

A regular meeting of the mayor and city council of the City of Columbus, Nebraska, was convened in open and public session on August 7, 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, Interim Police Chief Alan Wilkins, Finance Director Anne Kinnison, Library Director Drew Brookhart, Public Property Director Doug Moore, Public Works Director Greg McCaffery, and Firefighter Kyle Lingenfelter.
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 council and will be enacted by one motion. She pointed out that there will be no separate discussion of these items unless a 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 July 17, 2017, City Council meeting.**
 - 4.B. **Minutes of June 17, 2017, Civil Service Commission meeting certifying list of police officer candidates as follows: Chris Spale, Brent Moore, and Eric McCarthy.**
 - 4.C. **Minutes of July 10, 2017, Civil Service Commission meeting certifying list of fire chief candidates as follows: Daniel Miller, Joseph Grainger, and Aaron Anderson.**

- 4.D. Change date of first meeting in January 2018 to 7 p.m., Tuesday, January 2, 2018, due to New Years Day holiday.**
- 4.E. Reappointment of Robert Elsasser to the Planning Commission for three-year term.**
- 4.F. Reappointment of Patricia Anderson and Cheryl Rambour to the Library Board for four-year terms.**
- 4.G. Reappointment of Darrell Burrows to the Board of Appeals for three-year term.**
- 4.H. Application of Robert G. Steider as manager of B & R Stores, Inc. dba Super Saver, 3318 23 Street, in conjunction with Class "C" Liquor License.**
- 4.I. Resolution No. R17-95 approving relocation assistance payment in the amount of \$14,306.50 for Earley Rentals, LLC in conjunction with 12 Avenue viaduct project.** Resolution No. R17-95 is entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, APPROVING RELOCATION ASSISTANCE PAYMENT PACKAGE FOR EARLEY RENTALS, LLC, IN THE AMOUNT OF \$14,306.50, TO COVER REESTABLISHMENT EXPENSES IN CONJUNCTION WITH THE PROPERTY ACQUISITION OF TRACT 13 (1208 11 STREET) FOR THE 12 AVENUE VIADUCT PROJECT.
- 4.J. Resolution No. R17-96 approving relocation assistance payment in the amount of \$6,930.54 for A & T, LLC in conjunction with 12 Avenue viaduct project.** Resolution No. R17-96 is entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, APPROVING A REVISED RELOCATION ASSISTANCE PAYMENT PACKAGE FOR A&T, LLC IN THE AMOUNT OF \$6,930.54, IN CONJUNCTION WITH THE PROPERTY ACQUISITION OF TRACT 38 (1203 15 STREET) FOR THE 12 AVENUE VIADUCT PROJECT.
- 4.K. Resolution No. R17-97 approving scoreboard sponsorship agreements with Columbus United Federal Credit Union, Ernst Auto Center, and Great Plains State Bank for scoreboard advertising at Memorial Stadium.** Resolution No. R17-97 is entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, APPROVING THE SCOREBOARD SPONSORSHIP AGREEMENTS WITH COLUMBUS UNITED FEDERAL CREDIT UNION, ERNST AUTO CENTER, AND GREAT PLAINS STATE BANK FOR SCOREBOARD ADVERTISING AT MEMORIAL STADIUM AS DETAILED HEREIN, COPIES OF WHICH ARE ATTACHED HERETO AND INCORPORATED HEREIN; TO AUTHORIZE THE MAYOR TO EXECUTE THE SAME; AND TO REPEAL ALL RESOLUTIONS IN

CONFLICT HEREWITH.

