

A regular meeting of the Mayor and City Council of the City of Columbus, Nebraska was convened in open and public session on January 17, 2011 at 7 p.m. in the Council Chambers, 1369 25th Avenue, Columbus, Nebraska.

Notice of this meeting was given in advance thereof by publication in the Columbus Telegram on December 29, 2010, 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.

**STATEMENT OF COMPLIANCE WITH OPEN MEETINGS ACT:** Mayor Moser read the following statement: "In compliance with the Open Meetings Act, Legislative Bill 898, Second Session Ninety-Ninth Legislature of Nebraska, a current copy of the Act is posted in this meeting room".

**ROLL CALL:** Present were Mayor Michael Moser and Council Members Beth Augustine, Charlie Bahr, Ron Bogus, Jim Bulkley, Ron Schilling, Rich Jablonski, John Lohr and Terry Reardon.

City staff members present included City Administrator Joseph Mangiamelli, City Clerk Linda Walters, City Attorney Stephen Hansen, Finance Director Anne Kinnison, City Engineer David Goedecken, Police Chief William Gumm, Public Property Director Doug Moore, Public Works/Environmental Services Director Chuck Thomerson and Community Development Director Dan Curtis.

**PRAYER:** Mayor Moser asked all to rise and Council President Bogus led in prayer.

**NATIONAL ANTHEM AND PLEDGE OF ALLEGIANCE:** Mayor Moser asked all to remain standing and join him in the National Anthem and Pledge of Allegiance.

**CONSENT AGENDA:** City Administrator Mangiamelli 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 a citizen so requests, in which event the item will be removed from consent status and considered in its normal sequence on the agenda.

- A. Approval of minutes of the January 3, 2011, City Council meeting.
- B. Approval of reappointment of Bill Gannon, Joy Meister and Gary Puetz to the Board of Parks Commissioners for three-year terms.

- C. Approval of Resolution No. R11-01 approving Agency Agreement with Nebraska Department of Aeronautics for Project No. 3-31-0019-08 (E01) to obtain federal assistance for development of the Columbus Municipal Airport.
- D. Approval of specifications and estimate of cost, as submitted by Airport Manager Mark Cozad, for a tractor with snow removal equipment and authorization for city staff to advertise for bids.
- E. Approval of plans, specifications and estimate of cost, as submitted by City Engineer Goedeken, for armor coating at Roselawn Cemetery, Bradshaw Park, Wilderness Park, Gerrard Park and Aquatic Center and authorization for city staff to advertise for bids.
- F. Approval of specifications and estimate of cost, as submitted by City Engineer Goedeken, for one-year supply of road gravel and authorization for city staff to advertise for bids.
- G. Approval of award of low quote to Van Wall Equipment, Inc., Omaha, Nebraska, in the amount of \$23,935 for replacement of a greens mower for Van Berg Golf Course as submitted by Public Property Director Moore.
- H. Approval to change date of second meeting in February 2011 to 7 p.m., Tuesday, February 22, 2011, due to President's Day holiday.
- I. Approval of Resolution No. R11-02 authorizing payment of various improvement projects.
- J. Approval of Finance Department reports.
- K. Approval of payroll and bills on file. 1/21/2011 Payroll 429,272.93; 2/4/11 Payroll 438,083.34; Ace Hardware & Garden Center – Supplies 1,052.20; Donald D Adkisson – Pension 609.00; Advanced Consulting – Service 300.00; AJ Guns – Supplies 57.00; Alamar Uniforms – Supplies 1,129.19; Alltel – Utilities 1,498.95; Altec Industries, Inc. – Service 663.74; Amazon – Supplies 562.95; American Legal Publishing Corp – Service 129.80; American Red Cross – Service 159.00; Ameritas Life Insurance Company – Fees 740.00; Anderson Auto Body – Service 6,157.40; ANSIR4U – Service 90.00; Aqua Products K C – Supplies 1,016.15; Aqua-Chem, Inc. – Supplies 45.81; Aqua-Pure, Inc. – Chemicals 6,605.70; AS Central Services – Service 704.00; AT&T – Utilities 16.22; AVI Systems, Inc. – Audio/Video System 3,937.19; B & D Truck Parts – Supplies 125.00; B-D Construction, Inc. – South Water Plant 67,952.70; Baker & Taylor – Supplies 6,917.64; Barco Municipal Products – Supplies 202.40; Barone Security Systems – Service/Supplies 109.60; Wesley Baxa – Pension 1,232.54; Beard-Warren Heating & Air Conditioning – Service 191.50; Behlen Auto Repair – Service 583.22; Behlen Manufacturing – Grant 85,334.00; Behlen Towing – Service 1,020.00; Best Disc Repair, Inc. – Supplies 191.57; Bierman Contracting –

