

A regular meeting of the Mayor and City Council of the City of Columbus, Nebraska, was convened in open and public session on February 1, 2016, at 7 p.m. in the Council Chambers, 1369 25 Avenue, Columbus, Nebraska.

Notice of this meeting was given in advance thereof by publication in the Columbus Telegram, with a copy of the proof of publication being on file in the office of the City Clerk. Notice of this meeting was given simultaneously to the Mayor and members of the City Council, with a copy of the acknowledgement of receipt of notice being on file in the office of the City Clerk. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor and City Council of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the public.

1. **STATEMENT OF COMPLIANCE WITH OPEN MEETINGS ACT AND ROLL CALL:** Mayor Moser announced that a copy of the Open Meetings Act is posted in the meeting room. Present were Mayor Michael Moser and Council Members Beth Augustine-Schulte, Charlie Bahr, Jim Bulkley, Rich Jablonski, Dennis Kresha, John Lohr, Terry Reardon, and Ron Schilling. City staff members present included City Attorney Neal Valorz, City Administrator Joe Mangiamelli, City Engineer Rick Bogus, City Clerk Janelle Kline, Finance Director Anne Kinnison, Public Property Director Doug Moore, Library Director Drew Brookhart, Police Chief William Gumm, Fire Chief Dean Hefti, Assistant City Clerk Michaela Luckey, Librarian Brad Hruska, and Library Assistant IV Rachelle McPhillips.
2. **PRAYER:** Bahr led in prayer.
3. **NATIONAL ANTHEM AND PLEDGE OF ALLEGIANCE:** Moser invited all to join in the National Anthem and Pledge of Allegiance.
4. **CONSENT AGENDA:** Mangiamelli stated that the following items are considered routine by the City Council and will be enacted by one motion. He pointed out that there will be no separate discussion of these items unless a City Council member or citizen so requests, in which event the item will be removed from consent status and considered in its normal sequence on the agenda. Reardon requested Items 4E, Resolution No. R16-10 awarding contract to Constructors, Inc. in the amount of \$495,755.70 for Asphalt Paving Improvements 2016 and 4F, Resolution No. R16-11 approving contract with Gehring Construction & Ready Mix Co., Inc. in the amount of \$363,048.60 for Concrete Paving Improvements 2016, be removed from consent status and considered in their normal sequence under Item 14, Resolutions. The items on the consent agenda, with the exception of Items 4E and 4F were approved as presented with a motion by Bahr and a second by Schilling. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay".
- 4.A. Minutes of January 18, 2016, City Council meeting.

- 4.B.** Reappointment of Bob Lauterbach and Diane Oppliger to Municipal Golf Board for three-year terms.
- 4.C.** Appointments of the following officers for Columbus Fire Department: Dean Hefti - Fire Chief, Pat Miller - Assistant Fire Chief, Marc Witte - Safety/Training Officer.
- 4.D.** Resolution No. R16-09 approving amendments to the 2015 One and Six Year Plan. Resolution No. R16-09 is entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, APPROVING AMENDMENTS TO THE CITY OF COLUMBUS 2015 ONE AND SIX YEAR STREET PLAN.
- 4.G.** Resolution No. R16-12 approving request of Antique Tractor and Gas Engines Show, Inc. to camp overnight in Pawnee Park for annual Antique Tractor and Gas Engines Show on Friday, June 10 and Saturday June 11, 2016. Resolution No. R16-12 is entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, APPROVING USE OF PAWNEE PARK TO CAMP OVERNIGHT ON JUNE 10 AND JUNE 11, 2016, FOR THEIR ANNUAL ANTIQUE TRACTOR AND GAS ENGINES SHOW IN ACCORD WITH ORDINANCE NO. 12-03.
- 4.H.** Resolution No. R16-13 approving leases to hangar aircraft at Columbus Municipal Airport with Columbus Electronics, Inc. and Platte Valley Air, LLC. Resolution No. R16-13 is entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, APPROVING LEASES TO HANGAR AIRCRAFT AT THE COLUMBUS MUNICIPAL AIRPORT.
- 4.I.** Resolution No. R16-14 approving pipeline crossing agreement with Union Pacific Railroad Company in the amount of \$3,705 regarding construction, maintenance, and operation of a 24 inch encased underground pipeline for transporting and conveying sanitary sewer only, in conjunction with 18 Avenue viaduct project. Resolution No. R16-14 is entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, APPROVING THE PIPELINE CROSSING AGREEMENT WITH THE UNION PACIFIC RAILROAD COMPANY; IN THE AMOUNT OF \$3,705; REGARDING THE CONSTRUCTION, MAINTENANCE, AND OPERATION OF A 24 INCH ENCASED UNDERGROUND PIPELINE FOR TRANSPORTING AND CONVEYING SANITARY SEWER ONLY, CONCERNING THE 18 AVENUE VIADUCT PROJECT; A COPY OF SAID AGREEMENT IS ATTACHED HERETO; TO AUTHORIZE THE MAYOR TO EXECUTE THE SAME ON BEHALF OF THE CITY OF COLUMBUS, NEBRASKA; AND TO REPEAL ALL RESOLUTIONS OR PORTIONS THEREOF IN CONFLICT HEREWITH.