- 4.L. Resolution No. R17-98 continuing Columbus/Platte County Enhanced 911 service surcharge of \$1 per month on each local exchange access line physically terminating in the City of Columbus 911 service area.** Resolution No. R17-98 is entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, CONTINUING THE ENHANCED 911 SERVICE SURCHARGE FOR THE COLUMBUS/PLATTE COUNTY ENHANCED 911 SYSTEM OF \$1.00 PER MONTH ON EACH LOCAL EXCHANGE ACCESS LINE PHYSICALLY TERMINATING IN THE CITY OF COLUMBUS, NEBRASKA, 911 SERVICE AREA.
- 4.M. Resolution No. R17-99 approving the use of Pawnee Park to camp overnight on Friday, June 8 and Saturday, June 9, 2018, for annual Antique Tractor and Gas Engines Show.** Resolution No. R17-99 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 8 AND JUNE 9, 2018, FOR ANNUAL ANTIQUE TRACTOR AND GAS ENGINES SHOW.
- 4.N. Resolution No. R17-100 approving agreement with Nebraska Department of Roads, now known as Nebraska Department of Transportation, for 2017 Fracture Critical Bridge Inspections.** Resolution No. R17-100 is entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, APPROVING AN AGREEMENT WITH NEBRASKA DEPARTMENT OF ROADS (NDOR), NOW KNOWN AS NEBRASKA DEPARTMENT OF TRANSPORTATION (NDOT), FOR INSPECTION SERVICES OF THE CITY'S FRACTURE CRITICAL BRIDGES, 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.
- 4.O. Resolution No. R17-101 approving amendment to the Interlocal Agreement with Nebraska Department of Environmental Quality regarding 2015 Storm Water Management Plan Program by extending the termination date from June 30, 2017 to December 31, 2017.** Resolution No. R17-101 is entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, APPROVING AN AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT WITH NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY REGARDING THE IMPLEMENTATION OF THE 2015 STORM WATER MANAGEMENT PLAN PROGRAM, REFERENCE NUMBER 2015- 45690611, BY EXTENDING THE TERMINATION DATE FROM JUNE 30, 2017, TO DECEMBER 31, 2017; A COPY OF WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN BY THIS REFERENCE; AND TO AUTHORIZE THE MAYOR TO EXECUTE THE SAME ON BEHALF OF THE CITY OF

COLUMBUS, NEBRASKA.

- 4.P. Payroll and bills on file.** 8/11/17 Payroll \$578,436.44; A & T, LLC – 12 Avenue Viaduct 930.54; Caliber Construction Inc. – 12 Avenue Viaduct 6,000.00; Central States Leeds – Training 450.00; Daktronics Inc. – Services 7,875.00; Earley Rentals Inc. – 12 Avenue Viaduct 14,306.50; Pepsi Bottling Group – Supplies 677.99; State of Nebraska Department of Revenue – Sales Tax 66,691.58; US Bank – Equipment 987.30; Walmart – Supplies 845.88 TOTAL \$677,201.23.
- 5. APPROVAL OF MINUTES:** Included in Consent Agenda.
- 6. SPECIAL PRESENTATIONS:** None
- 7. PUBLIC HEARINGS:**
- 7.A. Public Hearing - Citizens Advisory Review Committee report of activities presented in accord with the Columbus Economic Development Plan.** Kinnison reviewed the year-to-date activities in the Progress and Jobs Growth fund. No public testimony was heard. The public hearing closed with a motion by Augustine-Schulte and a second by Roth. Augustine-Schulte, Bahr, Hiemer, 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. Appointment of Brent Moore as police officer.** Bahr read a brief resume and the mayor's appointment was ratified 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”.
- 13.B. Appointment of Daniel Miller as fire chief.** Bahr read a brief resume. Daniel Miller introduced his family and said he looks forward to serving Columbus as the new fire chief. The mayor's appointment was ratified with a motion by Roth and a second by Augustine-Schulte. Augustine-Schulte, Bahr,

Hiemer, Jablonski, Kresha, Lohr, Roth, and Schilling voted "Aye" and none voted "Nay".