Service 5,748.00; Big Red Sanitation – Service 295.00; Bill’s Tire Outlet – Service 2,373.46; Bissell Hose Company – Expenses 109.92; Carroll A Bisson – Pension 716.51; Black Hills Energy – Utilities 12,680.92; Frank J Blahak Jr – Pension 762.00; Bomgaars – Supplies 376.25; Bound Tree Medical LLC – Supplies 1,034.89; William C Brandenburgh – Pension 664.25; California Contractors – Supplies 149.60; Capstone Press – Supplies 203.90; Carolina Software – Service 200.00; Cartegraph Systems, Inc. – Service 1,050.00; Vanessa Casper – Service 26.25; Central Community College – Training 20.00; Central Parts & Machine – Supplies 1,513.70; Central Sand & Gravel Co. – Supplies 797.45; Central Valley Ag – Supplies 202.50; City of Columbus – Utilities 103.46; Civil Air Patrol Magazine – Advertising 65.00; Coffman Associates – Airport Layout Plan 30,864.00; Columbus Area Chamber of Commerce – Scholarship 1,755.25; Columbus Community Hospital – Service 209.00; Columbus Custom Embroidery – Supplies 1,028.00; Columbus Plumbing Co. – Service 522.38; Columbus Steel Supply – Supplies 99.33; Columbus Telegram – Subscription 120.75; Columbus Telegram – Publications 1,614.22; Columbus Tire & Service – Service 68.45; Community Internet – Service 255.00; Consolidated Water Solutions – Chemicals 5,486.71; Continental Research Corp. – Supplies 4,480.00; Cornhusker Public Power District – Utilities 783.85; Mark Cozad – Expenses 6.89; Credit Bureau Services – Membership 5.00; Frank A Cuba – Service 96.00; Culligan – Supplies 99.55; Cummins Central Power – Service 971.75; Dan Curtis – Expenses 6.30; Deeter Foundry, Inc., - Supplies 2,204.90; Doernemann Construction, Inc. – Contract 893.42; Drivers License Guide Company – Supplies 82.50; Douglas Dunbar – Contract 4,936.00; Douglas Dunbar – Expenses 195.74; Douglas Dunbar – Commissions 123.79; Eakes Office Plus – Supplies 4,158.38; Electrical Engineering & Equipment Company – Supplies 425.56; Eller Heating, Air Conditioning & Plumbing LLC – Service 186.00; Emergency Management – Service 228.90; Engine Company #1 – Expenses 160.50; Enterprise Electric CO/CED – Supplies 183.50; Eriksen Construction Company, Inc. – Clarifier Covers 27,500.00; Eriksen Construction Company, Inc. – UV Disinfection 98,887.50; Ernst Auto Center – Service 437.48; Evident Crime Scene Products – Supplies 393.00; Excel Commercial – Utilities 55.04; Fastenal Company – Supplies 343.53; First Bankcard – Expenses 959.07; First National Bank & Trust Company – Service 162.72; Foreman Supply – Supplies 45.00; S A Foster Lumber Company – Supplies 5.25; Frontier – Utilities 4,817.55; Frontier Communications – Utilities 178.96; Gaeth Pest Control Services, Inc. – Service 285.00; Gale – Supplies 155.98; Galls – Supplies 967.04; Gehring Construction & Ready-Mix Company – Supplies 523.37; Gehring Construction & Ready-Mix Company – Armory Drive Project 141,824.96; Fernando Gil – Service 17.50; Great American Outdoor – Supplies 6,566.79; Great Plains One Call Service – Service 67.24; William Gumm – Expenses 50.00; Hach Company – Supplies 300.29; Hadley-Braithwait Company – Supplies 538.70; B J Harris, Inc. – Service 685.75; Hawkins, Inc. – Chemicals 3,534.66; HD Supply Waterworks Ltd – Supplies 354.83; Dean Hefti – Expenses 70.19; Lawrence E Hergott – Expenses 150.00; Hi-Lo Equipment Company – Service/Supplies 105.93; Mark S Howerter MD – Contract 500.00; Husker Coop

