

A regular meeting of the mayor and city council of the City of Columbus, Nebraska, was convened in open and public session on September 5, 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, Finance Director Anne Kinnison, Public Works Director Greg McCaffery, Public Property Director Doug Moore, Library Director Drew Brookhart, Interim Police Chief Alan Wilkins, Police Captain Chuck Sherer, Police Officers Brent Moore and Eric McCarthy, Animal Control Officer Shawn Flowers, Computer Network Technician Matt Soukup, and Account Clerk II/Records Clerk II Linda Nickeson.
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 Jablonski. Augustine-Schulte, Bahr, Hiemer, Jablonski, Kresha, Lohr, Roth, and Schilling voted "Aye" and none voted "Nay".
 - 4.A. **Minutes of August 21, 2017, City Council meeting.**
 - 4.B. **Resolution No. R17-112 approving total acquisition in the amount of \$85,000 for Steve Lloyd's Rentals, LLC in conjunction with 12 Avenue viaduct project.** Resolution No. R17-112 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 STEVE LLOYD'S RENTALS, LLC, IN THE AMOUNT OF \$85,000, WITH RESPECT TO LOT 6, BLOCK 37, ORIGINAL CITY OF COLUMBUS, PLATTE COUNTY, NEBRASKA; AND APPROVING THE WARRANTY DEED-INDIVIDUAL GIVEN PURSUANT THERETO DATED JULY 27, 2017; THE FOREGOING ARE FOR THE PURPOSE OF THE 12TH AVENUE VIADUCT PROJECT.

- 4.C. Resolution No. R17-113 approving agreement with State of Nebraska Department of Transportation in the total amount of \$58,381, with the city share being 10 percent, for purchase of a small lift-equipped bus for Columbus Area Transit.** Resolution No. R17-113 is entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, APPROVING AN AGREEMENT WITH THE STATE OF NEBRASKA DEPARTMENT OF TRANSPORTATION IN THE TOTAL AMOUNT OF \$58,381, WITH THE CITY SHARE BEING 10 PERCENT, FOR THE PURCHASE OF A SMALL LIFT-EQUIPPED BUS FOR THE COLUMBUS AREA TRANSIT SYSTEM, 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.
- 4.D. Payroll and bills on file.** 09/08/17 Payroll \$572,130.92; Loup Power District – Utility 4,190.24; Nebraska Title Company – 12 Ave Viaduct 85,803.50; Podraza, Kathryn A. – Lift Station 8,500.00; Walmart – Supplies 2,091.01. TOTAL \$672,715.67.
- 5. APPROVAL OF MINUTES:** Included in Consent Agenda
- 6. SPECIAL PRESENTATIONS:** None
- 7. PUBLIC HEARINGS:**
- 7.A. Public hearing - 2017-2018 Budget.** John Curry, 3645 Brookfield Drive, expressed opposition to the proposed budget due to the dollars needed to subsidize two golf courses and he submitted a copy of his presentation for the record. The public hearing closed 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”.
- 7.A.1. Resolution No. R17-114 adopting Schedule of Fees effective October 1, 2017.** Resolution No. R17-114 entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, ADOPTING THE FEES AS STATED AND HEREBY DECLARED IN THE ATTACHED “SCHEDULE OF FEES”; TO PROVIDE FOR AN EFFECTIVE DATE AND TO

REPEAL ALL RESOLUTIONS OR PORTIONS THEREOF IN CONFLICT HEREWITH was adopted 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".