- 13.C. Recommendation from the E911 Technical Committee to create a Department of Communications for the purpose of entering into an interlocal agreement with Platte County for the creation of a consolidated dispatch center.** Bahr noted that he is a member of the E911 Technical Committee and he pointed out that the committee has been discussing the feasibility of a consolidated dispatch center for a number of years. He reported that the committee feels that now is a good time to proceed with the plan as both the city and county's equipment is becoming obsolete and consolidating with the county would be a step forward in meeting the goal of becoming a regional public service answering point. The recommendation of the E911 Technical Committee to create a Department of Communications for the purpose of entering into an interlocal agreement with Platte County for the creation of a consolidated dispatch center was accepted with a motion by Augustine-Schulte and a second by Schilling. Augustine-Schulte, Bahr, Hiemer, Jablonski, Kresha, Lohr, Roth, and Schilling voted "Aye" and none voted "Nay".
- 13.D. Application of Columbus Area Arts Council for special designated liquor license at 2504 14 Street, 6:30 pm to 8:30 pm, September 14, 2017, for art exhibit reception.** The special designated liquor license was approved with a motion by Augustine-Schulte and a second by Roth. Augustine-Schulte, Bahr, Hiemer, Jablonski, Kresha, Lohr, Roth, and Schilling voted "Aye" and none voted "Nay".
- 13.E. Application of Columbus Volunteer Fire Department for special designated liquor license for parking lot area at 2460 East 1 Avenue, 2 pm to 10 pm, September 9, 2017, for community tailgate party.** The special designated liquor license was approved with a motion by Bahr and a second by Hiemer. Augustine-Schulte, Bahr, Hiemer, Jablonski, Kresha, Lohr, Roth, and Schilling voted "Aye" and none voted "Nay".
- 13.F. Comments from mayor and city council members.** Augustine-Schulte referred to an upcoming public information meeting sponsored by Verizon and she encouraged the public to attend. Schilling commended city staff on the recent improvements at the intersection of 8 Street and 12 Avenue.
- 14. RESOLUTIONS:**
- 14.A. Resolution No. R17-102 approving agreement with Shred Monster, Inc. in the amount of \$5,000 per month for residential recycling services effective October 1, 2017 through September 30, 2018.** Resolution No. R17-102 entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, APPROVING AN AGREEMENT WITH

SHRED MONSTER, INC., IN THE AMOUNT OF \$5,000 PER MONTH FOR RESIDENTIAL RECYCLING SERVICES EFFECTIVE OCTOBER 1, 2017, THROUGH SEPTEMBER 30, 2018, WITH OPTION FOR ONE YEAR RENEWALS; A COPY OF WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN BY THIS REFERENCE; AND TO AUTHORIZE THE MAYOR TO EXECUTE THE SAME ON BEHALF OF THE CITY OF COLUMBUS 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". Vasicek confirmed that Shred Monster will accept glass for recycling until October 1, 2017.

- 14.B. Resolution No. R17-103 adopting Multi-Jurisdictional Hazard Mitigation Plan prepared by Lower Loup Natural Resources District for the service area including the City of Columbus.** Resolution No. R17-103 entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, ADOPTING THE MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN PREPARED BY LOWER LOUP NATURAL RESOURCES DISTRICT FOR THEIR SERVICE AREA, WHICH INCLUDES COLUMBUS, AND THE SAME WILL BE PRESENTED FOR FEDERAL COMPLIANCE REVIEW was adopted 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".

15. ORDINANCES ON FIRST READING:

- 15.A. Ordinance No. 17-19 amending Sections 150.024, 150.028, 150.029, 150.046, and 150.048 of Chapter 150 of Title XV of Ordinance No. 05-47 (Columbus City Code) regarding electrical and plumbing codes to require certificates of insurance.** On its first reading, Ordinance No. 17-19 entitled: AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, AMENDING SECTIONS 150.024, 150.028, 150.029, 150.046, and 150.048 OF CHAPTER 150 OF TITLE XV OF ORDINANCE NO. 05-47 (COLUMBUS CITY CODE) REGARDING ELECTRICAL AND PLUMBING CODES TO REQUIRE CERTIFICATES OF INSURANCE INSTEAD OF SURETY BONDS; REPEALING ALL ORDINANCES OR PORTIONS THEREOF IN CONFLICT HEREWITH, AND PROVIDING FOR AN EFFECTIVE DATE was read by number only.

