

A regular meeting of the Mayor and City Council of the City of Columbus, Nebraska, was convened in open and public session on October 3, 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 included City Attorney Mark Sipple, City Administrator Joe Mangiamelli, City Clerk Janelle Kline, City Engineer Rick Bogus, Police Chief William Gumm, Public Works Director Greg McCaffery, Library Director Drew Brookhart, Human Resources Director Mike Oglevie, Fire Chief Dean Hefti, Assistant City Clerk Michaela Luckey, and Communications Specialist Rachel Pensick.
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 Schilling. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Roth, and Schilling voted "Aye" and none voted "Nay".
  - 4.A. **Minutes of September 19, 2016, City Council meeting.**
  - 4.B. **Resolution No. R16-110 approving partial acquisition contract in the amount of \$350 and temporary easement in the amount of \$460 with Susan K. Mitchem in conjunction with 12 Avenue viaduct project.** Resolution No. R16-110 is entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, APPROVING THE LOCAL POLITICAL SUBDIVISION PARTIAL ACQUISITION CONTRACT-INDIVIDUAL WITH SUSAN K. MITCHEM, A SINGLE PERSON, IN THE

AMOUNT OF \$350, WITH RESPECT TO A TRACT LOCATED IN THE NORTH 56 FEET OF LOTS 4 AND 5 AND THE NORTH 56 FEET OF THE WEST 8 FEET OF LOT 6, BLOCK 1, LISS ADDITION TO THE CITY OF COLUMBUS, PLATTE COUNTY, NEBRASKA, SPECIFICALLY DESCRIBED AS BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 4; THENCE EASTERLY, ALONG THE NORTH LINE OF SAID LOT 4, A DISTANCE OF 5.00 FEET; THENCE SOUTHWESTERLY, DEFLECTING FROM THE PREVIOUS COURSE 98°02'51" RIGHT, A DISTANCE OF 39.38 FEET TO A POINT ON THE WEST LINE OF SAID LOT 4; THENCE NORTHERLY, ALONG THE WEST LINE OF SAID LOT 4, A DISTANCE OF 39.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 97.49 SQUARE FEET, MORE OR LESS; APPROVING THE WARRANTY DEED-INDIVIDUAL GIVEN PURSUANT THERETO DATED AUGUST 23, 2016; AND APPROVING THE LOCAL POLITICAL SUBDIVISION ACQUISITION CONTRACT-TEMPORARY EASEMENT-INDIVIDUAL IN THE AMOUNT OF \$460 FOR SHAPING PURPOSES OVER A PORTION OF THE NORTH 56 FEET OF LOTS 4 AND 5 AND THE NORTH 56 FEET OF THE WEST 8 FEET OF LOT 6, BLOCK 1, LISS ADDITION TO THE CITY OF COLUMBUS, PLATTE COUNTY, NEBRASKA DESCRIBED AS FOLLOWS, COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 4; THENCE EASTERLY, ALONG THE NORTH LINE OF SAID LOT 4, A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID NORTH LINE OF SAID LOT 4, A DISTANCE OF 22.00 FEET; THENCE SOUTHERLY, ON A LINE 27.00 FEET EAST OF AND PARALLEL TO THE WEST LINE OF SAID LOT 4, A DISTANCE OF 6.50 FEET; THENCE WESTERLY, ON A LINE PERPENDICULAR TO THE WEST LINE OF SAID LOT 4, A DISTANCE OF 5.50 FEET; THENCE SOUTHERLY, ON A LINE 21.50 FEET EAST OF AND PARALLEL TO THE WEST LINE OF SAID LOT 4, A DISTANCE OF 5.00 FEET; THENCE WESTERLY, ON A LINE PERPENDICULAR TO THE WEST LINE OF SAID LOT 4, A DISTANCE OF 1.50 FEET; THENCE SOUTHERLY, ALONG A LINE 20.00 FEET EAST OF AND PARALLEL TO THE WEST LINE OF SAID LOT 4, A DISTANCE OF 44.60 FEET TO A POINT 56.00 FEET SOUTH OF THE NORTH LINE OF SAID LOT 4; THENCE WESTERLY, ALONG A LINE 56.00 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF SAID LOT 4, A DISTANCE OF 20.00 FEET; THENCE NORTHERLY, ALONG THE WEST LINE OF SAID LOT 4, A DISTANCE OF 17.00 FEET; THENCE NORTHEASTERLY, DEFLECTING FROM THE PREVIOUS COURSE 7°17'35" RIGHT, A DISTANCE OF 39.38 FEET TO THE POINT OF BEGINNING, CONTAINING 1075.28 SQUARE FEET (0.02 ACRES) MORE OR LESS; ALL FOR THE PURPOSE OF THE 12TH AVENUE VIADUCT PROJECT.