- 4.J.** Resolution No. R16-15 approving pipeline crossing agreement with Union Pacific Railroad Company in the amount of \$3,505 regarding construction, maintenance, and operation of a 10 inch encased underground pipeline for transporting and conveying sanitary sewer only, in conjunction with 18 Avenue viaduct project. Resolution No. R16-15 is entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, APPROVING THE PIPELINE CROSSING AGREEMENT WITH THE UNION PACIFIC RAILROAD COMPANY; IN THE AMOUNT OF \$3,505; REGARDING THE CONSTRUCTION, MAINTENANCE, AND OPERATION OF A 10 INCH ENCASED UNDERGROUND PIPELINE FOR TRANSPORTING AND CONVEYING SANITARY SEWER ONLY, CONCERNING THE 18 AVENUE VIADUCT PROJECT; A COPY OF SAID AGREEMENT IS ATTACHED HERETO; TO AUTHORIZE THE MAYOR TO EXECUTE THE SAME ON BEHALF OF THE CITY OF COLUMBUS, NEBRASKA; AND TO REPEAL ALL RESOLUTIONS OR PORTIONS THEREOF IN CONFLICT HEREWITH.
- 4.K.** Payroll and bills on file. 02/12/16 Payroll \$515,396.14 TOTAL \$515,396.14.
- 5. APPROVAL OF MINUTES:** Included in Consent Agenda
- 6. SPECIAL PRESENTATIONS:**
- 6.A. "State of the City" address by Mayor Moser.** Mayor Moser read his 2016 State of the City address to review accomplishments in 2015 as well as report on upcoming projects. The preliminary work for the 3 Avenue viaduct and 18 Avenue pedestrian overpass projects has begun. Agreements with the Union Pacific and Burlington Northern Santa Fe Railroads are being negotiated, the city will be obtaining clear title and/or easements on properties within the construction area and it is anticipated that the bidding process will begin this year with construction to begin in early 2017. Approvals have been received from the Army Corps of Engineers to proceed with the Loup Levee improvements. The improvements will protect the city from a 100 year flood event and prevent thirty percent of the community from being forced to purchase flood insurance. The Lower Loup Natural Resource District will share thirty percent of the costs of the project. The city will be undertaking \$1,000,000 worth of street and sidewalk improvements this year. The city's financial status continues to be strong and the property tax levy and ratio of city employees to the city's population continue to be one of the lowest amongst comparable cities. Steps have been taken to move forward with a proposed library/cultural arts center and police and fire facilities.
- 7. PUBLIC HEARINGS:**
- 7.A. Application of 4-N Corporation for final plat and subdivision agreement of Whitetail Lake 7th Subdivision located at Whitetail Drive and Red**

Cedar Lane. (Planning Commission recommends approval.) (Continued from January 18, 2016, meeting.) No public testimony was heard. The public hearing closed with a motion by Bulkley and a second by Schilling. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay".

7.A.1. Resolution No. R16-16 approving final plat and subdivision agreement.

