, Friesen and Mayor Adelung. Voting NAY: none. Mayor Adelung declared the meeting adjourned at 8:22 p.m.

City Clerk-Treasurer

APPROVED:

Jo Dee Adelung, Mayor

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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.

City Clerk-Treasurer