

A regular meeting of the Mayor and City Council of the City of Columbus, Nebraska, was convened in open and public session on December 5, 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-elect Bulkley announced that a copy of the Open Meetings Act is posted in the meeting room.
2. **OATH OF OFFICE:**
 - 2.A. **Mayor-elect James B. Bulkley, Council Members-elect Charlie Bahr (Ward 1), Troy G. Hiemer (Ward 2), Ron Schilling (Ward 3), and John F. Lohr (Ward 4).** City Clerk Kline administered the Oath of Office to Mayor-elect James B. Bulkley and Council Members-elect Charlie Bahr, Troy G. Hiemer, Ron Schilling, and John F. Lohr.
3. **ROLL CALL:** Present were Mayor James Bulkley and Council Members Beth Augustine-Schulte, Charlie Bahr, Troy Hiemer, 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, Library Director Drew Brookhart, Public Works Director Greg McCaffery, and Assistant City Clerk Michaela Luckey.
4. **PRAYER:** Bahr led in prayer.
5. **NATIONAL ANTHEM AND PLEDGE OF ALLEGIANCE:** Bulkley invited all to join in the National Anthem and Pledge of Allegiance.
6. **APPOINTMENT OF CITY OFFICERS:**
 - 6.A. **Merlin Lindahl as Interim City Administrator.**
 - 6.B. **Law Firm of Sipple, Hansen, Emerson, Schumacher, & Klutman as City Attorney.**
 - 6.C. **Janelle Kline as City Clerk.**
 - 6.D. **Rick Bogus as City Engineer.**
 - 6.E. **Anne Kinnison as Finance Director.**
 - 6.F. **Kipton L. Anderson, M.D. as City Physician.**

The mayor's appointment of Merlin Lindahl as Interim City Administrator, the law firm of Sipple, Hansen, Emerson, Schumacher, & Klutman as City Attorney, Janelle Kline as City Clerk, Rick Bogus as City Engineer, Anne Kinnison as Finance Director, and Kipton L. Anderson, M.D. as City Physician was ratified with a motion by Roth and a second by Schilling. Augustine-Schulte, Bahr, Hiemer, Jablonski, Kresha, Lohr, Roth, and Schilling voted "Aye" and none voted "Nay".

7. **ELECTION OF COUNCIL PRESIDENT:** Bulkley called for nominations for President of the City Council. Schilling nominated Bahr to serve as President of the City Council. Bulkley called for further nominations. No other nominations were brought forward. The nominations closed with a motion by Schilling and a second by Roth. Augustine-Schulte, Bahr, Hiemer, Jablonski, Kresha, Lohr, Roth, and Schilling voted "Aye" and none voted "Nay". Bahr was elected as Council President with a motion by Schilling and a second by Kresha. Augustine-Schulte, Bahr, Hiemer, Jablonski, Kresha, Lohr, Roth, and Schilling voted "Aye" and none voted "Nay".
8. **APPOINTMENT OF COUNCIL MEMBERS TO PUBLIC FINANCE, JUDICIARY, AND PERSONNEL COMMITTEE AND PUBLIC PROPERTY, SAFETY, AND WORKS COMMITTEE:**
 - 8.A. **Council Members John F. Lohr, Rich Jablonski, Beth Augustine-Schulte, and Troy Hiemer to the Public Finance, Judiciary, and Personnel Committee and Council Members Charlie Bahr, Dennis Kresha, J. Prent Roth, and Ron Schilling to the Public Property, Safety, and Works Committee.** The mayor's appointment of Council Members John F. Lohr, Rich Jablonski, Beth Augustine-Schulte, and Troy Hiemer to the Public Finance, Judiciary, and Personnel Committee and Council Members Charlie Bahr, Dennis Kresha, J. Prent Roth, and Ron Schilling to the Public Property, Safety, and Works Committee was ratified with a motion by Roth and a second by Bahr. Augustine-Schulte, Bahr, Hiemer, Jablonski, Kresha, Lohr, Roth, and Schilling voted "Aye" and none voted "Nay".

Bulkley expressed gratitude to the voters of Columbus, his family, and all of his supporters for giving him the opportunity to begin serving as mayor. He thanked Mayor Moser for his time and dedication to the community and welcomed Troy Hiemer to the City Council.

