

A regular meeting of the Mayor and City Council of the City of Columbus, Nebraska, was convened in open and public session on September 6, 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, Prent Roth, and Ron Schilling. City staff members present included City Attorney Neal Valorz, City Administrator Joe Mangiamelli, City Clerk Janelle Kline, City Engineer Rick Bogus, Finance Director Anne Kinnison, Police Chief William Gumm, Public Works Director Greg McCaffery, Library Director Drew Brookhart, Public Property Director Doug Moore, and Assistant City Clerk Michaela Luckey.
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. The items on the consent agenda were approved as presented with a motion by Bahr and a second by Lohr. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Roth, and Schilling voted "Aye" and none voted "Nay".
 - 4.A. **Minutes of August 15, 2016, City Council meeting.**
 - 4.B. **Minutes of August 27, 2016, Civil Service Commission meeting certifying list of police officer candidates as follows: Rachel Pensick, Shawn Gray, and Justin Grant.**
 - 4.C. **Reappointment of Kathryn R. Ballobin to Library Board for four-year term.**

- 4.D. Appointment of J. Prent Roth, Jr. to Community Development Agency.**
- 4.E. Resolution No. R16-94 approving the use of Pawnee Park to camp overnight on Friday, June 9 and Saturday, June 10, 2017, for annual Antique Tractor and Gas Engines Show.** Resolution No. R16-94 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 9 AND JUNE 10, 2017, FOR ANNUAL ANTIQUE TRACTOR AND GAS ENGINES SHOW IN ACCORD WITH ORDINANCE NO. 12-03.
- 4.F. Resolution No. R16-95 authorizing payment of various improvement projects.** Resolution No. R16-95 is entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA TO AUTHORIZE AND DIRECT THAT A CHECK BE ISSUED AND MADE PAYABLE TO THE RESPECTIVE CONTRACTOR(S) FOR LABOR, EQUIPMENT, AND MATERIALS FURNISHED FOR IMPROVEMENTS IN THE FOLLOWING DESIGNATED DISTRICTS AND PROJECTS WITHIN THE CITY OF COLUMBUS, ALL AS SET FORTH ON THE ATTACHED CERTIFICATES OF PROGRESS PREPARED BY THE RESPECTIVE SPECIAL ENGINEER, TO WIT: B-D CONSTRUCTION, INC. - 2010 LEVEE IMPROVEMENT PROJECT \$27,000.00; CONSTRUCTORS, INC. - ASPHALT PAVING IMPROVEMENT 2016 \$522,914.77; B-D CONSTRUCTION, INC. - CONCRETE PAVING IMPROVEMENTS 2015 \$18,002.03.
- 4.G. Payroll and bills on file.** 9/9/16 Payroll \$514,354.67; B-D Construction Inc. – capital projects 45,002.03; Boyd, Melody – capital project 100.00; Constructors Inc. – capital project 522,914.77; Mike's Auto Sales & Service – vehicle 44,995.00; Nebraska Title Company – capital project 96,330.50; Project Harmony – training 200.00; Sears Commercial One – supplies 742.87; Siedlik, Michael J. & Barbara L – capital project 848.15; Velosys LLC – service 6,300.00; Verizon Wireless – service 240.17. TOTAL \$1,232,028.16.
- 5. APPROVAL OF MINUTES:** Included in Consent Agenda
- 6. SPECIAL PRESENTATIONS:**
- 6.A. Proclamation for Sammy's Superheroes declaring September 2016 as Childhood Cancer Awareness Month.** Mayor Moser proclaimed September 2016 as Childhood Cancer Awareness Month. Jeremy Stanislav, Executive Director of Sammy's Superheroes, explained the goals of the Sammy's Superheroes organization and he thanked Mayor Moser and the City Council for proclaiming September as Childhood Cancer Awareness Month as well as the community for continued support of raising awareness and funds for the cause.

7. PUBLIC HEARINGS:

7.A. Application to Nebraska Department of Economic Development for Community Development Block Grant in the amount of \$26,400 for Comprehensive Development Phase I for planning study to determine future project(s). (\$23,400 for Planning Study and \$3,000 for General Administration.) Tom Higginbotham, Executive Director of Northeast Nebraska Economic Development District, pointed out that the Comprehensive Development (CD) program is a continuation of the Community Revitalization (CR) program that the city has previously applied and received funds through. He explained the application process and said the first phase requires a planning study to determine community needs for future projects. Higginbotham introduced Mandy Gear, the new Community Planner for Northeast Nebraska Economic Development District. No public testimony was heard. The public hearing closed with a motion by Jablonski and a second by Bulkley. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Roth, and Schilling voted "Aye" and none voted "Nay".