- 4.C. Resolution No. R16-111 approving acquisition contract in the amount of \$82,000 and relocation assistance in the amount of \$64,667.52 for Betty J. Peterson in conjunction with 12 Avenue viaduct project.** Resolution No. R16-111 is entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS NEBRASKA, APPROVING THE LOCAL POLITICAL SUBDIVISION TOTAL ACQUISITION CONTRACT-TRUST WITH

BETTY J. PETERSON, TRUSTEE OF THE BETTY PETERSON TRUST, IN THE AMOUNT OF \$82,000, WITH RESPECT TO THE EAST 45 FEET OF LOT 8, BLOCK 37, ORIGINAL CITY OF COLUMBUS, PLATTE COUNTY, NEBRASKA; APPROVING THE RELOCATION ASSISTANCE PACKAGE IN THE AMOUNT OF \$64,667.52; AND APPROVING THE WARRANTY DEED-TRUST DATED AUGUST 30, 2016; THE FOREGOING ARE FOR THE PURPOSE OF THE 12TH AVENUE VIADUCT PROJECT.

- 4.D. Resolution No. R16-117 approving acquisition contract in the amount of \$40,000 with Dondo Enterprises, LLC in conjunction with 12 Avenue viaduct project.** Resolution No. R16-117 is entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS NEBRASKA, APPROVING THE LOCAL POLITICAL SUBDIVISION TOTAL ACQUISITION CONTRACT-INDIVIDUAL WITH DONDO ENTERPRISES, LLC, IN THE AMOUNT OF \$40,000, WITH RESPECT TO THE SOUTH 100 FEET OF LOT 1, BLOCK 37, ORIGINAL CITY OF COLUMBUS, PLATTE COUNTY, NEBRASKA, AND APPROVING THE WARRANTY DEED-LIMITED LIABILITY COMPANY GIVEN PURSUANT THERETO DATED AUGUST 2, 2016; THE FOREGOING ARE FOR THE PURPOSE OF THE 12TH AVENUE VIADUCT PROJECT.
- 4.E. Payroll and bills on file.** 10/7/16 Payroll \$516,091.05; First National Bank Omaha – 12 Avenue Viaduct Project \$64,667.52; Susan K. Mitchem – 12 Avenue Viaduct Project \$810.00; Nebraska Title Company – 12 Avenue Viaduct Project \$123,462.00; Union Pacific Railroad Co. – 3 and 18 Avenue Viaduct Project \$134,930.00. TOTAL \$839,960.57.
- 5. APPROVAL OF MINUTES:** Included in Consent Agenda
- 6. SPECIAL PRESENTATIONS:** None
- 7. PUBLIC HEARINGS:** None
- 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. Appointment of Kimberly Hoefler to Planning Commission for a three-year term;**

- 13.B. Appointment of Chuck Fleeman to Board of Parks Commissioners for three-year term;**
- 13.C. Appointment of Erin Trotter to Tree Board for three-year term; and**
- 13.D. Appointment of Russ Freeman to Library Board filling unexpired term of Darin Bloomquist.** Bahr read a brief resume of each nominee and the mayor's appointments of Kimberly Hoefer, Chuck Fleeman, Erin Trotter, and Russ Freeman were ratified 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. Appointment of Rachel Pensick as Police Officer.** Bahr read a brief resume. Pensick stated that she loves Columbus, she and her husband grew up here, they have three children that they are excited to raise in this community, and she feels she has a lot to offer. The mayor's appointment was ratified 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.F. Request for professional design services for snow removal equipment storage facility at Columbus Municipal Airport.** Discussion was held with regard to the possibility of utilizing the building located on the east end of the airport property and it was noted that this building is too small and the location would not be feasible. It was further noted that plans for the new storage facility were included in the Airport Layout Plan that was approved by the Federal Aviation Administration and City Council approximately five years ago and funding assistance for the project is only good for new construction. The Request for Qualifications was approved and city staff was authorized to seek professional design services for a snow removal equipment storage facility for the Columbus Municipal Airport 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".
- 13.G. Application of David Eisenmenger for permit to move garage from 16 Street and 18 Avenue to 2965 East Country Villa Road (Public hearing can be waived as structure is under 600 square feet and not to be used for human occupancy.)** Mangiamelli referred to the city's building moving ordinance and the requirement that an "insurance policy shall fully protect the city *or anyone else* for damages sustained ..." as well as the requirement that an endorsement be included that fully protects the city and he reported that it is very difficult for building movers to obtain insurance policies that meet the requirements as they are too restrictive. Sipple referred to the requirement that the policy shall fully protect "anyone else" and did not believe an insurance company would issue a blanket policy; however, he feels the endorsement that protects the city should be included in the policy. Sipple stated that he would like to review Mr. Eisenmenger's policy to be certain that the city is protected should something happen while the garage was being