– Fuel 9,728.51; Husker Steel – Supplies 80.00; Hy-Vee, Inc. – Supplies 133.26; IAEI – Supplies 32.00; IBM Corporation – Service 820.89; Infoprint Solutions Company – Service 120.00; Ingram – Library Materials 1,138.12; Inspro, Inc. – Insurance 133,219.00; Integrated Systems Group – Supplies 1,960.92; Jackson Services, Inc. – Supplies 2,500.04; Jackson Services, Inc. – Rent/Utilities 698.90; JD Services – Service 150.00; JEO Consulting Group, Inc. – Sand Filters 509.00; JEO Consulting Group, Inc. – Loup River Levee Recertification 6,894.50; Kelly Supply Company – Supplies 17,115.47; Kimball Midwest – Supplies 95.23; Anne Kinnison – Expenses 75.00; Kirkham Michael – South Water Treatment Plant 5,837.29; KJSK – Advertising 318.00; KKOT/KTTT – Advertising 636.00; KLIR – Advertising 318.00; KZEN – Advertising 318.00; L & P Financial Services – Supplies 589.30; Lab Safety Supply, Inc. – Supplies 195.07; Lakeview Small Engine – Supplies 850.97; Larue Distributing, Inc. – Supplies 187.28; LCL Truck Equipment – Supplies 68.32; League of Nebraska Municipalities – Training 355.00; Pete Lien & Sons, Inc. – Chemicals 3,445.46; Pierre Lirette – Service 108.00; John F. Lohr – Expenses 148.50; Loup Power District – Utilities 83,759.61; M & O Door Products – Service 56.00; Mail Prep Etc. – Postage 279.41; The Mailbox – Postage 226.96; MailFinance – Postage Meter Lease 198.03; Marley’s Electric, Inc. – Service 60.00; Matheson-Linweld – Supplies 189.37; Rachele McPhillips – Expenses 125.89; Mead Lumber Company-Columbus – Supplies 250.06; Carroll & Doris Melliger – Easement Agreement 125.00; Menards – Supplies 1,914.45; Mid Con Systems, Inc. – Supplies 175.87; Mid-American Research Chemical – Supplies 513.00; Mid-Iowa Solid Waste Equipment Company, Inc. – Supplies 15.20; Mid-States Organized Crime Information Center – Membership 200.00; Midwest Glass Service, Inc. – Service 25.08; Midwest Laboratories, Inc. – Service 21.10; Midwest Right of Way Services – Service 975.00; Midwest Service & Sales – Supplies 5,148.08; Midwest Turf & Irrigation – Supplies 2,028.84; Mike’s Towing – Service 3,679.42; Motion Industries, Inc. – Supplies 2,479.29; Mountain View LLC – Service 195.00; MTM Recognition – Service 15.80; Shane Mueller – Service 146.50; Municipal Pipe Services, Inc. – South Water Plant 6,634.00; Municipal Supply, Inc. – Supplies 2,972.44; Murphy Tractor – Supplies 23.00; NCS Equipment Rental – Supplies 36.60; Nebraska Department of Economic Development – Grants 4,773.73; Nebraska Emergency Service – Membership 135.00; Nebraska Environmental Products – Supplies 285.78; Nebraska Golf Course Superintendant Association – Membership 100.00; Nebraska Law Enforcement Training Center – Training 10.00; Nebraska Library Commission – Training 30.00; Nebraska Public Health Environmental Laboratory – Service 1,227.00; Nebraska Rural Water Association – Training 2,242.00; Nebraska Salt & Grain Company – Supplies 1,361.87; Nebraska Sports – Supplies 227.70; Nebraska State Historical Society – Supplies 130.00; Nebraska Turfgrass Association – Dues 150.00; Nebraska U C Fund – Payment 5,315.23; Marvin O Nelson – Pension 502.50; NMC Exchange LLC – Service 462.98; Northeast Nebraska Economic Development District – Grant 697.50; Northeast Nebraska Solid Waste Coalition – Landfill Disposal 39,363.68; Novicki Fire Prevention Service Co. – Service 143.75; O’Keefe Elevator Company – Service 279.57; O’Reilly

