

A regular meeting of the Mayor and City Council of the City of Columbus, Nebraska, was convened in open and public session on November 7, 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 Neal Valorz, Interim City Administrator Merlin Lindahl, City Clerk Janelle Kline, City Engineer Rick Bogus, Finance Director Anne Kinnison, Police Chief William Gumm, Public Works Director Greg McCaffery, 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:** Lindahl 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 Roth. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Roth, and Schilling voted "Aye" and none voted "Nay".
  - 4.A. **Minutes of October 17, 2016, City Council meeting.**
  - 4.B. **Resolution No. R16-127 approving total acquisition contract in the amount of \$78,000 and relocation assistance in the amount of \$73,124.56 for Richard Unger in conjunction with 12 Avenue viaduct project.** Resolution No. R16-127 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 RICHARD J. UNGER, IN THE AMOUNT OF \$78,000, WITH RESPECT TO LOT 6, BLOCK 106, ORIGINAL CITY OF COLUMBUS, PLATTE COUNTY, NEBRASKA; APPROVING THE

WARRANTY DEED-INDIVIDUAL GIVEN PURSUANT THERETO DATED OCTOBER 13, 2016; AND APPROVING THE RELOCATION ASSISTANCE PACKAGE IN THE AMOUNT OF \$73,124.56; THE FOREGOING ARE FOR THE PURPOSE OF THE 12TH AVENUE VIADUCT PROJECT.

- 4.C. Resolution No. R16-128 approving relocation assistance in the amount of \$18,755 for Robert and Pam Johnson in conjunction with 12 Avenue viaduct project.** Resolution No. R16-128 is entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, APPROVING RELOCATION ASSISTANCE PAYMENT PACKAGE FOR ROBERT JOHNSON AND PAM JOHNSON IN THE AMOUNT OF \$18,755, IN CONJUNCTION WITH THE PROPERTY ACQUISITION OF TRACT 21 (1211 12 STREET) FOR THE 12 AVENUE VIADUCT PROJECT.
- 4.D. Resolution No. R16-129 approving partial acquisition contract in the amount of \$35,475 for J.A. Ventures, LLC in conjunction with 12 Avenue viaduct project.** Resolution No. R16-129 is entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS NEBRASKA, APPROVING THE LOCAL POLITICAL SUBDIVISION PARTIAL ACQUISITION CONTRACT-LIMITED LIABILITY COMPANY WITH J.A. VENTURES, LLC, IN THE AMOUNT OF \$35,475, WITH RESPECT TO THE FEE SIMPLE TITLE TO A TRACT OF LAND LOCATED IN THE EAST 56 FEET OF LOT THREE (3) AND THE WEST 10 FEET OF LOT TWO (2), BLOCK THIRTY-SEVEN (37), ORIGINAL CITY OF COLUMBUS, PLATTE COUNTY, NEBRASKA, SAID TRACT OF LAND IS DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 10 FEET EAST OF THE SOUTHEAST CORNER OF SAID LOT 3; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID LOT 3 A DISTANCE OF 21.00 FEET; THENCE NORTHERLY, ALONG A LINE 11.00 FEET WEST OF AND PARALLEL TO THE EAST LINE OF SAID LOT 3 A DISTANCE OF 55.87 FEET; THENCE NORTHEASTERLY, DEFLECTING FROM THE PREVIOUS COURSE 3120'48" RIGHT, A DISTANCE OF 40.37 FEET TO A POINT ON A LINE 10 FEET EAST OF AND PARALLEL TO THE EAST LINE OF SAID LOT 3; THENCE SOUTHERLY, ALONG A LINE 10 FEET EAST OF AND PARALLEL TO THE EAST LINE OF SAID LOT 3, A DISTANCE OF 90.36 FEET TO THE POINT OF BEGINNING AND CONTAINING 1,535.42 SQUARE FEET, MORE OR LESS, INCLUDING OTHER DAMAGES TO SAID OWNER; AND APPROVING THE WARRANTY DEED-LIMITED LIABILITY COMPANY GIVEN PURSUANT THERETO DATED SEPTEMBER 7, 2016; THE FOREGOING ARE FOR THE PURPOSE OF THE 12TH AVENUE VIADUCT PROJECT.
- 4.E. Resolution No. R16-130 approving acquisition contract leasehold interest in the amount of \$100 for Jennifer Arends in conjunction with 12 Avenue viaduct project.** Resolution No. R16-130 is entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, APPROVING THE LOCAL POLITICAL SUBDIVISION ACQUISITION CONTRACT-LEASEHOLD INTEREST WITH