7.A.1. Resolution No. R16-96 authorizing the Mayor to sign the application to the Nebraska Department of Economic Development. Resolution No. R16-96 entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, AUTHORIZING THE MAYOR TO SIGN THE APPLICATION TO THE NEBRASKA DEPARTMENT OF ECONOMIC DEVELOPMENT FOR COMMUNITY DEVELOPMENT BLOCK GRANT FOR A PLANNING STUDY TO DETERMINE FUTURE PROJECT(S); A COPY OF WHICH IS ATTACHED HERETO; AND PROVIDING FOR THE MAYOR AND CITY CLERK TO EXECUTE THE SAME was adopted with a motion by Jablonski and a second by Roth. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Roth, and Schilling voted "Aye" and none voted "Nay".

7.B. 2016 - 2017 Budget. Kinnison noted that the proposed budget includes a property tax request of \$4,608,843 and expenditures of \$103,593,035, of which \$57,067,050 are capital items. The property tax assessed valuation was \$1,462,262,669, an increase of over \$94,000,000 from the prior year. \$34,600,000 of the increased amount is attributable to new growth and \$60,000,000 is due to revaluations. The proposed budget includes a reduction in property taxes of one mill which equates to \$10 on a house with an assessed value of \$100,000. Schilling expressed opposition to a reduction in property taxes due to the number of large projects that are in the planning stages as well as the negative impact that a future request to increase would have. Moser, Bulkley, and Lohr expressed support of the property tax reduction to give citizens a break when there is opportunity to do so. Kinnison explained that projects not completed in 2016 have been included in the 2017 budget and she pointed out the following changes that were incorporated into the budget as a result of discussions from a previous Committee of the Whole meeting: 1) \$45,000 for a fire prevention grant was removed; 2) \$260,000 for an air boat for the fire department was removed; 3)

paggers for the fire department were moved to the 2018 budget; and 4) hose replacement for the fire department was reduced from \$6,000 to \$4,000. No public testimony was heard. The public hearing closed with a motion by Bulkley and a second by Jablonski. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Roth, and Schilling voted "Aye" and none voted "Nay".

- 7.B.1. Resolution No. R16-97 adopting Schedule of Fees effective October 1, 2016.** Resolution No. R16-97 entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, ADOPTING THE FEES AS STATED AND HEREBY DECLARED IN THE ATTACHED "SCHEDULE OF FEES"; TO PROVIDE FOR AN EFFECTIVE DATE AND TO REPEAL ALL RESOLUTIONS OR PORTIONS THEREOF IN CONFLICT HEREWITH was adopted with a motion by Roth and a second by Jablonski. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Roth, and Schilling voted "Aye" and none voted "Nay".
- 7.B.2. Ordinance No. 16-20 adopting 2016-2017 Pay Plan.** The rules were suspended and Ordinance No. 16-20 was read by number only with a motion by Bahr and a second by Schilling. Ordinance No. 16-20 entitled: AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, REGARDING THE SALARIES OF OFFICERS AND EMPLOYEES; PAY PLAN FOR ALL CLASSIFICATIONS WITHIN THE CITY; AND MONTHLY SALARY RANGES FOR EACH INDIVIDUAL CLASSIFICATION passed with a motion by Bahr and a second by Schilling. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Roth, and Schilling voted "Aye" and none voted "Nay".
- 7.B.3. Ordinance No. 16-21 adopting 2016-2017 Budget.** The rules were suspended and Ordinance No. 16-21 was read by number only with a motion by Bulkley and a second by Bahr. Ordinance No. 16-21 entitled: AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, TO ADOPT THE BUDGET STATEMENT TO BE TERMED THE ANNUAL APPROPRIATION BILL; TO APPROPRIATE SUMS FOR NECESSARY EXPENSES AND LIABILITIES; TO PROVIDE FOR AN EFFECTIVE DATE passed with a motion by Bulkley and a second by Bahr. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Roth, and Schilling voted "Aye" and none voted "Nay". Moser referred to the Housing Director position included in the budget and pointed out that there may be other options for addressing the city's housing issues that will need to be considered prior to making any final decisions and Schilling concurred.
- 7.C. Property Tax Request for 2016-2017.** Kinnison reported on the property tax request under the public hearing on the budget. No public testimony was heard. The public hearing closed with a motion by Schilling and a second by Lohr. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Roth, and Schilling voted "Aye" and none voted "Nay".