Automotive, Inc. – Supplies 264.81; Occupational Health Services – Service 1,011.75; OCLC, Inc. – Service 458.85; Officenet – Supplies 22.00; Oliver Products – Supplies 1,582.00; Omaha World Herald – Subscription 83.20; Overturf Electric Motors – Service 44.00; The Parts Bin – Supplies 853.61; Payroll Clearing – Police Pension 84.00; Peerless Wiping Cloth – Supplies 299.30; Rachel Pensick – Expenses 21.39; Petty Cash – Expenses 269.88; Pioneer Hook & Ladder Company – Expenses 101.92; Platte County – Contract 2,416.67; Platte County Election Commissioner – Election Expenses 7,639.27; Platte Valley Communications – Service 3,500.00; Platte Valley Humane Society – Payment 12,582.50; Playtime LLC – Water Park Floatables 13,508.81; Presto-X-Company – Service 70.35; Qwest – Utilities 1,514.35; R & R Products – Supplies 730.50; Railroad Management Co. Ill LLC – Payment 109.81; Recorded Books LLC – Supplies 189.62; Recreation Supply Company – Supplies 1,970.43; Redstone Veterinary Clinic – Service 742.15; Road Builders Machinery & Supply Co., Inc. – Service 15,056.92; Nancy Roubal – Expenses 21.89; Safariland LLC – Supplies 375.00; Sahling Kenworth, Inc. – Service 292.12; Sapp Bros Columbus, Inc. – Fuel/Supplies 13,998.55; Sapp Bros Petroleum, Inc. – Fuel 6,915.68; Keith Schademann – Expenses 85.59; Schieffer Signs, Inc. – Supplies 388.00; Schneider's O K Tire Company – Lease Payment 30.00; Schwing Bioset – Supplies 1,004.71; Seacrest & Kalkowski – TIF Project 2,134.00; Tom Settje Plumbing – Service 101.83; Short Elliott Hendrickson, Inc. – Loup Levee Recertification 6,563.97; Shred Monster, Inc. – Service 106.20; Sipple, Hansen, Emerson & Schumacher – Service 3,350.45; Stanley Petroleum – Service 163.70; State of Nebraska Department of Revenue – Sales Tax 27,028.51; Gene Steffy Ford – Pickup 20,987.00; Gene Steffy Ford – Supplies 3.26; Super Saver – Supplies 40.27; Sysco Lincoln – Supplies 3,020.71; T & L Services – Service 250.00; Telebeep Wireless – Service 34.22; Tenenz, Inc. – Supplies 235.09; Tool Shed – Supplies 407.18; Tractor Supply Credit Plan – Supplies 28.99; Jerry Tworek – Service 1,225.00; Typhoon Wash – Service 42.00; U & I Sanitation – Service 106.00; U S Bank – Expenses 557.54; Jeff Uhl – Expenses 33.68; Ultra Graphics – Supplies 1,635.83; United States Post Office – Postage 2,502.97; United States Postal Service – Postage 1,000.00; United States Treasury – Payment 7,136.44; UNL Extension – Training 36.00; UPS Store – Postage 102.56; USA Blue Book – Supplies 78.29; Utilities Section League of Nebraska Municipalities – Training 470.00; Utility Service Company, Inc. – Water Tower Maintenance 86,654.17; Van Wall Turf & Irrigation – Mower 1,500.00; Van Wall Turf & Irrigation – Sprayer 26,944.71; Walmart Community – Supplies 2,237.02; Waste Connections of Nebraska – Service 309.84; Wells Fargo Bank – Fees 750.00; Karl Wlaschin – Expenses 181.00; Yamaha Golf & Equipment – Supplies 625.00; Youngs – Supplies 377.83; Zee Medical Service – Supplies 456.95. TOTAL 2,084,729.91.