- 7.A.2. Ordinance No. 17-20 adopting 2017-2018 Pay Plan.** The rules were suspended and Ordinance No. 17-20 entitled: AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, REGARDING THE SALARIES OF OFFICERS AND EMPLOYEES; PAY PLAN FOR ALL CLASSIFICATIONS WITHIN THE CITY; AND MONTHLY SALARY RANGES FOR EACH INDIVIDUAL CLASSIFICATION was read by number only 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". Ordinance No. 17-20 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".
- 7.A.3. Ordinance No. 17-21 adopting 2017-2018 Budget.** The rules were suspended and Ordinance No. 17-21 entitled: AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, TO ADOPT THE BUDGET STATEMENT TO BE TERMED THE ANNUAL APPROPRIATION BILL; TO APPROPRIATE SUMS FOR NECESSARY EXPENSES AND LIABILITIES; TO PROVIDE FOR AN EFFECTIVE DATE was read by number only with a motion by Jablonski and a second by Kresha. Augustine-Schulte, Bahr, Hiemer, Jablonski, Kresha, Lohr, Roth, and Schilling voted "Aye" and none voted "Nay". Ordinance No. 17-21 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".
- 7.B. Public hearing - Property Tax request for 2017-2018.** Kinnison noted that the city's property tax request is for \$4,713,367, a proposed tax rate of .315186, which is the same levy rate as the previous year. No public testimony was heard. The public hearing closed 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".
- 7.B.1. Resolution No. R17-115 setting the property tax request at \$4,713,367.** Resolution No. R17-115 entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, TO SET THE 2017-2018 PROPERTY TAX REQUEST AT \$4,713,367 was adopted with a motion by Lohr and a second by Hiemer. Augustine-Schulte, Bahr, Hiemer, Jablonski, Kresha, Lohr, Roth, and Schilling voted "Aye" and none voted "Nay".

- 7.C. Public hearing - Application to Nebraska Department of Economic Development for Community Development Block Grant in the amount of \$350,000 for Comprehensive Development Phase II (\$35,000 for general administration, \$8,000 for construction management, \$18,000 for housing management, \$9,000 for lead based paint risk assessment/testing, \$180,000 for purchase/rehab/resale, and \$100,000 for street reconstruction).** Mandy Gear, Community Planner for Northeast Nebraska Economic Development District, explained the community development block grant for comprehensive development purposes and described the city's plans for utilizing the funds. No public testimony was heard. The public hearing closed 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".
- 7.C.1. Resolution No. R17-116 approving application to the Northeast Nebraska Department of Economic Development and adopting the Citizens Participation Plan for Community Development Block Grant.** Resolution No. R17-116 entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, APPROVING THE APPLICATION TO THE NEBRASKA DEPARTMENT OF ECONOMIC DEVELOPMENT FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR PHASE II COMPREHENSIVE REVITALIZATION ACTIVITIES; ADOPTING THE CITIZEN PARTICIPATION PLAN, COPIES OF WHICH ARE ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE; AND PROVIDING FOR THE MAYOR TO EXECUTE THE SAME; AND TO REPEAL ALL RESOLUTIONS IN CONFLICT HERewith was adopted with a motion by Augustine-Schulte and a second by Kresha. Augustine-Schulte, Bahr, Hiemer, Jablonski, Kresha, Lohr, Roth, and Schilling voted "Aye" and none voted "Nay".
- 7.D. Public hearing - Second hearing on application to Nebraska Department of Economic Development for Community Development Block Grant No. 16-CD-001 for community development.** Mandy Gear, Community Planner for Northeast Nebraska Economic Development District, described the projects that have been covered to date utilizing these grant funds. No public testimony was heard. The public hearing closed with a motion by Schilling and a second by Augustine-Schulte. 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 Chuck Sherer as police chief.** Bahr read a brief resume and the mayor's appointment was ratified 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.B. **Appointment of Lauren Polak as police officer.** Bahr read a brief resume and the mayor's appointment was ratified 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". Wilkins introduced new police officer Lauren Polak as well as recently appointed police officers Brent Moore and Eric McCarthy.
 - 13.C. **Appointment of Nick Larson to Board of Parks Commissioners for three-year term.** Bahr read a brief resume and the mayor's appointment 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".
 - 13.D. **Appointment of Russ Strehle to Board of Appeals for three-year term.** Bahr read a brief resume and 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.E. **Appointment of Jill Owens to Senior Center Advisory Board for three-year term.** Bahr read a brief resume and the mayor's appointment was ratified with a motion by Jablonski and a second by Augustine-Schulte. Augustine-Schulte, Bahr, Hiemer, Jablonski, Kresha, Lohr, Roth, and Schilling voted "Aye" and none voted "Nay".
 - 13.F. **Appointment of Bill Rongisch to Senior Center Advisory Board for three-year term.** Bahr read a brief resume and the mayor's appointment was ratified 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".
 - 13.G. **Comments from mayor and city council members.** Augustine-Schulte invited all law enforcement personnel to attend a Blue Mass at St. Bonaventure Catholic Church at 8:15 a.m. on September 29th to honor them and all first responders. Bahr commended everyone who volunteers to serve

