

CITY OF NEBRASKA CITY, NEBRASKA
 MINUTES OF CITY COUNCIL REGULAR MEETING
 December 15, 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 December 15, 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, Vic Johns, Mindy Briley 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 moved to approve the minutes of the December 1, 2014, City Council Regular Meeting as corrected, seconded by Crunk. Upon roll call the following voted YES: Briley, Johns, Crunk, Stark, and Mayor Hobbie. Voting NO: None. Motion adopted.

Mayor Hobbie moved to approve the minutes of the December 8, 2014 special city council meeting as corrected, seconded by Crunk. Upon roll call the following voted YES: Stark, Briley, Johns, Crunk and Mayor Hobbie. Voting NO: None. Motion carried.

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

A-1 Locksmith	Maint	22.48	Microfilm Imaging	Contr	80.00
Alamar	Unif	114.96	Midwest Farmers	Sup	751.80
Allied Ins	Bond	100.00	Midwest Turf	Maint	880.09
American Recycling	Garbage	144.50	Miller Monroe	Ins	150.00
Applied Concepts	Equip	1990.00	Morton Buildings	Rfnd	200.00
Arbor Mart	Fuel	1965.18	Mullenax	Sup	190.25
AVAC	Misc	171.00	Nationwide Trust	Inv	39213.51
Asphalt & Concrete	Sup	189.10	NC Utilities	Util	6152.85
Barry, T	Rfnd	25.00	NCEMSC	Dues	75.00
Beelner Service	Rep	650.00	NE Dept of Rev	Sls Tax	169.06
Berry	Adv	22.60	NE Great Plains	Dues	190.00
Berry, J	Rfnd	25.00	NE Public Health	Med	105.00
Bill Walters	Rep	787.96	NE Salt and Grain	Chem	3267.22
Boatright, K	Dance	391.50	Northwest Rescue	Rfnd	3625.86
Bohl Plumbing	Rep	265.09	O'Reilly	Sup	12.58
Bound Tree	Sup	577.77	Orscheln	Sup	227.61
Callaway	Mdse	2058.11	Otoe County Clerk	Contr	4423.46
Card Services	Misc	607.80	Otoe County Court	Misc	17.00
Cede and Co	Bond	254533.75	Payroll	Payroll	70362.91
Century Lbr	Sup	223.98	River View Pest	Pest	2151.50
Concrete Ind	Sup	20.25	S Systems	Rep	90.00
Douglas Tire	Rep	524.00	Shell	Fuel	2268.11
Eakes Office	Sup	94.61	Smith, T	Dance	290.00
Eggers Brothers	Sup	53.98	St. Mary's	Sup	204.91
EMS Billing Serv	Contr	3691.99	State Treasurer	Pet Lic	18.43
Fastenal	Sup	20.70	Stratus Building	Contr	2087.99
Gatehouse Media	Adv	520.78	Tag's One Stop	Fuel	284.58
GLMV Architecture	Rfnd	200.00	Taser International	Equip	3236.69
Guardian	Ins	3486.19	Titan Machinery	Rep	1841.68

Harding & Shultz	Legal	2356.04	Tree Worx	Maint	1880.00
HireRight Solutions	Med	52.80	UHC	Ins	63527.14
Ideal Pure Water	Sup	36.42	Unifirst	Sup	62.00
Jensen, E	Dance	131.25	Valentino's	Donation	200.00
KR Creative	Sftwre	40.00	Verizon	Tele	14.04
Landis	Sup	259.96	Viox, A	Payroll	5382.50
Lincoln Financial	Ins	2562.29	Wal-Mart	Donation	2400.00
Matheson Tri-Gas	Sup	210.24	Watkins	Sup	233.90
Mead Lumber	Sup	104.85	Windstream	Tele	2402.16
Mendez, M	Misc	113.31	Witmer	Sup	16.98
Mercer's	Sup	477.53			

Mayor Hobbie moved to appoint Alan Viox, John Shrader, Dennis Marshall, Andrew Snodgrass, Commissioner Stark and Commissioner Briley to the Nebraska City Fire and EMS Department Strategic Planning Committee. Seconded by Johns. Upon roll call the following voted YES: Briley, Stark, Crunk, Johns and Mayor Hobbie. Voting NO: None. Motion adopted.

Mayor Hobbie opened the Public Hearing on the Class “C” liquor license application from Polskie Kregle LLC DBA Arbor Lanes. Scott Kilpatrick explained his experience in operating a bowling establishment that served alcoholic beverages. No one else spoke in support or opposition to the liquor license application. Moved by Mayor Hobbie and seconded by Stark to close the Public Hearing. Upon roll call the following voted YES: Briley, Johns, Crunk, Stark and Mayor Hobbie. Voting NO: None. Motion carried.