Moved by Bogus, seconded by Schilling, the items on the consent agenda, being routine in nature, be approved as presented. Roll call and Council Members Augustine, Bahr, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Motion carried.

**PUBLIC HEARING – APPLICATION OF DANA POINT DEVELOPMENT CORPORATION FOR FINAL PLAT OF JACKSON MEADOWS ADDITION (51ST AVENUE AND 34TH STREET):**

The Affidavit of Publication and Notice of Hearing were presented on the application of Dana Point Development Corporation for the final plat of Jackson Meadows Addition, a tract of land located in the NW1/4NE1/4 of Section 14, Township 17 North, Range 1 West of the 6th P.M. in Platte County, Nebraska (51st Avenue north of 34th Street). A memorandum was also presented from City Engineer Goedecken submitting detailed information and a staff recommendation to approve the final plat. The Planning Commission recommended approval. City Administrator Mangiamelli also addressed agenda items 6 B. and 6 C. as follows as they pertain to this entire project: 6 B. - Public hearing to determine whether Jackson Meadows Addition located at 51st Avenue north of 34th Street should be included within the corporate city limits; and 6 C. - Application of Dana Point Development Corporation to rezone a tract of land located on Lot 1, Block A and Lot 1, Block B, Jackson Meadows Addition to the City of Columbus, Platte County, Nebraska (51st Avenue and 34th Street) from "RR" (Rural Residential District) to "R-3" (Multiple-Family Residential District) and to amend the Future Land Use Map of the Comprehensive Plan to reflect the same change in zoning. Mangiamelli explained that this two lot plat on both sides of 51st Avenue will be used for the construction of 11 duplex units in conjunction with a grant that will provide affordable rental housing for senior citizens 55+ years of age. Mangiamelli stated that a petition was presented to the Planning Commission containing signatures of 20 neighboring property owners requesting that the property remain "RR" or be rezoned to "R-2" (Urban-Family Residential District) as opposed to "R-3". Mangiamelli explained that due to shorter setback requirements in an "R-3" zone, up to five duplexes could be placed on the property's west side with six on the east. Mangiamelli further explained that the Planning Commission recommended approval of the rezoning contingent upon the adoption of an agreement between the developer and the City or any other means assuring the City the project will be built as represented. Clark Grant, 1464 27th Avenue, on behalf of the applicant, referred to the site plan as well as other information presented and pointed out that "R-3" zoning exists west of this property. In response to Council Member Augustine, Mangiamelli said the developer has looked at other properties and pointed out that duplexes at this location would be a good transition from the "R-3" zoning to the west and "R-1" single family zoning to the east. Grant stressed that only duplexes will be constructed on this property and said an agreement has been prepared and incorporated into the rezoning ordinance stating that the property would revert from "R-3" to "RR" zoning should the application for funding assistance not be approved and the project not be constructed as represented. In response to Council Member Bahr, Grant said all 11 units would need to be built in order for this project to be financially feasible. Council Member Schilling referred to the fact he received concerns from neighboring property owners regarding this proposed development and pointed out that he met with the project engineer in order to provide additional information to the property owners. Greg Lower of Gilmore and Associates, on behalf of the applicant, said the street would drain south to 33rd Avenue and yard run-off would drain north through a drainage swale into a storm sewer pipe. In response to Mayor Moser, City Engineer Goedecken said he is satisfied with the drainage plans. Nick Groene, 3452 51st Avenue, referred to the petition presented at