Resolution No. R16-16 entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, APPROVING THE FINAL PLAT OF A TRACT OF LAND LOCATED IN THE SW 1/4 OF SECTION 30 AND THE NW 1/4 OF SECTION 31, T17N, R1E OF THE 6TH P.M., PLATTE COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF WHITETAIL LAKE 6TH SUBDIVISION OF PART OF THE SW 1/4 OF SECTION 30, AND PART OF THE NW 1/4 OF SECTION 31, ALL IN T17N, R1E OF THE 6TH P.M., PLATTE COUNTY, NEBRASKA, AND ASSUMING THE SOUTH LINE OF SAID SUBDIVISION TO HAVE A BEARING OF N 88°20'20" E; THENCE N 01°39'40" W AND ON THE EAST LINE OF SAID SUBDIVISION, 210.00 FEET, TO THE NORTHEAST CORNER OF LOT 86 OF SAID SUBDIVISION; THENCE N 88°20'20" E, 377.50 FEET; THENCE N 01°39'40" W, 104.64 FEET, TO A POINT ON A 200.00-FOOT RADIUS CURVE; THENCE N'LY, E'LY, AND S'LY, AND ON SAID 200.00-FOOT RADIUS CURVE, 850.25 FEET; THENCE S 01°39'40" E, 104.64 FEET; THENCE N 88°20'20" E, 437.08 FEET, TO THE NORTHWEST CORNER OF LOT 67, WHITETAIL LAKE 5TH SUBDIVISION; THENCE S 01°39'40" E AND ON THE WEST LINE, SAID LOT 67, 210.00 FEET; THENCE S 88°20'20" W, 1154.58 FEET, TO THE POINT OF BEGINNING, CONTAINING 8.74 ACRES, MORE OR LESS, HEREINAFTER TO BE KNOWN AS "WHITETAIL LAKE 7TH SUBDIVISION;" WAIVING THE CUL-DE-SAC LENGTH LIMITATION; WAIVING THE WIDTH REQUIREMENT FOR WHITETAIL DRIVE; WAIVING THE STANDARD STREET NAME; APPROVING THE PROPOSED WHITETAIL LAKE 7TH SUBDIVISION AGREEMENT BETWEEN SUBDIVIDER, PLATTE COUNTY SANITARY & IMPROVEMENT DISTRICT NO. 7 AND THE CITY AND AUTHORIZING THE MAYOR TO SIGN SAID PROPOSED AGREEMENT ON BEHALF OF THE CITY was adopted with a motion by Reardon and a second by Jablonski. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay".

8. PETITIONS AND COMMUNICATIONS: None

9. REPORTS OF CITY OFFICES: None

10. REPORTS OF COUNCIL COMMITTEES:

- 10.A. PUBLIC PROPERTY, SAFETY, AND WORKS COMMITTEE - January 25, 2016**
- 10.A.1. Request of East Central District Health Department for tobacco free policy at the playground equipment areas in city parks. (Park Board recommends approval.)** The Public Property, Safety, and Works Committee recommended to the Mayor and City Council to direct staff to draft a resolution prohibiting tobacco use in playground areas of the park system, swimming facilities, picnic shelters, concession areas, playing fields, courts, and spectator areas, including but not limited to the following parks: Bradshaw, Gerrard, Centennial, Wilderness, Berne Square, Pawnee Park Baseball Field, Memorial Stadium, and Pawnee Plunge. The committee report was adopted with a motion by Bahr and a second by Schilling. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay".
- 10.A.2. Proposed changes to Aquatic Center hours. (Park Board recommends approval.)** The Public Property, Safety, and Works Committee recommended to the Mayor and City Council to approve the elimination of early morning hours from 5:30 a.m. to 8:00 a.m. in exchange for afternoon hours from 1:00 p.m. to 4:00 p.m., Monday through Friday. The committee report was adopted with a motion by Bahr and a second by Lohr. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay". Moore explained that only a few patrons use the facility during early morning hours and the additional afternoon hours would provide an opportunity for additional programming. The new hours would go into effect on February 8, 2016.
- 10.A.3. Prohibit sale and use of sky lanterns.** The Public Property, Safety, and Works Committee recommended to the Mayor and City Council to direct staff to draft an ordinance that prohibits the sale and use of sky lanterns. The committee report was adopted with a motion by Bahr and a second by Reardon. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay". Mangiamelli explained that the city is taking steps to ban sky lanterns within the city limits should a legislative bill that would prohibit the sale and use of sky lanterns in Nebraska not pass.
- 10.A.4. One and Six Year Street Plan.** The Public Property, Safety, and Works Committee recommended to the Mayor and City Council to approve the One and Six Year Street Plan as presented and set the date of public hearing before the City Council for February 16, 2016, at 7 p.m. The committee report was adopted with a motion by Bahr and a second by Lohr. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay". Bogus explained that a number of the projects included in the plan have been carried over from the 2015 plan.

