

A regular meeting of the mayor and city council of the City of Columbus, Nebraska, was convened in open and public session on October 16, 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 present included City Attorney Neal Valorz, City Administrator Tara Vasicek, City Clerk Janelle Kline, City Engineer Rick Bogus, Police Chief Chuck Sherer, Finance Director Anne Kinnison, Community Development Director Dan Curtis, Interim Public Works Director Chuck Sliva, and Animal Control Officer Shawn Flowers.
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 October 2, 2017, City Council meeting.**
 - 4.B. **Reappointment of Neil Jensen, Kevin Johnson, Cory Reeder, and Robert Stachura to Business Improvement Board for three-year terms.**
 - 4.C. **Resolution No. R17-123 authorizing payment of various improvement projects.**
 - 4.D. **Payroll and bills on file.** 10/20/17 Payroll 550,947.93; 11/3/17 Payroll 561,765.75; A & A Landscaping, Tree & Stump Removal – Service 650.00; A

& D Technical Supply Co., Inc. – Survey Equipment 2,470.00; A to Z Messaging – Service 95.00; Ace Hardware & Garden Center – Supplies 1,394.95; Donald D Adkisson – Pension 609.00; Advance Auto Parts – Supplies 854.53; Ag Spray Equipment – Supplies 30.42; AlphaMedia USA LLC – Advertising 1,292.00; Altec Industries, Inc. – Supplies 86.24; Amazon – Supplies 1,475.01; Amera-Chem, Inc – Supplies 38.96; American Legal Publishing Corporation – Supplies 10.00; American Payroll Institute, Inc. – Membership 219.00; American Public Works Association – Membership 960.00; Aqua-Chem, Inc. – Chemicals 240.00; Aqua-Pure, Inc. – Chemicals 7,956.73; B-D Construction, Inc. – Loup River Levee Recertification 187,691.43; Beard-Warren Heating & Air Conditioning – Service 164.84; Behlen Towing LLC – Service 450.00; Big Red Printing – Supplies 183.54; Big Red Sanitation, Inc. – Service 220.00; Bissell Hose Company – Expenses 153.95; Carroll A Bisson – Pension 716.51; Black Hills Energy – Utilities 772.23; Frank J Blahak Jr – Pension 762.00; Bomgaars – Supplies 978.11; Bound Tree Medical LLC – Supplies 148.73; Boy Scout Troop 276 – Service 37.40; Cynthia Branting – Expenses 230.06; Brunkhorst Engine Machine – Service 90.00; Carolina Software – Service 200.00; Cat's Pro Mow – Service 200.00; CDW Government – Supplies 312.00; The Center for Municipal Solutions – Service 531.27; Center Point Large Print – Supplies 91.08; Central Community College – Training 595.00; Central Parts & Machine – Supplies 755.03; Century Link – Utilities 994.63; Jay Cerny Landscaping – Service 138.36; Chad's Collision Center LLC – Service 505.00; Cherry Hill Company – Service 2,450.00; Cinco Books – Supplies 214.80; City of Columbus – Utilities 116.53; Civic Plus – Service 5,985.62; Club Prophet Systems – Service 1,369.00; CNC Repair LLC – Service 420.74; Colin Electric Motor Service, Inc. – Supplies 1,154.54; Columbus Area Chamber of Commerce – Training/Supplies 2,015.00; Columbus Community Hospital – Supplies 340.52; Columbus Custom Embroidery – Service 60.00; Columbus Family Resource Center – Lease Payment 7,074.75; Columbus Motor Company – Service 825.74; Columbus Music – Supplies 17.95; Columbus Telegram – Subscription 832.86; Columbus Telegram – Publications 1,786.57; Columbus Tire & Service, Inc. – Supplies 1,051.87; Commonwealth Electric Co. – Service 1,335.81; Commonwealth Electric Co. – Service 3,975.00; Community Internet – Service 30.00; Connecting Point/Radio Shack – Service 89.99; Consolidated Management Co. – Meals 64.26; Consolidated Water Solutions – Chemicals 4,700.00; J P Cooke Company – Supplies 567.00; Cornhusker Public Power District – Utilities 921.05; Creative Product Sourcing, Inc. – Supplies 1,078.56; Cross Dillon Tire – Supplies 147.29; Culligan of Columbus – Supplies 1,042.48; Cutting Edge Lawn Care Service – Service 150.00; Danko Emergency Equipment – Supplies 27.98; DAS State Accounting – Service 704.00; Doozy's – Meals 120.85; Downtown Business Association – Promotion 75.00; DPC Industries, Inc. – Chemicals 50.00; DTN LLC – Service 675.00; Dugan Printing & Promotions LLC – Supplies 1,722.25; Douglas Dunbar – Contract 5,609.00; Douglas Dunbar – Commissions 4,006.39; Douglas Dunbar – Expenses 1,293.03; Eakes Office