- 7.C.1. Resolution No. R16-98 setting the property tax request at \$4,608,843.** Resolution No. R16-98 entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, TO SET THE 2016-2017 PROPERTY TAX REQUEST AT \$4,608,843 was adopted with a motion by Lohr and a second by Schilling. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Roth, and Schilling voted "Aye" and none voted "Nay".
- 8. PETITIONS AND COMMUNICATIONS:** None
- 9. REPORTS OF CITY OFFICES:** None
- 10. REPORTS OF COUNCIL COMMITTEES:** None
- 11. REPORTS OF SPECIAL COMMITTEES:** None
- 12. REPORTS ON LEGISLATION:** None
- 13. NEW BUSINESS:**
- 13.A. Quote from Ernst Auto Center in the amount of \$29,500 for mid-sized pickup for Engineering Department.** The quote for a pickup was accepted with a motion by Augustine-Schulte and a second by Bahr. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Roth, and Schilling voted "Aye" and none voted "Nay". Bulkley expressed disappointment that only one local vendor responded to the request for a quote.
- 13.B. Quote from Mid-Nebraska Repair and Construction in the amount of \$22,285 to construct storage building at Gerrard Park.** The quote for construction of a storage building was accepted with a motion by Bulkley and a second by Bahr. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Roth, and Schilling voted "Aye" and none voted "Nay". It was noted that the quote received was less than the estimated amount.
- 13.C. Quote from Mike's Auto Sales & Service in the amount of \$44,995 for a 2015 Suburban for Fire Department to replace the Suburban that was declared a total loss following a motor vehicle accident. (Reimbursement from insurance company for a majority of the claim is anticipated.)** The quote for a Suburban was accepted with a motion by Bahr and a second by Bulkley. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Roth, and Schilling voted "Aye" and none voted "Nay". It was noted that the city will save approximately \$25,000 by purchasing a used vehicle.
- 13.D. Plans, specifications, and estimate of cost in the amount of \$1,337,000 for Lift Station Replacements 2016 and authorizing staff to advertise for bids. (Plans and specifications are on file in the Engineering Department.)** The plans, specifications, and estimate of cost for Lift Station

Replacements 2016 were approved and staff was authorized to advertise for bids with a motion by Bulkley and a second by Schilling. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Roth, and Schilling voted "Aye" and none voted "Nay".

13.E. Comments from Mayor and City Council Members. There were no comments from the Mayor and City Council members.

14. RESOLUTIONS:

14.A. Resolution No. R16-99 approving acquisition contract with Michael J. and Barbara J. Siedlik in the amount of \$96,330.50 and relocation costs in the amount of \$848.15 in conjunction with 12 Avenue viaduct project.

Resolution No. R16-99 entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, APPROVING THE LOCAL POLITICAL SUBDIVISION TOTAL ACQUISITION CONTRACT-INDIVIDUAL WITH MICHAEL J. SIEDLIK AND BARBARA L. SIEDLIK, HUSBAND AND WIFE, IN THE AMOUNT OF \$95,000, WITH RESPECT TO ALL OF THE SOUTH HALF (S1/2) OF LOT 3 AND THE SOUTH HALF (S1/2) OF LOT 4, BLOCK (106), ORIGINAL CITY OF COLUMBUS, PLATTE COUNTY, NEBRASKA; APPROVING CLOSING COSTS AND INCIDENTAL RELOCATION COSTS; AND APPROVING THE WARRANTY DEED-INDIVIDUAL GIVEN PURSUANT THERETO DATED AUGUST 2, 2016; THE FOREGOING ARE FOR THE PURPOSE OF THE 12 AVENUE VIADUCT PROJECT was adopted with a motion by Kresha and a second by Augustine-Schulte. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Roth, and Schilling voted "Aye" and none voted "Nay". Mangiamelli explained the process for acquiring properties for these types of projects.