9. **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 Schilling. Augustine-Schulte, Bahr, Hiemer, Jablonski, Kresha, Lohr, Roth, and Schilling voted "Aye" and none voted "Nay".

- 9.A. Minutes of November 21, 2016, City Council meeting.**
- 9.B. Resolution No. R16-152 approving relocation assistance payment in the amount of \$82,475.68 for Adam Swanson in conjunction with 12 Avenue viaduct project.** Resolution No. R16-152 is entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, APPROVING RELOCATION ASSISTANCE PAYMENT PACKAGE FOR ADAM C. SWANSON IN THE AMOUNT OF \$82,475.68, IN CONJUNCTION WITH THE PROPERTY ACQUISITION OF TRACT 31 (1212 14 STREET) FOR THE 12 AVENUE VIADUCT PROJECT.
- 9.C. Resolution No. R16-153 reaffirming city's intent to provide or expand municipal solid waste collection service.** Resolution No. R16-153 is entitled A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, REAFFIRMING ITS INTENT TO PROVIDE OR EXPAND MUNICIPAL SOLID WASTE COLLECTION SERVICE (WHETHER BY USE OF MUNICIPAL EMPLOYEES AND EQUIPMENT OR BY CONTRACT) IN AN AREA WHERE THE COLLECTION OF SOLID WASTE HAS BEEN PROVIDED BY A PRIVATE ENTITY PRIOR TO THE COMMENCEMENT OF SUCH SERVICE BY THE MUNICIPALITY.
- 9.D. Change date of first meeting in January 2017 to 7 p.m., Tuesday, January 3, 2017, due to New Year's Day holiday.**
- 9.E. Payroll and bills on file.** 12/16/16 Payroll \$506,734.13; Melody Boyd – Acquisition 238.10; Christensen Net Works – Driving Range Netting 4,643.83; City of Columbus – Acquisition 627.90; Dondo Enterprises LLC – Acquisition 1,205.00; First National Bank Omaha – Acquisition 81,030.68; Galls LLC – Uniforms 680.43; Hydro Tech Inc. – Supplies 90.95; Nebraska Title Company – Acquisition 85,838.50; Adam Swanson – Acquisition 1,445.00. TOTAL \$682,534.52.
- 10. APPROVAL OF MINUTES:** Included in Consent Agenda
- 11. SPECIAL PRESENTATIONS:** None
- 12. PUBLIC HEARINGS:** None
- 13. PETITIONS AND COMMUNICATIONS:** None
- 14. REPORTS OF CITY OFFICES:**
- 14.A. Follow-up from November 21, 2016, City Council meeting with regard to possible relocation of cell tower in Glur Park.** Lindahl referred to the November 21st City Council meeting where city staff was asked to contact Verizon regarding the possible relocation of the planned cell tower in Glur Park and he read the response from Verizon that said "Verizon is committed to following all local, state, and federal regulations when building a new cell

site. Verizon will continue to move forward with the location that was approved by the city council." Jolene Wagner, 2608 30 Street, inquired whether or not the request to Verizon involved a dollar amount the city would be willing to pay for the relocation and she requested a copy of the email communication between the city and Verizon. Discussion was held with regard to the Zoning Code and the negotiation process. Valorz reported that it is his understanding that Verizon would have to comply with all federal regulations for the permitting process and they have also complied with the regulations of the Zoning Code. Valorz pointed out that the Zoning Code is available on the city's website for review and he also noted there is a formal process for a request for open records.

15. REPORTS OF COUNCIL COMMITTEES: None

16. REPORTS OF SPECIAL COMMITTEES: None

17. REPORTS ON LEGISLATION: None

18. NEW BUSINESS:

18.A. Quote from Stanley Petroleum Maintenance, Inc. in the amount of \$40,391 for fuel system improvements at Central Maintenance Facility. The quote for fuel system improvements was approved with a motion by Bahr and a second by Schilling. Augustine-Schulte, Bahr, Hiemer, Jablonski, Kresha, Lohr, Roth, and Schilling voted "Aye" and none voted "Nay".

