

A regular meeting of the Mayor and City Council of the City of Columbus, Nebraska, was convened in open and public session on March 6, 2017, 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 Bulkley announced that a copy of the Open Meetings Act is posted in the meeting room. 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, City Administrator Tara Vasicek, City Clerk Janelle Kline, City Engineer Rick Bogus, Police Captain Todd Thalken, Public Works Director Greg McCaffery, Public Property Director Doug Moore, and Account Clerk Robin Efta.
2. **PRAYER:** Bahr led in prayer.
3. **NATIONAL ANTHEM AND PLEDGE OF ALLEGIANCE:** Bulkley invited all to join in the National Anthem and Pledge of Allegiance.
4. **CONSENT AGENDA:** Vasicek stated that the following items are considered routine by the City Council and will be enacted by one motion. She 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".
  - 4.A. **Minutes of February 21, 2017, City Council meeting.**
  - 4.B. **Resolution No. R17-32 approving total acquisition in the amount of \$95,000 and relocation assistance in the amount of \$80,078.70 for Timothy Beller in conjunction with 12 Avenue viaduct project.** Resolution No. R17-32 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 TIMOTHY G. BELLER, IN THE AMOUNT OF \$95,000, WITH RESPECT TO THE EAST 56 FEET OF LOT 2, BLOCK 37, ORIGINAL CITY OF COLUMBUS, PLATTE COUNTY, NEBRASKA; APPROVING THE WARRANTY DEED-INDIVIDUAL GIVEN PURSUANT THERETO DATED FEBRUARY 9, 2017; AND APPROVING THE RELOCATION ASSISTANCE PAYMENT PACKAGE FOR TIMOTHY G. BELLER, IN THE AMOUNT OF \$80,078.70, IN CONJUNCTION WITH THE PROPERTY ACQUISITION OF TRACT 36 (1207 15 STREET); THE FOREGOING ARE FOR THE PURPOSE OF THE 12 AVENUE VIADUCT PROJECT.
- 4.C. Resolution No. R17-33 approving relocation assistance payment in the amount of \$31,025 for Robert Blum in conjunction with 12 Avenue viaduct project.** Resolution No. R17-33 is entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, APPROVING THE RELOCATION ASSISTANCE PAYMENT PACKAGE FOR ROBERT BLUM IN THE AMOUNT OF \$31,025, IN CONJUNCTION WITH THE PROPERTY ACQUISITION OF TRACT 12 (1204 11 STREET) FOR THE 12 AVENUE VIADUCT PROJECT.
- 4.D. Resolution No. R17-34 approving agreement with American Legion Hartman Post 84 for use of Pawnee Park baseball facilities.** Resolution No. R17-34 is entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, APPROVING AN AGREEMENT WITH THE AMERICAN LEGION HARTMAN POST 84 FOR USE OF THE PAWNEE PARK BASEBALL FACILITIES, 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.
- 4.E. Resolution No. R17-35 approving agreement with Columbus Area Youth Football Organization for use of Bradshaw Park football facilities.** Resolution No. R17-35 is entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, APPROVING AN AGREEMENT WITH COLUMBUS AREA YOUTH FOOTBALL ORGANIZATION FOR USE OF THE BRADSHAW PARK FOOTBALL FACILITIES, 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.
- 4.F. Resolution No. R17-36 approving agreement with Columbus Mariners Baseball League for use of Berne (Armory) Park baseball facilities.** Resolution No. R17-36 is entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, APPROVING AN AGREEMENT WITH COLUMBUS MARINERS BASEBALL LEAGUE FOR USE OF THE BERNE (ARMORY) PARK BASEBALL FACILITY, 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.

- 4.G. Resolution No. R17-37 approving agreement with Columbus Youth Baseball League for use of Centennial Park baseball facilities.** Resolution No. R17-37 is entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, APPROVING AN AGREEMENT WITH COLUMBUS YOUTH BASEBALL LEAGUE FOR USE OF THE CENTENNIAL PARK BASEBALL FACILITIES, 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.
- 4.H. Resolution No. R17-38 approving agreement with Columbus Youth Softball Association for use of Bradshaw Park softball facilities.** Resolution No. R17-38 is entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, APPROVING AN AGREEMENT WITH COLUMBUS YOUTH SOFTBALL ASSOCIATION FOR USE OF THE BRADSHAW PARK SOFTBALL FACILITIES, 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.
- 4.I. Resolution No. R17-39 approving agreement with Columbus Softball Association for use of Gerrard Park softball facilities.** Resolution No. R17-39 is entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, APPROVING AN AGREEMENT WITH COLUMBUS SOFTBALL ASSOCIATION FOR USE OF THE GERRARD PARK SOFTBALL FACILITIES, 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.
- 4.J. Resolution No. R17-40 approving agreement with Wilderness Park Operations Committee for use of Wilderness Park soccer facilities.** Resolution No. R17-40 is entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, APPROVING AN AGREEMENT WITH THE WILDERNESS PARK OPERATIONS COMMITTEE FOR USE OF THE WILDERNESS PARK SOCCER FACILITIES, 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.
- 4.K. Payroll and bills on file.** 3/10/17 Payroll \$527,050.07; Timothy G. Beller – 12 Avenue Viaduct Project 2,045.00; Robert Blum – 12 Avenue Viaduct