14.B. Resolution No. R16-100 approving acquisition contract and leasehold interest with Melody Boyd in the amount of \$100 in conjunction with 12 Avenue viaduct project. Resolution No. R16-100 entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, APPROVING THE LOCAL POLITICAL SUBDIVISION ACQUISITION CONTRACT-LEASEHOLD INTEREST WITH MELODY BOYD IN THE AMOUNT OF \$100, WITH RESPECT TO A TRACT OF LAND INCLUDING THE SOUTH HALF (S1/2) OF LOT 3 AND THE SOUTH HALF (S1/2) OF LOT 4, BLOCK 106, ORIGINAL CITY OF COLUMBUS, PLATTE COUNTY, NEBRASKA, FOR THE PURPOSE OF THE 12 AVENUE VIADUCT PROJECT was adopted with a motion by Augustine-Schulte and a second by Kresha. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Roth, and Schilling voted "Aye" and none voted "Nay". It was noted that agenda items 14.A. and 14.B. are for the same property and this property is the first of several that will be acquired for the 12 Avenue viaduct project. It was further noted that future acquisition contracts for this project will be included on consent agendas.

- 14.C. Resolution No. R16-101 declaring that a portion of land located in the West 1/2 of Section 21, Township 17 North, Range 1 East of the 6th P.M., Platte County, Nebraska, shall be used for construction, operation, and maintenance in conjunction with 3 Avenue viaduct project.** Resolution No. R16-101 entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, DECLARING THAT A PORTION OF LAND LOCATED IN THE WEST HALF OF SECTION 21, TOWNSHIP 17 NORTH, RANGE 1 EAST OF THE 6TH P.M., PLATTE COUNTY, NEBRASKA, SHALL BE USED FOR THE CONSTRUCTION, OPERATION, AND MAINTENANCE OF A RAILROAD VIADUCT AND ASSOCIATED APPURTENANCES, 3 AND 18 AVENUE VIADUCTS, PROJECT NO. 6065(5); AND TO REPEAL ALL RESOLUTIONS OR PORTIONS THEREOF IN CONFLICT HEREWITH was adopted with a motion by Schilling and a second by Bulkley. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Roth, and Schilling voted "Aye" and none voted "Nay".
- 14.D. Resolution No. R16-102 approving contract with Gehring Construction & Ready Mix, Inc. in the amount of \$825,123.75 for Street Improvement District No. 182 (33 Avenue from 39 Street to Lost Creek Parkway).** Resolution No. R16-102 entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, AWARDED A CONTRACT TO GEHRING CONSTRUCTION & READY MIX CO., IN THE AMOUNT OF \$825,123.75 FOR THE STREET IMPROVEMENT DISTRICT NO. 182 was adopted with a motion by Roth and a second by Kresha. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Roth, and Schilling voted "Aye" and none voted "Nay". It was noted that only one bid was received for this project and it was approximately \$75,000 below the estimated amount.
- 15. ORDINANCES ON FIRST READING:**
- 15.A. Ordinance No. 16-22 amending Section 32.019 of Chapter 32 of Title III of Ordinance No. 05-47 (Columbus City Code) changing the name of Hospital Lake Park to Sunset Park and naming the parcel of land acquired for future park purposes located at 1818 Armory Drive as Frontier Park.** The rules were suspended and Ordinance No. 16-22 was read by number only with a motion by Jablonski and a second by Bulkley. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Roth, and Schilling voted "Aye" and none voted "Nay". Ordinance No. 16-22 entitled: AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, AMENDING SECTION 32.019 OF CHAPTER 32 OF TITLE III OF ORDINANCE NO. 05-47 (COLUMBUS CITY CODE) CHANGING THE NAME OF HOSPITAL LAKE PARK TO SUNSET PARK AND NAMING THE PARCEL OF LAND ACQUIRED FOR FUTURE PARK PURPOSES LOCATED AT 1818 ARMORY DRIVE AS FRONTIER PARK; TO REPEAL ALL ORDINANCES OR PORTIONS THEREOF IN CONFLICT HEREWITH AND TO PROVIDE FOR AN OPERATIVE DATE AS PROVIDED BY LAW passed with a motion by Jablonski and a second by Bulkley.

Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Roth, and Schilling voted "Aye" and none voted "Nay". Lohr inquired about naming rights for the parks and Moore explained that no one has expressed interest in naming Sunset Park in the past couple of years and the owners who donated the property for Frontier Park had naming rights for that park.

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 adjourned at 7:49 p.m. with a motion by Bulkley and a second by Schilling. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Roth, and Schilling voted "Aye" and none voted "Nay".

Presented and approved this 19 day of September, 2016.

MAYOR

ATTEST:

CITY CLERK