Solutions – Supplies 3,117.97; Ed M Feld Equipment Company, Inc. – Supplies 284.30; Electrical Engineering & Equipment Co. – Supplies 421.86; Electronic Engineering – Service 1,173.95; Eletech, Inc. – Service 540.00; Enterprise Electric CO/CED – Supplies 181.70; Environmental Express, Inc. – Service 596.52; Eriksen Construction Co., Inc. – Wastewater Treatment Facility Improvements 705,560.00; Ernst Auto Center – Service 86.01; ESRI – Service 5,643.84; Evident, Inc. – Supplies 811.75; Fastenal Company – Supplies 1,086.18; First Impressions LLC – Supplies 1,500.00; First National Bank Omaha – Expenses 6,590.68; Frontier Communications – Utilities 3,123.92; G-O Rapid Lube and More LLC – Service 83.04; Gaeth Pest Control Services, Inc. – Service 275.00; Gale – Supplies 690.59; Galls LLC – Supplies 1,603.85; Gehring Construction & Ready-Mix Company – Supplies 431.15; Gehring Construction & Ready-Mix Company – 2017 Paving Improvements 69,899.34; Gerhold Concrete Company, Inc. – Supplies 2,581.73; Globe Magazine – Subscription 129.48; Grainger – Supplies 223.28; Great Plains Communications – Service 310.00; Hach Company – Supplies 121.00; Hadley-Braithwait Company – Supplies 710.69; Hampton Inn Kearney – Lodging 284.85; Hawkins, Inc. – Chemicals 5,039.89; HDR Engineering, Inc. – Wastewater Treatment Facility Improvements 207,415.98; Heartland Communications – Service 150.00; Heartland Natural Gas LLC – Utilities 542.15; HOA Solutions, Inc. – Supplies 5,132.79; Hobby Lobby – Supplies 139.09; Hometown Leasing – Supplies 225.07; Hotel Grand Conference Center – Lodging 94.00; Mark S Howerter MD – Contract 570.00; Leticia Huerta – 12th Avenue Viaduct 2,243.07; Hy-Vee, Inc. – Supplies 384.85; Idea Art – Supplies 104.11; Impact Telecom – Utilities 51.64; Indoff Incorporated – Supplies 185.02; Ingram Library Services, Inc. – Supplies 6,173.61; Insurance Services of Columbus – Insurance 3,208.74; Island Supply Welding Co. – Supplies 115.72; Jack's Uniforms & Equipment – Supplies 2,822.43; Jackson Services, Inc. – Supplies 3,647.99; JEO Consulting Group, Inc. – Loup River Levee Recertification 25,998.75; JEO Consulting Group, Inc. – Stormwater Evaluation & Improvements 10,168.56; Joy's Uniforms N More – Supplies 10.00; K-C Auto Supply, Inc. – Supplies 21.51; Kirkham Michael – Service 1,192.00; Kriha Fluid Power Co, Inc. – HazMat Equipment 1,046.54; Lakeview Small Engine, Inc. – Supplies 165.74; Language Line Services, Inc. – Service 49.02; LARM – Insurance 16.67; LaRue Distributing, Inc. – Supplies 125.93; Layne Christensen Company – Service 9,345.80; League of Nebraska Municipalities – Membership 42,162.00; League of Nebraska Municipalities – Training 941.00; Pete Lien & Sons, Inc. – Chemicals 5,137.61; LifeGuard MD, Inc. – Supplies 134.40; Lincoln Winwater Works – Supplies 1,187.64; John F Lohr – Expenses 117.21; Loseke Lake Stop LLC – Supplies 23.56; Loup Power District – Utilities 108,948.09; M & L, Inc. – Contract 3,558.94; M & O Door Products – Supplies 123.00; Mail Prep, ETC – Postage 289.52; The Mailbox – Postage 94.92; MailFinance – Postage Meter Lease 617.67; Marley's Electric, Inc. – Service 441.21; Matheson-Linweld – Supplies 36.40; Gregory S McCaffery – Expenses 77.04; Nicole McDonald – Service 75.00; Rachelle M McPhillips –