- 10.A.5. Minutes of the November and December 2015 Traffic Control Device Committee meetings.** The Public Property, Safety, and Works Committee recommended to the Mayor and City Council to accept the minutes as presented. The committee report was adopted with a motion by Bahr and a second by Reardon. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay".
- 11. REPORTS OF SPECIAL COMMITTEES:** None
- 12. REPORTS ON LEGISLATION:** None
- 13. NEW BUSINESS:**
- 13.A. Discussion and architectural development process to determine the "right" size/"right" cost of the proposed library/cultural arts center and public safety facilities.** Nancy Novak, Interior Designer specializing in library design for Alley Poyner Macchietto Architecture, Inc., gave a presentation on the extensive process for determining the best size and cost of a proposed Library/Cultural Arts Center for a community. Brookhart stated that he is committed to making decisions on the proposed library/cultural arts center that will serve the best interests of the Library Board, Library Foundation, and community. Brookhart gave an update on the fundraising efforts for the proposed facility and said he is hopeful that the goals established will be met. Mangiamelli reported on a recent event held by the Nebraska Department of Economic Development and noted that library/cultural arts centers are a top priority that will be included in the ten year plan that will be submitted to the governor in order to promote growth in communities on a statewide basis. Discussion was held with regard to the inefficiencies of the current library, visions for the proposed facility with regard to design, functionality, and programming, as well as the significance of utilizing the construction manager at risk process in order for the city to receive a guaranteed maximum price for construction of the project. Sarah, Dan, Douglas, and Gregory Davidchik, 125 North Parkway, as well as Mary Raimondo, Executive Director of the Columbus Arts Council, spoke in support of the proposed library/cultural arts center.
- 13.B. Discussion and City Council recommendation on drafting of ballot language for sales and use tax for May 10, 2016, Primary Election.** Mangiamelli reported that three options for ballot language have been drafted based on previous comments of the City Council as well as assistance of the bond counsel, bond underwriter, and the city attorney. Mangiamelli said the following three options are being presented: Option A – Provides for the imposition of a combined one and one-half percent sales and use tax. The one percent to be used for streets, drainage, and capital improvements, and to pay indebtedness incurred for those types of projects and improvements, and to pay the annual operating costs of aquatic facilities in an amount as set