Project 2,045.00; City of Wisner – Training 45.00; First National Bank Omaha – 12 Avenue Viaduct Project 107,013.70; Nebraska Title Company – 12 Avenue Viaduct Project 180,604.00; Park Catalog – Park Benches 871.60; Select Van & Storage – 12 Avenue Viaduct Project 5,207.00; State of Nebraska Department of Revenue – Sales Tax 30,884.90; Richard Unger – 12 Avenue Viaduct Project 2,262.39; Walmart Community/GEGRB – Supplies 285.92. TOTAL \$858,314.58.

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:**
  - 12.A. **Resolution No. R17-41 expressing opposition to Legislative Bill 389 that would create an accelerated process for permitting the installation of small wireless technology.** Vasicek explained that Senator Friesen introduced LB 389 that creates the Small Wireless Facilities Act. This act would give small wireless providers and entities that construct wireless infrastructure the authority to use municipal right-of-way and utility poles. The creation of this act would remove local control with regard to the location of cell towers, permitting of multiple towers, and the city's requirement for insurance. Resolution No. R17-41 entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, EXPRESSING OPPOSITION TO LEGISLATIVE BILL 389, INTRODUCED BY SENATOR FRIESEN IN THE 2017 LEGISLATIVE SESSION, THAT WOULD CREATE AN ACCELERATED PROCESS FOR PERMITTING THE INSTALLATION OF SMALL WIRELESS TECHNOLOGY was adopted with a motion by Lohr and a second by Roth. Augustine-Schulte, Bahr, Hiemer, Jablonski, Kresha, Lohr, Roth, and Schilling voted "Aye" and none voted "Nay".
13. **NEW BUSINESS:**
  - 13.A. **Appointment of Chad Kucera to Planning Commission to fill unexpired term of Robert Gangel.** The mayor's appointment was ratified with a motion

by Schilling and a second by Hiemer. Augustine-Schulte, Bahr, Hiemer, Jablonski, Kresha, Lohr, Roth, and Schilling voted "Aye" and none voted "Nay".

**13.B. Quote from Wilke Landscape Center in the amount of \$36,678.80 for 200 trees to be distributed in city parks, cemeteries, and golf courses.** Moore noted that the trees are to replace the ones lost during the July 2016 wind storms and the newly planted trees will be hand watered in the parks where there is no irrigation. He explained that the city has discontinued the tree donation/memorial program due to the fact that newly planted trees do not always survive. The quote for trees was awarded to Wilke Landscape Center 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".

**13.C. Quote from Matt Friend Truck Equipment, Inc. in the amount of \$17,480 for brine de-icing system for Street Division.** The quote for a brine de-icing system was awarded to Matt Friend Truck Equipment, Inc. with a motion by Bahr and a second by Lohr. Augustine-Schulte, Bahr, Hiemer, Jablonski, Kresha, Lohr, Roth, and Schilling voted "Aye" and none voted "Nay".

**13.D. Bid from M & L, Inc. in the amount of \$11 per ton for yard waste removal from the Transfer Station for a period of three years beginning April 1, 2017.** McCaffery explained that this is a three year contract with the option for two one-year renewals and the previous three year contract was for \$9.90 per ton. The bid for yard waste removal was awarded to M & L, Inc. with a motion by Augustine-Schulte and a second by Bahr. Augustine-Schulte, Bahr, Hiemer, 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. R17-42 authorizing city to resume responsibility for senior services at Community Center effective July 1, 2017.** Moore explained that an application for financial assistance will be submitted to United Way and Finance Director Kinnison has been managing the donation account on behalf of the Senior Center Advisory Board and will continue to do so. Valorz explained that the city is required to advertise for the employee positions that will be needed at the senior center. Resolution No. R17-42 entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, AUTHORIZING THE CITY TO RESUME RESPONSIBILITY FOR SENIOR SERVICES AT THE COLUMBUS COMMUNITY CENTER EFFECTIVE JULY 1, 2017, was adopted with a

motion by Schilling and a second by Bahr. Augustine-Schulte, Bahr, Hiemer, Jablonski, Kresha, Lohr, Roth, and Schilling voted "Aye" and none voted "Nay".