Expenses 85.60; Mead Lumber Co. – Supplies 19.82; Menards – Supplies 1,459.91; Mid Con Systems, Inc. – Supplies 621.97; Mid-American Research Chemical – Supplies 270.10; Midwest Glass Service, Inc. – Supplies 185.00; Midwest Laboratories, Inc. – Service 489.75; Midwest Right of Way Services, Inc. – 12th Ave Viaduct 5,077.50; Midwest Right of Way Services, Inc. – Lift Station Renovations 602.50; Midwest Tape LLC – Supplies 501.84; Mike's Towing – Service 270.00; Ginger Moon & Associates – Bond Renewal 100.00; Motion Industries, Inc. – Supplies 318.60; MTM Recognition – Supplies 755.05; Shane Mueller – Service 146.50; Municipal Pipe Tool Co., LLC – Sanitary Sewer Rehabilitation 120,253.95; Municipal Pipe Tool Co., LLC – System GIP Lining 80,169.30; Nebraska Municipal Clerk's Association – Membership 90.00; Nebraska Environmental Products – Supplies 556.27; Nebraska Golf & Turf, Inc. – Supplies 232.92; Nebraska Harvestore Systems – Supplies 3,079.21; Nebraska Law Enforcement Training Center – Training 460.00; Nebraska Municipal Fire Chiefs Association – Membership 50.00; Nebraska Rural Water Association – Training 225.00; Nebraska Sports – Supplies 72.00; Nebraska Title Company – 12th Ave Viaduct 105,478.50; Networkfleet, Inc. – Service 126.80; Newman Traffic Signs – Supplies 1,895.58; Niemann's Port-A-Pot LLC – Service 40.00; Northeast Nebraska Economic Development District – Grants 10,882.87; Northeast Nebraska Solid Waste Coalition – Landfill Disposal 48,369.35; Novicki Fire Prevention Services – Service 110.25; NSA/POAN Conference – Training 125.00; NSAWWA – Training 1,280.00; O'Reilly Automotive, Inc. – Supplies 562.34; Obrist & Co., Inc. – Supplies 94.50; Occupational Health Services – Service 2,754.00; OCLC, Inc. – Service 812.98; Officenet – Supplies 1,347.45; Omaha World Herald – Advertising 712.60; One Call Concepts, Inc. – Service 208.11; One Source – Service 394.00; Otte Electric – Service/Supplies 2,968.84; Robert Ottemann – Service 1,500.00; OverDrive, Inc. – Library Materials 5,000.00; Overhead Door Company – Service 65.50; Overturf Electric Motors Services, Inc. – Supplies 359.00; Paragon Consulting Services, Inc. – Service 18,657.50; Paramout Gas Products – Supplies 89.95; The Parts Bin – Supplies 71.97; John Person – Supplies 50.00; Petty Cash – Expenses 106.70; Pioneer Hook & Ladder Co. – Supplies 13.59; Platte County – Contract 2,898.41; Platte Valley Humane Society – Payment 13,394.25; Presto-X- Company – Service 134.00; Professional Surveyors Association of Nebraska – Membership 140.00; Progressive Insurance – Refund 213.99; Psychological Resources – Service 135.00; Pumping Solutions – Supplies 1,771.47; R & R Products, Inc. – Supplies 234.59; Reardon Lawn & Garden, Inc. – Supplies 1,244.10; Recorded Books LLC – Supplies 932.31; Reis Environmental – Hazmat Equipment 9,089.60; Rembolt Ludtke LLP – Service 27.50; Safelite – Service 39.95; Sapp Bros Columbus, Inc. – Fuel 368.32; Sapp Bros Petroleum, Inc. – Fuel 13,144.27; SCG Consulting Services – Service 1,200.00; Schieffer Signs, Inc. – Supplies 1,565.00; Schneider's O K Tire Company – Lease Payment 35.00; School District # 1 – Payment 300.00; Scotus Central Catholic – Service/Supplies 149.00; Greg Sealock – Expenses 150.00; Security Equipment, Inc. – Service