the Planning Commission meeting and testified that the petitioners prefer the property remain "RR" or be rezoned as "R-2". Groene said most duplexes in Columbus have at least 20 feet between them and he feels the proposed spacing of 10 feet 6 inches poses a fire hazard. Groene stated that there are no senior services in this area, questioned whether 51st Avenue would extend north or end in a cul-de-sac and requested that this issue be referred back to the Planning Commission for reconsideration. City Engineer Goedecken said 51st Avenue would be a dead-end street and pointed out that this is common in new subdivisions. In response to a question from Carol Uden, 3462 50th Avenue, regarding potential drainage problems, Goedecken stated that any issues would be addressed by the city and the developer. Ted Pocwierz, 3361 51st Avenue, and Matthew Wright, 5025 27th Street, stated they felt this proposed development would devalue their property. Pocwierz also referred to safety issues as it relates to the distance between the structures and questioned who would be responsible for lawn maintenance and snow removal. Lower stated that Dana Point Development Corporation would be responsible for contracting for these services. In response to Council Member Reardon, Lower confirmed that the proposed spacing between duplexes is allowed by the State Fire Marshall. City Administrator Mangiamelli pointed out that the developer is establishing a 30 year commitment to this property. Gerry Czarnick, 3568 50th Avenue, also expressed concerns regarding property values, drainage and the possibility that this development may be infringing on a game preserve. Lower explained the drainage plans for this area and said he was not aware of a game preserve located in this area. Mangiamelli pointed out that any encumbrances would be addressed as part of the grant application. Discussion followed regarding the empty lots north of the proposed development and it was noted that the vacant lots are owned by another entity. In response to concerns from Ted Pocwierz regarding the distance between duplexes, Community Development Director Curtis stated that a distance of six feet between duplexes is acceptable in an "R-3" zoning. Moved by Bogus, seconded by Schilling, the public hearing be closed and the final plat be approved. Roll call and Council Members Augustine, Bahr, Bogus, Bulkley, Schilling, Jablonski and Lohr voted "Aye" and Reardon voted "Nay." Motion carried.

**PUBLIC HEARING – TO DETERMINE WHETHER JACKSON MEADOWS ADDITION SHOULD BE INCLUDED WITHIN THE CORPORATE CITY LIMITS (51ST AVENUE NORTH OF 34TH STREET):**

The Affidavit of Publication and Notice of Hearing were presented on the public hearing to determine whether Jackson Meadows Addition located at 51st Avenue north of 34th Street should be included within the corporate city limits. A memorandum was also presented from City Engineer Goedecken submitting detailed information and a staff recommendation to bring this addition into the corporate city limits. The Planning Commission recommended approval. City Administrator Mangiamelli explained that the 51st Street right-of-way is located inside the city limits and the remainder of this addition is outside of the city limits. No one appeared in opposition. Moved by Bogus, seconded by Lohr, the public hearing be closed and to bring said addition into the corporate city limits. Roll call and Council Members Augustine, Bahr, Bogus, Bulkley, Schilling, Jablonski and Lohr voted "Aye" and Reardon voted "Nay." Motion carried.