- moved. David Eisenmenger pointed out that the garage is on property owned by Scotus Central Catholic High School and they would like the garage moved as soon as possible as they need the space for parking. The application for a permit to move a garage was approved pending approval of the insurance policy by the city attorney 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".
- 13.H. Quote from Physio-Control, Inc. in the amount of \$22,807.68 for two chest compression systems for Fire Department.** The quote for two chest compression systems was approved 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".
- 13.I. Standard Operating Guidelines for Columbus Fire Department.** The Standard Operating Guidelines for the Fire Department were approved 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".
- 13.J. Comments from Mayor and City Council Members.** Augustine-Schulte expressed appreciation to Police Chief Gumm and all law enforcement personnel, first responders, and veterans who attended the Blue Mass at St. Bonaventure Church on September 29th.
- 14. RESOLUTIONS:**
- 14.A. Resolution No. R16-112 awarding contract to Obrist & Company in the amount of \$ 1,243,704.50 for Lift Station Replacements 2016.** Resolution No. R16-112 entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, AWARDING A CONTRACT TO OBRIST & COMPANY IN THE AMOUNT OF \$1,243,704.50 FOR LIFT STATION REPLACEMENTS 2016 was adopted with a motion by Jablonski and a second by Bulkley. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, and Schilling voted "Aye", none voted "Nay", and Roth "Abstained" due to a conflict of interest. It was noted that five bids were received for this project and the lowest, responsible bid was less than the estimated amount of \$1,340,000.
- 14.B. Resolution No. R16-113 approving agreement with Union Pacific Railroad and State of Nebraska Department of Roads for construction of 3 Avenue viaduct and 18 Avenue pedestrian overpass projects.** Resolution No. R16-113 entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, APPROVING AGREEMENT WITH UNION PACIFIC RAILROAD COMPANY AND THE STATE OF NEBRASKA DEPARTMENT OF ROADS FOR THE CONSTRUCTION OF THE 3RD AVENUE VIADUCT AND 18TH AVENUE PEDESTRIAN OVERPASS ON UNION PACIFIC RAILROAD'S COLUMBUS

- SUBDIVISION (PROJECT NO. RRZ-TMT-6065(5), A COPY OF WHICH 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 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 the bid letting for this project is scheduled for November 10th.
- 14.C. Resolution No. R16-114 approving agreement with Columbus Police Department Fraternal Order of Police, Lodge No. 72 effective October 1, 2016 through September 30, 2020.** Resolution No. R16-114 entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, APPROVING AGREEMENT WITH THE CITY OF COLUMBUS POLICE DEPARTMENT FRATERNAL ORDER OF POLICE, LODGE NO. 72, EFFECTIVE OCTOBER 1, 2016 THROUGH SEPTEMBER 30, 2020, A COPY OF WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE; TO AUTHORIZE THE MAYOR TO EXECUTE THE SAME; AND TO REPEAL ALL RESOLUTIONS IN CONFLICT HEREWITH 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".
- 14.D. Resolution No. R16-115 approving agreement with International Association of Fire Fighters, Local No. 1575 effective October 1, 2016 through September 30, 2019.** Resolution No. R16-115 entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, APPROVING AGREEMENT WITH THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, LOCAL NO. 1575, EFFECTIVE OCTOBER 1, 2016 THROUGH SEPTEMBER 30, 2019, A COPY OF WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE; TO AUTHORIZE THE MAYOR TO EXECUTE THE SAME; AND TO REPEAL ALL RESOLUTIONS IN CONFLICT HEREWITH was adopted with a motion by Bulkley and a second by Kresha. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Roth, and Schilling voted "Aye" and none voted "Nay".
- 14.E. Resolution No. R16-116 approving agreement with Wilson & Company, Inc. in the amount of \$158,161.73 for professional engineering services for US Highway 30 Corridor Utility Replacement and Rehabilitation & Streetscape Master Plan Project.** Resolution No. R16-116 entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, APPROVING AGREEMENT WITH WILSON & COMPANY, INC. IN THE AMOUNT OF \$158,161.73 FOR PROFESSIONAL ENGINEERING SERVICES FOR US HIGHWAY 30 CORRIDOR UTILITY REPLACEMENT AND REHABILITATION & STREETSCAPE MASTER PLAN PROJECT; A COPY OF SAID AGREEMENT IS ATTACHED HERETO; TO AUTHORIZE THE MAYOR TO EXECUTE THE SAME ON BEHALF OF THE

CITY; AND TO REPEAL ALL RESOLUTIONS OR PORTIONS THEREOF IN CONFLICT HEREWITH was adopted with a motion by Schilling and a second by Jablonski. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Roth, and Schilling voted "Aye" and none voted "Nay". It was noted that this agreement includes a feasibility analysis to determine possible options for streetscaping plans that the city and Chamber of Commerce Streetscaping Committee can consider. Any plans for streetscaping would be presented to the State of Nebraska Department of Roads for approval in conjunction with the Highway 30 project.

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 adjourned at 7:39 p.m. with a motion by Bulkley and a second by Lohr. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Roth, and Schilling voted "Aye" and none voted "Nay".

Presented and approved this 17 day of October, 2016.

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MAYOR

ATTEST:

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CITY CLERK