1,542.00; ServiceMaster By Shevlin – Service 2,155.00; Shane's Repair – Supplies 27.26; Mike Shemek – Expenses 119.84; Sherwin-Williams Co. – Supplies 353.34; Shevlin Supply – Supplies 430.51; Shred Monster, Inc. – Service 5,000.00; Sipple, Hansen, Emerson, Schumacher & Klutman – Service 7,000.35; Sirius Computer Solutions, Inc. – Service 1,204.80; Chuck Sliva – Expenses 35.20; Society for Human Resources Management – Membership 199.00; State of Nebraska Department of Revenue – Sales Tax 54,487.61; State Treasurer of Nebraska – License 3,330.74; Stericycle, Inc. – Service 999.38; The String Beans – Service 775.00; Stryker Sales Corporation – Supplies 90.20; Sunbelt Rentals, Inc. – Supplies 463.50; Super Saver – Supplies 119.03; Superior Lamp, Inc. – Supplies 398.31; Sysco Lincoln – Supplies 6,406.00; T & L Services – Service 525.00; T-Bone Fuel Delivery – Fuel 7,351.98; Terracon Consultants, Inc. – Loup River Levee Recertification 3,441.00; Donna Thiem – Expenses 80.25; Tighton Fastener & Supply, Inc. – Supplies 1,001.13; Tire Outlet, Inc. – Service 1,034.00; TM Cleaning – Service 250.00; TotalFunds by Hasler – Postage 1,000.00; Tractor Supply Credit Plan – Supplies 122.20; Tri Air Testing, Inc. – Supplies 254.00; Tri County Repairs – Service 134.07; Truck Center Companies – Service 1,153.28; TSP, Inc. – Restroom Improvements 3,070.18; Typhoon Wash – Service 48.47; U & I Sanitation – Service 91.25; Ultra Graphics – Supplies 780.43; Unico Group – Insurance 3,682.00; UnitedHealthcare – Refund 101.96; United States Post Office – Postage 2,216.95; US Cellular – Service 122.43; USA Blue Book – Supplies 404.37; USDA, APHIS – Service 934.83; Utilities Section League of Nebraska Municipalities – Membership 3,285.00; Utility Service Co., Inc. – Tank Maintenance 22,405.77; Van Diest Supply Company – Supplies 83.80; Van Wall Equipment, Inc. – Supplies 249.65; Tara L Vasicek – Expenses 130.17; Velosys LLC – Service 2,400.00; Verizon Wireless – Utilities 2,507.10; Virgs Blacksmith & Construction – Service 500.00; Waste Connections of Nebraska – Service 177.90; Wellness Council of America – Supplies 20.95; Wemhoff Refrigeration, Inc. – Service 967.19; West Point Implement of Columbus – Supplies 320.42; Wildlife Encounters – Service 500.00; Wize Buys Abbey Carpet – Supplies 625.00; Woodhaven Counseling Associates, Inc. – Service 520.00; Wunderlich's Catering – Meals 372.32; Zee Medical Service – Supplies 225.75; Zegers Automotive – Service 60.89; Zep Sales & Service – Supplies 230.41; Zoll Medical Corporation – Supplies 2,040.00. TOTAL \$3,258,428.78.