on committees and said their service is greatly appreciated. Bulkley recognized Schilling for hitting a hole-in-one on a recent golf outing.

14. RESOLUTIONS:

- 14.A. Resolution No. R17-117 approving a permanent easement from the city for driveway purposes, partial acquisition in the amount of \$6,000, temporary easement in the amount of \$180, and negotiated settlement in the amount of \$2,320 for Kathryn A. Podraza, Trustee of Myron J. Johnson Trust and Kathryn A. Podraza, Trustee of Marie W. Johnson Trust, in conjunction with Lift Station Replacements 2016.** Resolution No. R17-117 entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS NEBRASKA, APPROVING THE LOCAL POLITICAL SUBDIVISION PARTIAL ACQUISITION CONTRACT-TRUST WITH KATHRYN A. PODRAZA, SUCCESSOR TRUSTEE OF THE MYRON J. JOHNSON TRUST, DATED JANUARY 26, 1998 AND KATHRYN A. PODRAZA, SUCCESSOR TRUSTEE OF THE MARIE W. JOHNSON TRUST, DATED JANUARY 26, 1998, IN THE AMOUNT OF \$6,000 WITH RESPECT TO A TRACT OF LAND LOCATED IN THE SW1/4SW1/4 OF SECTION 28, T17N, R1E OF THE 6TH P.M., PLATTE COUNTY, NEBRASKA MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE SW1/4SW1/4 OF SECTION 28, T17N, R1E, OF THE 6TH P.M., PLATTE COUNTY, NEBRASKA, AND ASSUMING THE WEST LINE OF SAID, SW1/4SW1/4 TO HAVE A BEARING OF S00°03'30"E; THENCE S00°03'30"E ON SAID WEST LINE, 31.84 FEET, TO A POINT OF BEGINNING, SAID POINT BEING ON THE SOUTH RIGHT-OF-WAY LINE OF SOUTH 5TH STREET; THENCE EASTERLY, AND ON SAID SOUTH RIGHT-OF-WAY LINE, 128 FEET; THENCE SOUTHERLY, PARALLEL TO SAID WEST LINE, SW1/4SW1/4, 102.18 FEET; THENCE WESTERLY, AND PARALLEL TO THE SOUTH RIGHT-OF-WAY LINE OF SOUTH 5TH STREET, 128.00 FEET, TO A POINT ON THE WEST LINE OF SAID SW1/4SW1/4; THENCE NORTHERLY, ON SAID WEST LINE, 102.18 FEET, TO THE POINT OF BEGINNING, CONTAINING 0.30 ACRES, MORE OR LESS; APPROVING THE WARRANTY DEED POLITICAL SUB-DIVISION-TRUST GIVEN PURSUANT THERETO DATED AUGUST 24, 2017; APPROVING A PERMANENT EASEMENT OVER THE WEST 50 FEET OF SAID PROPERTY FOR DRIVEWAY PURPOSES FROM THE CITY TO KATHRYN A. PODRAZA, SUCCESSOR TRUSTEE OF THE MYRON J. JOHNSON TRUST AND KATHRYN A. PODRAZA, SUCCESSOR TRUSTEE OF THE MARIE W. JOHNSON TRUST; APPROVING THE LOCAL POLITICAL SUBDIVISION ACQUISITION CONTRACT TEMPORARY EASEMENT-TRUST WITH KATHRYN A. PODRAZA, SUCCESSOR TRUSTEE OF THE MYRON J. JOHNSON TRUST, DATED JANUARY 26, 1998 AND KATHRYN A. PODRAZA, SUCCESSOR TRUSTEE OF THE MARIE W. JOHNSON TRUST, DATED JANUARY 26, 1998 IN THE AMOUNT OF \$180 FOR A