JENNIFER ARENDS IN THE AMOUNT OF \$100, WITH RESPECT TO A LEASEHOLD INTEREST IN A TRACT OF LAND LOCATED IN THE EAST 56 FEET OF LOT THREE (3) AND THE WEST 10 FEET OF LOT TWO (2), BLOCK THIRTY-SEVEN (37), ORIGINAL CITY OF COLUMBUS, PLATTE COUNTY, NEBRASKA, SAID TRACT OF LAND IS DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 10 FEET EAST OF THE SOUTHEAST CORNER OF SAID LOT 3; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID LOT 3 A DISTANCE OF 21.00 FEET; THENCE NORTHERLY, ALONG A LINE 11.00 FEET WEST OF AND PARALLEL TO THE EAST LINE OF SAID LOT 3 A DISTANCE OF 55.87 FEET; THENCE NORTHEASTERLY, DEFLECTING FROM THE PREVIOUS COURSE 3120'48" RIGHT, A DISTANCE OF 40.37 FEET TO A POINT ON A LINE 10 FEET EAST OF AND PARALLEL TO THE EAST LINE OF SAID LOT 3; THENCE SOUTHERLY, ALONG A LINE 10 FEET EAST OF AND PARALLEL TO THE EAST LINE OF SAID LOT 3, A DISTANCE OF 90.36 FEET TO THE POINT OF BEGINNING AND CONTAINING 1,535.42 SQUARE FEET, MORE OR LESS, FOR THE PURPOSE OF THE 12 AVENUE VIADUCT PROJECT.

**4.F. Finance Department reports.**

**4.G. Payroll and bills on file.** 11/18/16 Payroll \$533,862.09; Arends, Jennifer – 12 Avenue Viaduct Project \$100.00; Champlin Tire Recycling Inc. – Recycling Program \$17,188.00; First National Bank Omaha – 12 Avenue Viaduct Project \$16,590.00; J.A. Ventures, LLC – 12 Avenue Viaduct Project \$35,475.00; Johnson, Robert and Pam – 12 Avenue Viaduct Project \$2,165.00; Nebraska Department of Motor Vehicles – Airport \$100.00; Nebraska Title Company – 12 Avenue Viaduct Project \$78,817.50; Pinnacle Bank/Tri County Title – 12 Avenue Viaduct Project \$70,839.56; State of Nebraska Department of Revenue – Sales Tax \$45,263.32; State Treasurer of Nebraska – Animal License \$21.01; Unger, Richard – 12 Avenue Viaduct Project \$1,285.00. TOTAL \$801,706.48.

**5. APPROVAL OF MINUTES:** Included in Consent Agenda

**6. SPECIAL PRESENTATIONS:**

**6.A. Topic for discussion for City Council agenda with regard to use of Tax Increment Financing for housing; topic and discussion requested and presented by citizen John Curry.** John Curry, Box 8, Columbus, Nebraska, expressed opposition to allowing developers to use Tax Increment Financing (TIF) for construction of large apartment complexes as he feels that the property tax break is unfair to the governments that receive funding from property taxes as well as unfair to the local rental investors who would not be able to compete. Curry noted the intent of TIF law is to redevelop run-down buildings. Discussion followed with regard to the housing shortage as well as the extensive process to utilize TIF and it was noted that no requests for TIF have been received at this time.