5. **APPROVAL OF MINUTES:** Included in Consent Agenda
6. **SPECIAL PRESENTATIONS:** None
7. **PUBLIC HEARINGS:**
 - 7.A. **Public hearing - Application of Jason and Melissa Cerny to rezone property located at 375 and 379 10 Avenue from "R-1" (Single-Family Residential District) to "R-2" (Urban-Family Residential District) and**

amend the Future Land Use Map of the Comprehensive Plan. (Planning Commission recommends approval). No public testimony was heard. The public hearing closed 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".

7.A.1. Ordinance No. 17-23 approving rezoning. The rules were suspended and Ordinance No. 17-23 entitled: AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA TO AMEND THE CITY OF COLUMBUS LAND DEVELOPMENT ORDINANCE OF 1996, ZONING CHAPTER, UNDER ORDINANCE NO. 96-08, AS AMENDED, DATED MARCH 18, 1996, AND ADOPTED AUGUST 4, 1997, AS THE OFFICIAL ZONING CODE OF COLUMBUS BY ORDINANCE NO. 97-17; TO REZONE AND RECLASSIFY THE FOLLOWING DESCRIBED REAL ESTATE, TO WIT: LOTS 2 AND 3, BLOCK A, KINGSWOOD FIRST ADDITION TO THE CITY OF COLUMBUS, PLATTE COUNTY, NEBRASKA, FROM THE PRESENT ZONING CLASSIFICATION OF "R-1" (SINGLE-FAMILY RESIDENTIAL DISTRICT) TO "R-2" (URBAN-FAMILY RESIDENTIAL DISTRICT), TO AMEND THE FUTURE LAND USE MAP AS WELL AS THE ZONING MAP WHICH HAS BEEN ADOPTED BY AND MADE A PART OF SAID COLUMBUS, NEBRASKA LAND DEVELOPMENT ORDINANCE OF 1996, ZONING CHAPTER, TO SHOW SAID REZONING AND RECLASSIFICATION; TO REPEAL ALL ORDINANCES AND RESOLUTIONS OR PARTS THEREOF IN CONFLICT HEREWITH; PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM; AND TO PROVIDE FOR THE EFFECTIVE DATE was read by number only 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". Ordinance No. 17-23 was adopted 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".

7.B. Public hearing - Application of J.L.O. Properties, LLC to rezone property located at 5020 Howard Boulevard and 3155 50 Avenue from "B-2" (General Commercial District) to "ML/C-1" (Light Industrial District) and amend the Future Land Use Map of the Comprehensive Plan. (Planning Commission recommends approval). Roth requested to be excused from discussion and voting on Agenda Items 7.B. and 7.B.1. due to the fact that he feels these items may be perceived as a potential conflict of interest. Roth was allowed to abstain from discussion and voting on this agenda item with a motion by Bahr and a second by Hiemer. Augustine-Schulte, Bahr, Hiemer, Jablonski, Kresha, Lohr, and Schilling voted "Aye" and none voted "Nay". Roth abstained from voting. Roth excused himself and left the room. No public testimony was heard. The public hearing closed with a motion by Jablonski and a second by Hiemer. Augustine-Schulte, Bahr, Hiemer,

Jablonski, Kresha, Lohr, and Schilling voted "Aye" and none voted "Nay". Roth abstained from voting.