City Administrator Joe Johnson provided printed copies of the monthly administrator’s report to everyone. The Treasurer reported a beginning cash and reserve balance on hand as of November 1, 2014 of \$1,525,813.29; receipts of \$975,586.55; expenditures of \$1,235,371.25; leaving a cash and reserve balance on hand as of November 30, 2014 of \$1,266,018.59. Mayor Hobbie asked that the reports be placed on file.

Moved by Mayor Hobbie and seconded by Johns to approve the Class “C” liquor license application from Polskie Kregle LLC DBA Arbor Lanes. Upon roll call the following voted YES: Briley, Stark, Crunk, Johns and Mayor Hobbie. Voting NO: None. Motion adopted.

Mayor Hobbie introduced Ordinance NO. 2951-14 entitled: AN ORDINANCE AMENDING SECTION 416 I-1 LIGHT INDUSTRIAL, OF THE OFFICIAL ZONING ORDINANCE OF THE CITY OF NEBRASKA CITY, NEBRASKA; TO REPEAL ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; AND TO DECLARE AN EFFECTIVE DATE; and moved that the statutory rule requiring reading on three different days be suspended. Crunk seconded the motion to suspend the rules and upon roll call the following voted YES: Stark, Briley, Johns, Crunk, 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 Crunk. The Mayor then stated the question: “Shall Ordinance No. 2951-14 be passed and adopted?” Upon roll call the following voted YES: Stark, Briley, Johns, Crunk, 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. 2951-14

AN ORDINANCE AMENDING SECTION 416 I-1 LIGHT INDUSTRIAL, OF THE OFFICIAL ZONING ORDINANCE OF THE CITY OF NEBRASKA CITY, NEBRASKA; TO REPEAL ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; AND TO DECLARE AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF NEBRASKA CITY, OTOE COUNTY, NEBRASKA, AS FOLLOWS:

SECTION 1. SECTION 416 AMENDMENT:

That Section 416 of the Official Zoning Ordinance of the City of Nebraska City, Nebraska, is hereby amended to read as follows:

SECTION 416 I-1 LIGHT INDUSTRIAL DISTRICT

416.01 INTENT:

This district is established to provide areas for a limited range of industrial and certain commercial uses which are able to meet certain performance standards to protect nearby non-commercial and non-industrial uses from land use conflicts or undesirable environmental impacts and to protect such industrial and commercial uses from negative impacts from other commercial and industrial uses not able to meet the performance standards.

416.02 PERMITTED PRINCIPAL USES:

1. Storage buildings with a square footage of 720 square feet or less used for storage of materials, equipment, nontoxic raw product or products considered desirable for the I-1, Light Industrial District;
2. Printing and lithography uses;
3. Cold storage and food locker establishments, excluding kill facilities, which meet the performance standards set for in this I-1, Light Industrial District;
3. Raising of crops and pasturing of livestock, provided that such use shall be prohibited within the corporate limits of the City of Nebraska City;
4. Temporary uses in accordance with Section 523 of this Ordinance;
5. Below ground utility lines and above ground utility installations and structures including local distribution lines, cable, poles and appurtenances, below ground and above ground public utility water storage tanks distribution substations, regulator stations, communications equipment buildings, communications, microwave, cellular, communications or other towers in excess of thirty five (35) feet in height, storage or maintenance yards, buildings or administrative office for such utilities.

416.03 PERMITTED ACCESSORY USES

1. Radio and television satellite receiving antennae (satellite dishes), provided that such satellite receiving antennae larger than twenty four (24) inches in diameter shall be located in the side or rear yard or on the roof only;
2. On-site signs related to permitted uses and approved conditional uses, subject to the regulations and requirements of Section 521 of this Ordinance;
3. Accessory uses and structures customarily associated with and incidental to the principal uses.

416.04 CONDITIONAL USES AND STRUCTURES:

After the provisions of Article 7 of this Ordinance relating to conditional uses have been met, the following uses may be allowed as conditional uses;

1. Any use involving the storage, use or manufacture of hazardous or explosive materials beyond that typically required for normal housecleaning and maintenance activities;
2. Wholesale, warehouse, distribution, storage and transfer businesses meeting the performance stands set forth in this I-1, Light Industrial District;
3. Engineering or research laboratories, vocational or industrial training schools and data processing uses;
4. Light industrial uses including the manufacture, assembly, processing, fabrication, cleaning, testing or refining of products, provided such uses meet the performance requirements set forth in this I-1, Light Industrial District;
5. Automobile and truck repair and service business, including automotive body and painting businesses which meet the performance requirements of this I-1, Light Industrial District;
6. Trade shops, including plumbing, heating and air conditioning, electrical, cabinetry, and similar service trade uses which meet the performance requirements of this I-1, Light Industrial District;
7. Billboards and similar off-site signs in accordance with the regulations of Section 521 of this Ordinance.

SECTION 2. REPEAL:

That all ordinances or portions of ordinances in conflict herewith are hereby repealed.