**14.B. Resolution No. R17-43 awarding bid to B-D Construction, Inc. in the amount of \$544,785 for Pawnee Park Memorial Stadium Restroom Improvements and City Hall Restroom Renovations as part of the Restroom Facility Improvements 2017.** Bogus explained that the restroom improvements at Pawnee Park Memorial Stadium will serve the baseball field as well as the visitor side of the football field, the facility will include a locker room, the size will meet the regulations for the new visitor bleachers that have a capacity to seat 800, and it will be ADA (Americans with Disabilities Act) compliant. Moore pointed out that the restroom facility will also be heated. Resolution No. R17-43 entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, AWARDING A CONTRACT TO B-D CONSTRUCTION, INC. IN THE AMOUNT OF \$544,785 FOR PAWNEE PARK MEMORIAL STADIUM RESTROOM IMPROVEMENTS AND CITY HALL RESTROOM RENOVATIONS AS PART OF THE RESTROOM FACILITY IMPROVEMENTS 2017 was adopted with a motion by Bahr and a second by Augustine-Schulte. Augustine-Schulte, Bahr, Hiemer, Jablonski, Kresha, Lohr, Roth, and Schilling voted "Aye" and none voted "Nay".

**14.C. Resolution No. R17-44 approving Change Order No. 1 with Rutjens Construction, Inc. in the amount of \$43,458.75 to construct an 8-inch water service line and an additional 31 calendar days for construction of the Wilderness Park water service line as part of the Water Improvements Project 2016.** Bogus explained that an 8-inch water service line is needed at Wilderness Park to replace a well system that is in need of repairs and city staff is requesting that the additional work be added to the 12-inch water main project currently in progress in order to save time and money as the equipment and contractor are already in place. Resolution No. R17-44 entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, APPROVING CHANGE ORDER NO. 1 WITH RUTJENS CONSTRUCTION, INC. IN THE AMOUNT OF \$43,458.75 TO CONSTRUCT AN 8-INCH WATER SERVICE LINE AND AN ADDITIONAL 31 CALENDAR DAYS FOR CONSTRUCTION OF THE SERVICE LINE FOR WILDERNESS PARK WATER SERVICE LINE AS PART OF THE WATER IMPROVEMENTS PROJECT 2016 was adopted with a motion by Hiemer and a second by Kresha. Augustine-Schulte, Bahr, Hiemer, Jablonski, Kresha, Lohr, Roth, 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:**
- 17.A. **Ordinance No. 17-04 amending Section 130.053 of Chapter 130 of Title XIII of Ordinance No. 05-47 (Columbus City Code) to allow for conex style boxes to be used as temporary structures for the sale of fireworks and to amend subparagraph "(G)(1)(b)" removing from the list of violations security personnel who are observed to be sleeping on site.** Ordinance No. 17-04 entitled: AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA TO AMEND SECTION 130.053 OF THE COLUMBUS CITY CODE (ORDINANCE NO. 05-47) TO ALLOW FOR CONEX STYLE BOXES TO BE USED AS TEMPORARY STRUCTURES FOR THE SALE OF FIREWORKS; TO AMEND SUBPARAGRAPH "(G)(1)(b)" OF SAID SECTION 130.053 BY REMOVING FROM THE LIST OF VIOLATIONS SECURITY PERSONNEL WHO ARE OBSERVED TO BE SLEEPING ON SITE; TO PROVIDE FOR AN EFFECTIVE DATE; AND TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM 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".
18. **CONSIDERATION OF PAYROLL AND BILLS ON FILE:** Included in Consent Agenda
19. **UNFINISHED BUSINESS:** None
20. **ADJOURNMENT:** The meeting adjourned at 7:32 p.m. with a motion by Augustine-Schulte and a second by Jablonski. Augustine-Schulte, Bahr, Hiemer, Jablonski, Kresha, Lohr, Roth, and Schilling voted "Aye" and none voted "Nay".

Presented and approved this 20 day of March, 2017.

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MAYOR

ATTEST:

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CITY CLERK