16. ORDINANCES ON SECOND READING: None

17. ORDINANCES ON THIRD READING:

- 17.A. Ordinance No. 17-14 amending Section 90.035 of Chapter 90 of Title IX of Ordinance No. 05-47 (Columbus City Code) regarding destruction of property by animals to add a provision that it shall be unlawful to inflict**

personal injury upon another. On its third reading, Ordinance No. 17-14 entitled: AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, AMENDING SECTION 90.035 OF CHAPTER 90 OF TITLE IX OF ORDINANCE NO. 05-47 (COLUMBUS CITY CODE) REGARDING DESTRUCTION OF PROPERTY BY ANIMALS TO ADD A PROVISION THAT IT SHALL BE UNLAWFUL TO INFLICT PERSONAL INJURY UPON ANOTHER; REPEALING ALL ORDINANCES OR PORTIONS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE was adopted with a motion by Bahr and a second by Jablonski. Augustine-Schulte, Bahr, Hiemer, Jablonski, Kresha, Lohr, Roth, and Schilling voted "Aye" and none voted "Nay". Vasicek explained that this amendment to the City Code will allow for collection of restitution as a result of an injury from a person's dog or cat.

- 17.B. Ordinance No. 17-15 amending Section 92.12 of Chapter 92 of Title IX of Ordinance No. 05-47 (Columbus City Code) to provide that the jurisdiction regarding nuisances shall extend to and the territorial application shall include all territory adjacent to the limits of the city within two miles and all territory within the corporate limits.** On its third reading, Ordinance No. 17-15 entitled: AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, AMENDING SECTION 92.12 OF CHAPTER 92 OF TITLE IX OF ORDINANCE NO. 05-47 (COLUMBUS CITY CODE) to PROVIDE THAT THE JURISDICTION REGARDING NUISANCES SHALL EXTEND TO AND THE TERRITORIAL APPLICATION SHALL INCLUDE ALL TERRITORY ADJACENT TO THE LIMITS OF THE CITY WITHIN TWO MILES THEREOF AND ALL TERRITORY WITHIN THE CORPORATE LIMITS; REPEALING ALL ORDINANCES OR PORTIONS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE was adopted with a motion by Schilling and a second by Jablonski. Augustine-Schulte, Bahr, Hiemer, Jablonski, Lohr, Roth, and Schilling voted "Aye" and Kresha voted "Nay". Kresha expressed opposition as he feels there is not sufficient staff to handle excessive nuisance issues within the city limits. Vasicek explained the intent is not to seek out nuisance issues in the two-mile jurisdiction but to provide authority to address problems that are on the periphery of Columbus where a number of complaints have been received.

- 17.C. Ordinance No. 17-17 amending Chapter 150 of Title XV of Ordinance 05-47 (Columbus City Code) by adding a section that requires general contractors to be registered and to provide proof of insurance.** On its third reading, Ordinance No. 17-17 entitled: AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, AMENDING CHAPTER 150 OF TITLE XV OF ORDINANCE NO. 05-47 (COLUMBUS CITY CODE) BY ADDING A SECTION THAT REQUIRES GENERAL CONTRACTORS TO BE REGISTERED AND TO PROVIDE PROOF OF INSURANCE TO THE CITY; REPEALING ALL ORDINANCES

- OR PORTIONS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE was adopted with a motion by Hiemer and a second by Schilling. 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 7:37 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 21 day of August, 2017.

MAYOR

ATTEST:

CITY CLERK