18.B. Authorization to advertise for bids for land lease of city's north well field property. City staff was authorized to advertise for bids for land lease of the city's north well field property with a motion by Bahr and a second by Schilling. Augustine-Schulte, Bahr, Hiemer, Jablonski, Kresha, Lohr, Roth, and Schilling voted "Aye" and none voted "Nay".

18.C. Comments from Mayor and City Council Members. Hiemer thanked the citizens for their support in the election.

19. RESOLUTIONS:

19.A. Resolution No. R16-154 approving Interlocal Agreement with Nebraska Department of Environmental Quality for Storm Water Management Plan Program accepting grant funds in the amount of \$18,534.62 with the city matching at least \$3,706.93. Resolution No. R16-154 entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY FOR THE STORM WATER MANAGEMENT PLAN PROGRAM ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$18,534.62 WITH THE CITY MATCHING AT LEAST \$3,706.93, EFFECTIVE DECEMBER 1, 2016, THROUGH JUNE 30, 2018, A COPY OF WHICH IS ATTACHED HERETO

AND INCORPORATED HEREIN; TO AUTHORIZE THE MAYOR TO EXECUTE THE SAME; AND TO REPEAL ALL RESOLUTIONS IN CONFLICT HERewith was adopted with a motion by Jablonski and a second by Bahr. Augustine-Schulte, Bahr, Hiemer, Jablonski, Kresha, Lohr, Roth, and Schilling voted "Aye" and none voted "Nay".

20. ORDINANCES ON FIRST READING: None

21. ORDINANCES ON SECOND READING: None

22. ORDINANCES ON THIRD READING:

22.A. Ordinance No. 16-25 amending Economic Development Plan. On its third reading, it was moved by Lohr and seconded by Augustine-Schulte to adopt Ordinance No. 16-25. John Curry, 3645 Brookfield Drive, expressed opposition to an amendment to the Economic Development Plan that would include workforce housing as an eligible activity for receiving assistance from the progress and growth jobs fund as he does not feel that would be in the best interest of the taxpayers. Curry said he feels that a majority of taxpayers and existing landlords would oppose this amendment as the development of workforce housing would possibly increase competition for jobs as well as increase the vacancy rate of rentals. Curry noted that he has not found any evidence where workforce housing would create economic development. It was noted that the proposed amendment to the Economic Development Plan is not authorization to spend funds on housing but would provide a tool should an opportunity arise and it would be available to anyone. Discussion was held with regard to the shortage of housing in the community, who would benefit from the amendment to the plan, and who should be responsible for resolving housing issues. Schilling suggested this ordinance be continued to a future meeting in order to allow time to receive additional information as well as input on possible solutions. Pat Sackett, 2070 East Calle Colombo, expressed opposition to the amendment as he did not feel it was constitutional. Neil Jensen, 3 Cottonwood Drive, noted that he owns a number of rental properties and said it is difficult to find qualified applicants to rent to. He said he feels there should be a place for people who are seeking housing to register that would allow landlords to access when they have housing available for rent. K.C. Belitz, member of the Citizens Advisory Review Committee and President of the Columbus Area Chamber of Commerce, said he would welcome discussion and ideas that would assist people who want to move into the community and he reported on three inquiries that the Chamber of Commerce received in one day from people who lived out of town and were seeking housing in the city. He noted that the Chamber of Commerce receives these types of inquiries every day and said this type of issue is an opportunity for the city. Lohr, with the consent of his second, withdrew his motion and 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 continued to February 6, 2017, at 7 p.m. with a motion by Schilling and a second by Kresha. Augustine-Schulte, Bahr, Hiemer, Jablonski, Kresha, Lohr, Roth, and Schilling voted "Aye" and none voted "Nay".

23. **CONSIDERATION OF PAYROLL AND BILLS ON FILE:** Included in Consent Agenda
24. **UNFINISHED BUSINESS:** None
25. **ADJOURNMENT:** The meeting adjourned at 8:09 p.m. with a motion by Jablonski and a second by Bahr. Augustine-Schulte, Bahr, Hiemer, Jablonski, Kresha, Lohr, Roth, and Schilling voted "Aye" and none voted "Nay".

Presented and approved this 19 day of December, 2016.

MAYOR

ATTEST:

CITY CLERK