40.00 FOOT WIDE TEMPORARY EASEMENT FOR CONSTRUCTION PURPOSES, SAID EASEMENT DESCRIBED AS LOCATED IN THE SW1/4SW1/4 OF SECTION 28, T17N, R1E OF THE 6TH P.M., PLATTE COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER, SW1/4SW1/4 OF SECTION 28, T17N, R1E OF THE 6TH P.M., PLATTE COUNTY, NEBRASKA, AND ASSUMING THE WEST LINE OF SAID SW1/4SW1/4 TO HAVE A BEARING OF S00°03'30"E; THENCE S00°03'30"E ON SAID WEST LINE, 31.84 FEET, TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF SOUTH 5TH STREET; THENCE EASTERLY, ON THE SOUTH RIGHT-OF-WAY LINE OF SOUTH 5TH STREET, 128.00 FEET, TO THE POINT OF BEGINNING; THENCE EASTERLY, AND ON THE SOUTH RIGHT-OF-WAY OF SOUTH 5TH STREET, 40.00 FEET; THENCE SOUTHERLY, AND PARALLEL TO THE WEST LINE OF SAID SW1/4SW1/4, 102.18 FEET; THENCE WESTERLY, AND PARALLEL TO THE SOUTH RIGHT-OF-WAY LINE OF SOUTH 5TH STREET, 40.00 FEET; THENCE NORTHERLY, AND PARALLEL TO THE WEST LINE, SW1/4SW1/4, 102.18 FEET, TO THE POINT OF BEGINNING, CONTAINING 0.09 ACRES, MORE OR LESS; AND APPROVING A NEGOTIATED SETTLEMENT WITH KATHRYN A. PODRAZA, SUCCESSOR TRUSTEE OF THE MYRON J. JOHNSON, DATED JANUARY 26, 1998 AND KATHRYN A. PODRAZA, SUCCESSOR TRUSTEE OF THE MARIE W. JOHNSON TRUST, DATED JANUARY 26, 1998 IN THE AMOUNT OF \$2,320; THE FOREGOING ARE FOR THE PURPOSE OF LIFT STATION 1 was adopted with a motion by Roth and a second by Jablonski. Augustine-Schulte, Bahr, Hiemer, Jablonski, Kresha, Lohr, Roth, and Schilling voted "Aye" and none voted "Nay".

- 14.B. Resolution No. R17-118 approving agreement with KSO CPA's + Advisors for Financial and Compliance Audit for fiscal years ending September 30, 2017, 2018, 2019, and 2020.** Resolution No. R17-118 entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, APPROVING AN AGREEMENT WITH KSO CPA'S + ADVISORS FOR AUDIT SERVICES FOR THE CITY OF COLUMBUS FOR FISCAL YEARS ENDING SEPTEMBER 30, 2017, 2018, 2019, AND 2020, 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; AND TO REPEAL ALL RESOLUTIONS IN CONFLICT HERewith was adopted with a motion by Kresha and a second by Augustine-Schulte. 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. 17-19 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.** Ordinance No. 17-19 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) AMENDING THE CITY ELECTRICAL AND PLUMBING CODES TO REQUIRE CERTIFICATES OF INSURANCE INSTEAD OF SURETY BONDS, TO REPEAL 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 Kresha. 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 7:54 p.m. 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".

Presented and approved this 18 day of September, 2017.

MAYOR

ATTEST:

CITY CLERK