7. **PUBLIC HEARINGS:** None
8. **PETITIONS AND COMMUNICATIONS:** None
9. **REPORTS OF CITY OFFICES:**
  - 9.A. **Status of downtown traffic signals.** Bogus reported that the three traffic signals at 13 Street and 27 Avenue, 14 Street and 23 Avenue, and 14 Street and 25 Avenue are in the process of being evaluated in accordance with the Manual on Uniform Traffic Control Devices with traffic counts, turning volumes, and sight obstruction field data obtained; intersection traffic and pedestrian data has been gathered by the Police Department during the evaluation period; and non-destructive field testing has been conducted by Olsson & Associates. Bogus said he anticipates the report on non-destructive testing to be completed in mid-November and the results of the evaluation to be available in December. Bogus pointed out that the three remaining traffic signals at 23 Avenue and 11 Street, 23 Avenue and 13 Street, and 25 Avenue and 13 Street will be evaluated in the future in order to be compliant with the Iteris traffic signal study. Discussion followed with regard to the inconvenience to citizens during the evaluation period and Bogus explained the process that is required.
10. **REPORTS OF COUNCIL COMMITTEES:** None
11. **REPORTS OF SPECIAL COMMITTEES:** None
12. **REPORTS ON LEGISLATION:** None
13. **NEW BUSINESS:**
  - 13.A. **Comments from Mayor and City Council Members.** Bahr encouraged all citizens to exercise their right to vote on Tuesday.
14. **RESOLUTIONS:**
  - 14.A. **Resolution No. R16-131 approving Interlocal Agreement with Platte County School District No. 1 to provide the feasibility assessment, design and specifications for fiber optic cable system to serve city and school district facilities.** Resolution No. R16-131 entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, APPROVING AN INTERLOCAL AGREEMENT WITH PLATTE COUNTY SCHOOL DISTRICT NO. 1 TO PROVIDE THE NECESSARY FEASIBILITY ASSESSMENT, DESIGN AND SPECIFICATIONS FOR FIBER OPTIC CABLE SYSTEM TO SERVE COLUMBUS PUBLIC SCHOOL DISTRICT AND CITY FACILITIES, A COPY OF WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN; 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 Augustine-Schulte and a second by Kresha. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Roth, and Schilling voted "Aye" and none voted "Nay". Kinnison explained the plans for partnering with Columbus Public Schools (CPS) to determine the feasibility and design for installation of a fiber optic cable system to serve the city and school district facilities with the possibility of partnering with other government entities in the future. The network system would provide cable, internet, and phone service. Kinnison noted that the city is currently operating under an agreement with Time Warner Cable (TWC) that expired four years ago and TWC has indicated that the city and school will no longer receive free cable service under a new agreement. Leonard Kwapnoski, Executive Director of Technology and Operations for Columbus Public Schools, stated that the CPS board has approved the interlocal agreement and he pointed out that the City of Fremont, Fremont Public Schools, and Great Plains Communications have the same type of agreement in place and have successfully installed and are utilizing their network system. Kwapnoski said owning a network system and sharing bandwidth would provide better security and capacity for the future.

**15. ORDINANCES ON FIRST READING:**

**15.A. Ordinance No. 16-25 amending the City of Columbus, Nebraska, Economic Development Plan, 2007 - 2022.** On its first reading, Ordinance No. 16-25 entitled: AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, AMENDING ORDINANCE NO. 06-17, THAT ESTABLISHED THE CITY OF COLUMBUS, NEBRASKA, ECONOMIC DEVELOPMENT PLAN 2007 - 2022 BY PROVIDING FOR THE INCLUSION OF WORKFORCE HOUSING AS ELIGIBLE ACTIVITIES AND BUSINESSES ENGAGED IN PROVIDING WORKFORCE HOUSING AS QUALIFIED BUSINESSES FOR THE FILING OF APPLICATIONS FOR ASSISTANCE UNDER THE PLAN; REPEALING ALL ORDINANCES OR PORTIONS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE was read by title only at this meeting. Lindahl explained that a public hearing is required to amend an Economic Development Plan and the public hearing and second reading of this ordinance is scheduled for November 21st with a third and final reading of the ordinance scheduled for December 5th.

**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 7:53 p.m. 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".

Presented and approved this 21 day of November, 2016.

---

MAYOR

ATTEST:

---

CITY CLERK