- 7.B.1. Ordinance No. 17-24 approving rezoning.** The rules were suspended and Ordinance No. 17-24 entitled: AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA TO AMEND THE CITY OF COLUMBUS LAND DEVELOPMENT ORDINANCE OF 1996, ZONING CHAPTER, UNDER ORDINANCE NO. 96-08, AS AMENDED, DATED MARCH 18, 1996, AND ADOPTED AUGUST 4, 1997, AS THE OFFICIAL ZONING CODE OF COLUMBUS BY ORDINANCE NO. 97-17; TO REZONE AND RECLASSIFY THE FOLLOWING DESCRIBED REAL ESTATE, TO WIT: LOT 2, DEMERS SUBDIVISION TO THE CITY OF COLUMBUS, PLATTE COUNTY, NEBRASKA; AND LOTS 2 AND 3, OBRIST SUBDIVISION TO THE CITY OF COLUMBUS, PLATTE COUNTY, NEBRASKA; AND LOT 1 AND LOT 2, BLOCK C, EVANS-PLUGGE SUBDIVISION, TO THE CITY OF COLUMBUS, LOCATED IN THE SE 1/4 OF SECTION 14, TOWNSHIP 17 NORTH, RANGE 1 WEST OF THE 6TH P.M., PLATTE COUNTY, NEBRASKA, EXCEPTING THEREFROM: A TRACT OF LAND LOCATED IN LOT 1, BLOCK C, EVANS-PLUGGE SUBDIVISION TO THE CITY OF COLUMBUS, IN THE SE 1/4 OF SECTION 14, TOWNSHIP 17 NORTH, RANGE 1 WEST OF THE 6TH P.M., PLATTE COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTH CORNER OF SAID LOT 1; THENCE, NORTHEASTERLY ALONG THE SOUTHEASTERLY LINE OF SAID LOT 1 FOR A DISTANCE OF 76.01 FEET; THENCE NORTHWESTERLY DEFLECTING 090°59'07" LEFT, A DISTANCE OF 147.34 FEET TO A POINT ON THE WESTERLY LINE OF SAID LOT 1; THENCE SOUTHERLY DEFLECTING 129°15'59" LEFT, ALONG THE SAID WESTERLY LINE OF SAID LOT 1 FOR A DISTANCE OF 98.16 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1; THENCE SOUTHEASTERLY DEFLECTING 050°44'01" LEFT, ALONG THE SOUTHEASTERLY LINE OF SAID LOT 1 FOR A DISTANCE OF 83.90 FEET TO THE POINT OF BEGINNING, FROM THE PRESENT ZONING CLASSIFICATION OF "B-2" (GENERAL COMMERCIAL DISTRICT) TO "ML/C-1" (LIGHT INDUSTRIAL DISTRICT), TO AMEND THE FUTURE LAND USE MAP AS WELL AS THE ZONING MAP WHICH HAS BEEN ADOPTED BY AND MADE A PART OF SAID COLUMBUS, NEBRASKA LAND DEVELOPMENT ORDINANCE OF 1996, ZONING CHAPTER, TO SHOW SAID REZONING AND RECLASSIFICATION; TO REPEAL ALL ORDINANCES AND RESOLUTIONS OR PARTS THEREOF IN CONFLICT HERewith; PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM; AND TO PROVIDE FOR THE EFFECTIVE DATE was read by number only with a motion by Jablonski and a second by Kresha. Augustine-Schulte, Bahr, Hiemer, Jablonski, Kresha, Lohr, and Schilling voted "Aye" and none voted "Nay". Roth abstained from voting. Curtis described the planned use for the property. Ordinance No. 17-24 was adopted with a motion by Jablonski and a second by Kresha. Augustine-

Schulte, Bahr, Hiemer, Jablonski, Kresha, Lohr, and Schilling voted "Aye" and none voted "Nay". Roth abstained from voting. Roth returned to the room and was seated.

8. **PETITIONS AND COMMUNICATIONS:** None

9. **REPORTS OF CITY OFFICES:** None

10. **REPORTS OF COUNCIL COMMITTEES:**

10.A. **PUBLIC PROPERTY, SAFETY, AND WORKS COMMITTEE - October 9, 2017**

10.A.1. **Amend City Code to prohibit miniature pigs as pets.** The Public Property, Safety, and Works Committee recommended to the mayor and council that an amendment be included in the City Code update that prohibits miniature pigs within the city limits. The report was adopted 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".

10.A.2. **Amend City Code to ban roosters within city limits and change the number of animals allowed per property.** The Public Property, Safety, and Works Committee recommended to the mayor and council that an amendment be included in the City Code update that bans roosters within the city limits and limits the number of animals allowed on properties. The report was adopted with a motion by Bahr and a second by Kresha. Augustine-Schulte, Bahr, Hiemer, Jablonski, Kresha, Lohr, Roth, and Schilling voted "Aye" and none voted "Nay". Bulkley pointed out that a number of nuisance complaints with roosters have been received.