in the annual budget and to cease on the tenth anniversary of its imposition. The one-half percent to be used for capital building projects to include Library/Cultural Arts Center and Police and Fire facilities and to cease on the date which there are no outstanding and unpaid bonds for which the sales and use tax has been pledged; Option B – Provides for the imposition of a one percent sales and use tax to be used for drainage, street, and capital improvements and to be used to pay indebtedness incurred for the types of projects and improvements, and to pay the annual operation costs of aquatic facilities in an amount as set in the annual budget and to cease on the tenth anniversary of its imposition; and Option C (two question ballot) – Proposition A provides for the imposition of a one percent sales and use tax to be used for drainage, street, and capital improvements and to be used to pay indebtedness incurred for the types of projects and improvements, and to pay the annual operation costs of aquatic facilities in an amount as set in the annual budget and to cease on the tenth anniversary of its imposition, and Proposition B provides for the imposition of a one-half percent sales and use tax to be used as a funding mechanism and expended only for capital building projects to include Library/Cultural Arts Center and Police and Fire facilities only upon approval of Proposition A and to cease on the date on which there are no outstanding and unpaid bonds for which the sales and use tax has been pledged. Mike Rogers, Gilmore & Bell, P.C. and Bond Counsel, explained that the one-half cent sales and use tax would be collected and should a bond issue for the projects fail, the tax would sunset and any collected tax would be included in the sales tax fund. Phil Lorenzen, D.A. Davidson & Co. and Bond Underwriter, explained that it is his and the bond counsel's role to provide the necessary information in order for the City Council to base their decisions on. Bulkley said he does not feel there is sufficient information for either project to include on a ballot at this time. Discussion followed with regard to the possibility of simplifying the ballot language, incorporating verbiage to signify that bond issues for the projects will be brought to a vote of the public, as well as the timeline for holding an election on the bond issues. Staff was directed to incorporate Option C into ballot language for the 2016 Primary Election with a motion by Lohr and a second by Bahr. Augustine-Schulte, Bahr, Jablonski, Kresha, Lohr, Reardon, and Schilling voted “Aye” and Bulkley voted “Nay”.

13.C. Appointment of Erik Hash to Board of Parks Commissioners for three-year term. The mayor's appointment was ratified with a motion by Bulkley and a second by Schilling. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Reardon, and Schilling voted “Aye” and none voted “Nay”.

13.D. Appointment of John Shadle to Board of Parks Commissioners for three-year term. The mayor's appointment was ratified with a motion by Bulkley and a second by Schilling. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Reardon, and Schilling voted “Aye” and none voted “Nay”.

- 13.E. Plans, specifications, and estimate of cost in the amount of \$3,652,176.68 for Loup River Levee Recertification Project and authorizing staff to advertise for bids. (Plans and specifications are on file in Clerk's Office.)** The plans, specifications, and estimate of cost were approved and staff was authorized to advertise for bids with a motion by Bulkley and a second by Bahr. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay".
- 13.F. Purchase of three mid-sized utility vehicles for Police Department from current Nebraska State Bid contract in the amount of \$32,159 per vehicle and additional equipment in the approximate amount of \$16,217 per vehicle.** The purchases were authorized with a motion by Bulkley and a second by Bahr. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay".
- 13.G. Comments from Mayor and City Council Members.** There were no comments from the Mayor and City Council members.

14. RESOLUTIONS:

Reardon explained that he requested Items 4E and 4F be removed from consent status as he wished to commend staff for their timely efforts on the bidding process for the asphalt and concrete paving projects as the bids received came in lower than the estimated amount.

- 4.E. Resolution No. R16-10 awarding contract to Constructors, Inc. in the amount of \$495,755.70 for Asphalt Paving Improvements 2016.** Resolution No. R16-10 entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, AWARDED A CONTRACT TO CONSTRUCTORS, INC., IN THE AMOUNT OF \$495,755.70 FOR THE ASPHALT PAVING IMPROVEMENTS 2016 was adopted with a motion by Bahr and a second by Bulkley. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay".
- 4.F. Resolution No. R16-11 approving contract with Gehring Construction & Ready Mix Co., Inc. in the amount of \$363,048.60 for Concrete Paving Improvements 2016.** Resolution No. R16-11 entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, AWARDED A CONTRACT TO GEHRING CONSTRUCTION & READY MIX CO., INC., IN THE AMOUNT OF \$363,048.60 FOR THE CONCRETE PAVING IMPROVEMENTS 2016 was adopted with a motion by Bahr and a second by Lohr. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay".
- 15. ORDINANCES ON FIRST READING:** None

16. **ORDINANCES ON SECOND READING:** None
17. **ORDINANCES ON THIRD READING:** None
18. **CONSIDERATION OF PAYROLL AND BILLS ON FILE:** Included in Consent Agenda
19. **UNFINISHED BUSINESS:** None
20. **ADJOURNMENT:** The meeting was adjourned at 9:20 p.m. with a motion by Bulkley and a second by Schilling. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay".

Presented and approved this 16 day of February, 2016.

MAYOR

ATTEST:

CITY CLERK