SECTION 3. EFFECTIVE DATE:

This ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Passed and Approved this fifteenth day of December, 2014.

Jack Hobbie, Mayor

Doug Friedli representing Nebraska City Community Foundation Board addressed the Council with a proposal offering a grant to Nebraska City to help pay for a City Council Retreat out of concern for the future of Nebraska City by providing a location and funding for a facilitator. The goal is to advance the future of Nebraska City and a public report would be provided for the public. Stark asked “What is the foundation hoping to accomplish?” Mayor Hobbie hoped that the retreat would help bring the council closer. Mr. Friedli stated that in talking with each commissioner individually he has found that there is some common ground. Stark stated that funding for this fiscal year is set. Mr. Friedli answered that his vision is more about communication and governance. Stark explained the Commission Form of Government to the public and informed the public that each commissioner is elected to oversee specific functions of the city. The tentative date for the retreat is January 24, 2015.

Moved by Stark and seconded by Crunk to approve fees for Wildwood Golf Course as presented by Jon Casey. Upon roll call the following voted YES: Briley, Johns, Crunk, Stark and Mayor Hobbie. Voting NO: None. Motion adopted.

Jon Casey then presented several options for leasing golf cars for use at Wildwood Golf Course. After a lengthy discussion the City Attorney informed the council that there would have to be a request for bids published due to the dollar amount of the proposal. Moved by Mayor Hobbie and seconded by Stark to have Mr. Casey prepare a request for proposals for a lease to purchase 22 electric golf cars 2011 or newer. Upon roll call the following voted YES: Briley, Johns, Crunk, Stark, and Mayor Hobbie. Voting NO: None. Motion carried.

Crunk informed the council that ice skating will be on Wildwood Pond and ice fishing will be on Steinhart Pond when ice is safe.

Mayor Hobbie introduced Resolution 2651-14 authorizing the Deputy Clerk – Treasurer to sign checks and other financial documents for Nebraska City. Moved by Stark and seconded by Crunk to approve Resolution 2651-14. Upon roll call the following voted YES: Briley, Johns, Crunk, Stark and Mayor Hobbie. Voting NO: None. Motion adopted. A true and correct copy of said resolution is as follows:

RESOLUTION NO. 2651-14

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF NEBRASKA CITY, NEBRASKA, that Emily S. Anthony, Deputy City Clerk-Treasurer of the City of Nebraska City, Nebraska, be and is hereby authorized to draw checks, drafts, or other orders for the payment of money on behalf of the City of Nebraska City and Nebraska City Utilities, on the accounts of Nebraska City, Nebraska, at American National Bank, Farmers Bank & Trust Co., First Nebraska Bank, Commercial State Bank, and Arbor Bank all in Nebraska City, Nebraska, and Farmers & Merchants Bank in Palmyra, Nebraska, Countryside Bank in Syracuse, Nebraska, First Bank of Nebraska in Syracuse, Nebraska and First Nebraska Bank in Unadilla, Nebraska, said banks are hereby authorized to honor the same.

BE IT FURTHER RESOLVED, that Emily S. Anthony, Deputy City Clerk-Treasurer of the City of Nebraska City, Nebraska, be and is hereby authorized to purchase and redeem Certificates of Deposit on behalf of the City of Nebraska City, at the banks and institutions referred to above; is authorized to make deposits to the accounts of the City of Nebraska City at said banks; and is further authorized to mortgage, pledge, assign, endorse and deliver to said banks any assets of the City of Nebraska City, as security for all obligations of any kind of the City of Nebraska City to said banks, with full power to withdraw, exchange, and substitute other securities for those originally pledged.

BE IT FURTHER RESOLVED, that the powers and authority granted by this Resolution shall continue in full force and effect until notice in writing is given of the cancellation or modification thereof.

Passed and Approved this 15th day of December, 2014

APPROVED

Jack Hobbie, Mayor

Beau Reid representing Holmes-Murphy Insurance explained that medical insurance premiums from UHC would not increase for 2015. Moved by Mayor Hobbie and seconded by Stark to approve placing the city’s benefits package for 2015 with United Healthcare through Holmes-Murphy based on UHC revised proposal. Upon roll call the following voted YES: Stark, Briley Johns, Crunk and Mayor Hobbie. Voting NO: None.

motion carried.

Patrick Wehling representing Nebraska City Ball Field Association explained the list of improvements he provided the council. Crunk asked Mr. Wehling to present the improvements prioritized by the date each project needs to be completed.

Meeting adjourned at 7:17 p.m.

Arnold M. Ehlers, City Clerk - Treasurer

AFFIDAVIT

I, the undersigned City Clerk for the City of Nebraska City, Nebraska, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Mayor and Board of Commissioners, 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 City 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 from which the foregoing proceedings have been extracted 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.

Arnold M. Ehlers, City Clerk-Treasurer