10.A.3. **Amend City Code for term of pet licenses to be valid for 12 months from date of issuance versus calendar year.** The Public Property, Safety, and Works Committee recommends to the mayor and council that an amendment be included in the City Code update that states that annual pet licenses be effective the first day of the month of issuance and expire one year from the effective date. The report was adopted 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".

10.A.4. **Minutes of September 11, 2017, Traffic Control Device Committee.** The Public Property, Safety, and Works Committee recommended to the mayor and council that the minutes of the September 11, 2017, Traffic Control Device Committee be approved. The report 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".

11. **REPORTS OF SPECIAL COMMITTEES:** None

12. **REPORTS ON LEGISLATION:** None

13. **NEW BUSINESS:**

13.A. **Application of C. Ronald Lambert for preliminary plat of Lambert's Country Shadows South Subdivision and request for waiver of subdivision regulations for length of cul-de-sac to exceed 350 feet. (Planning Commission recommends approval.)** The preliminary plat of Lambert's Country Shadows South Subdivision and request for waiver of subdivision regulations for length of cul-de-sac to exceed 350 feet was approved 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". Keith Gilmore, Gilmore & Associates, on behalf of the applicant, described the proposed layout of the subdivision and explained that the request for an extended cul-de-sac is due to limited access to the area.

13.B. **Comments from mayor and city council members.** There were no comments from the mayor and council members.

14. **RESOLUTIONS:**

14.A. **Resolution No. R17-124 approving an agreement with Police Facility Design Group, PA in the amount of \$29,450 for program review and site evaluation and in the amount of eight percent (8%) of the estimated cost of construction associated with the building construction and site development for a Public Safety Facility.** Resolution No. R17-124 entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, APPROVING AN AGREEMENT WITH POLICE FACILITY DESIGN GROUP, PA IN THE AMOUNT OF \$29,450 FOR PROGRAM REVIEW AND SITE EVALUATION AND IN THE AMOUNT OF EIGHT PERCENT (8%) OF THE ESTIMATED COST OF CONSTRUCTION ASSOCIATED WITH THE BUILDING CONSTRUCTION AND SITE DEVELOPMENT FOR A PUBLIC SAFETY 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 was adopted 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". Vasicek explained the events that have transpired to date and said the previous consultant has completed a draft needs and site assessment. She pointed out that Police Facility Design Group, PA, specializes in this type of project and they feel confident that they can meet the requirements of the tight timeline.

15. **ORDINANCES ON FIRST READING:** None
16. **ORDINANCES ON SECOND READING:** None
17. **ORDINANCES ON THIRD READING:**
 - 17.A. **Ordinance No. 17-22 amending Chapter 150 of Title XV of Ordinance No. 05-47 (Columbus City Code) by adopting and amending the 2012 International Property Maintenance Code.** On its third reading, Ordinance No. 17-22 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 ADOPTING THE 2012 INTERNATIONAL PROPERTY MAINTENANCE CODE BY REFERENCE; AMENDING THE 2012 INTERNATIONAL PROPERTY MAINTENANCE CODE AS SET FORTH HEREIN; ESTABLISHING REGULATIONS GOVERNING CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS, AND STRUCTURES IN THE CITY OF COLUMBUS AND ITS ZONING TERRITORIAL JURISDICTION; PROVIDING THE STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND OTHER PHYSICAL THINGS AND CONDITIONS ESSENTIAL TO ENSURE THAT STRUCTURES ARE SAFE, SANITARY AND FIT FOR OCCUPANCY AND USE; PROVIDING FOR THE CONDEMNATION OF BUILDINGS AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY USE, AND THE DEMOLITION OF SUCH STRUCTURES; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM; AND PROVIDING FOR AN EFFECTIVE DATE was adopted with a motion by Lohr 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:** Payroll and all other bills included in Consent Agenda
 - 18.A. **ARL Credit Services.** ARL Credit Services - Service \$446.61. Jablonski requested to be excused from discussion on this agenda item because he is an owner of ARL Credit Services and therefore has a conflict of interest. Jablonski was allowed to abstain from voting on this agenda item and the rules requiring him to leave the Council Chambers during discussion and vote were suspended with a motion by Bahr and a second by Schilling. Augustine-Schulte, Bahr, Hiemer, Kresha, Lohr, Roth, and Schilling voted "Aye" and none voted "Nay". Jablonski abstained from voting. The bill for ARL Credit Services was approved with a motion by Bahr and a second by Kresha. Augustine-Schulte, Bahr, Hiemer, Kresha, Lohr, Roth, and Schilling voted "Aye" and none voted "Nay". Jablonski abstained from voting.

19. UNFINISHED BUSINESS:

19.A. Discussion of legal steps with city attorney for resolution of property acquisition for land which is set forth in Resolution No. R16-159.

and

19.B. Update on contract negotiations with Platte Valley Humane Society for animal sheltering services. A motion was made by Bahr and seconded by Augustine-Schulte to go into closed session; the two subject matters to be discussed in closed session are 1) strategy session with respect to potential litigation; specifically discussion of legal steps with city attorney for resolution of property acquisition for land which is set forth in Resolution No. R16-159; and 2) legal advice from city attorney on potential contractual terms in relation to negotiation of a new contract; specifically update on contract negotiations with Platte Valley Humane Society for animal sheltering services; the reason for going into closed session on both subject matters is for protection of the public interests. On the first subject matter, the following individuals will also be included in the closed session: Mayor James Bulkley, City Administrator Tara Vasicek, City Attorney Neal Valorz, City Engineer Rick Bogus, and Finance Director Anne Kinnison. On the second subject matter, the following individuals will also be included in the closed session: Mayor James Bulkley, City Administrator Tara Vasicek, City Attorney Neal Valorz, and Police Chief Chuck Sherer. Bulkley announced that a motion was made for the City Council to go into closed session; the two subject matters to be discussed in closed session are 1) strategy session with respect to potential litigation; specifically discussion of legal steps with city attorney for resolution of property acquisition for land which is set forth in Resolution No. R16-159; and 2) legal advice from city attorney on potential contractual terms in relation to negotiation of a new contract; specifically update on contract negotiations with Platte Valley Humane Society for animal sheltering services; the reason for going into closed session on both subject matters is for protection of the public interests. On the first subject matter, the following individuals will also be included in the closed session: Mayor James Bulkley, City Administrator Tara Vasicek, City Attorney Neal Valorz, City Engineer Rick Bogus, and Finance Director Anne Kinnison. On the second subject matter, the following individuals will also be included in the closed session: Mayor James Bulkley, City Administrator Tara Vasicek, City Attorney Neal Valorz, and Police Chief Chuck Sherer. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Roth, and Schilling voted "Aye" and none voted "Nay". Motion carried. Bulkley announced that the City Council has voted to go into closed session; the two subject matters to be discussed in closed session are 1) strategy session with respect to potential litigation; specifically discussion of legal steps with city attorney for resolution of property acquisition for land which is set forth in Resolution No. R16-159; and 2) legal advice from city attorney on potential contractual terms in relation to negotiation of a new contract;

specifically update on contract negotiations with Platte Valley Humane Society for animal sheltering services; the reason for going into closed session on both subject matters is for protection of the public interests. On the first subject matter, the following individuals will also be included in the closed session: Mayor James Bulkley, City Administrator Tara Vasicek, City Attorney Neal Valorz, City Engineer Rick Bogus, and Finance Director Anne Kinnison. On the second subject matter, the following individuals will also be included in the closed session: Mayor James Bulkley, City Administrator Tara Vasicek, City Attorney Neal Valorz, and Police Chief Chuck Sherer. The City Council went into closed session at 7:37 p.m. The City Council exited closed session at 8:28 p.m. 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. The city attorney was directed to proceed with a Declaratory Judgment action for the acquisition of land which is the subject of Resolution No. R16-159 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".

20. **ADJOURNMENT:** The meeting adjourned at 8:30 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 6 day of November, 2017.

MAYOR

ATTEST:

CITY CLERK