**RESOLUTION NO. R11-03 WAS INTRODUCED BY COUNCIL MEMBER LOHR.****RESOLUTION NO. R11-03****ADOPTED: JANUARY 17, 2011**

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, ACCEPTING THE DEED OF DEDICATION TO A PARCEL OF LAND LEGALLY DESCRIBED AS: LOT 1, BLOCK "A", A TRACT OF LAND LOCATED IN THE NW1/4 NE1/4 OF SECTION 14, T17N, R1W OF THE 6TH P.M. IN PLATTE COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF LOT 16, WESTBROOK 2ND ADDITION TO THE CITY OF COLUMBUS, PLATTE COUNTY, NEBRASKA, AND ASSUMING THE EAST LINE OF SAID ADDITION TO HAVE A BEARING OF N 00°16'45"W; THENCE N 00°16'45"W AND ON SAID EAST LINE, 485.07 FEET, TO THE NORTHEAST CORNER OF LOT 14 OF SAID ADDITION; THENCE N 89°54'01"E, 124.77 FEET, TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF 51<sup>ST</sup> AVENUE; THENCE S 00°17'21"E AND ON SAID WEST RIGHT-OF-WAY LINE, 485.07 FEET, TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF 34TH STREET; THENCE S 89°54'01"W AND ON SAID NORTH LINE, 124.86 FEET, TO THE POINT OF BEGINNING, CONTAINING 1.39 ACRES, MORE OR LESS. LOT 1, BLOCK "B", A TRACT OF LAND LOCATED IN THE NW1/4NE1/4 OF SECTION 14, T17N, R1W OF THE 6TH P.M. IN PLATTE COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF LOT 16, WESTBROOK 2ND ADDITION TO THE CITY OF COLUMBUS, PLATTE COUNTY, NEBRASKA, AND ASSUMING THE EAST LINE OF SAID ADDITION TO HAVE A BEARING OF N 00°16'45"W; THENCE N 89°54'01"E AND ON THE NORTH RIGHT-OF-WAY LINE OF 34TH STREET, 184.86 FEET, TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF 51ST AVENUE, SAID POINT BEING THE POINT OF BEGINNING; THENCE N 00°17'21"W AND ON SAID EAST RIGHT-OF-WAY LINE, 486.00 FEET; THENCE N 89°52'18"E, 149.87 FEET, TO A POINT ON THE WEST LINE OF CRESTWOOD ACRES 1ST ADDITION TO THE CITY OF COLUMBUS, THENCE S 00°17'29"E AND ON SAID WEST LINE, 516.00 FEET, TO THE NORTHEAST CORNER OF LOT 1, BLOCK E, WESTBROOK ADDITION TO THE CITY OF COLUMBUS; THENCE S 89°52'18"W AND ON THE NORTH LINE OF SAID LOT 1, 149.89 FEET, TO THE NORTHWEST CORNER OF SAID LOT 1, SAID POINT ALSO BEING ON THE EAST RIGHT-OF-WAY LINE OF 51ST AVENUE; THENCE N 00°17'21"W AND ON SAID EAST LINE, 30.00 FEET, TO THE POINT OF BEGINNING, CONTAINING 1.78 ACRES, MORE OR LESS. HEREINAFTER TO BE KNOWN AS JACKSON MEADOWS ADDITION TO THE CITY OF COLUMBUS, PLATTE COUNTY, NEBRASKA, APPROVING THE PLAT THEREOF AND APPROVING INCLUSION OF SAID PLAT INTO THE CORPORATE LIMITS OF COLUMBUS, PLATTE COUNTY, NEBRASKA,

Moved by Lohr, seconded by Bogus, Resolution No. R11-03 be passed and adopted. Roll call and Council Members Bahr, Bogus, Schilling, Jablonski and Lohr voted "Aye" and Augustine, Bulkley and Reardon voted "Nay." Motion carried.



**PUBLIC HEARING – APPLICATION OF DANA POINT DEVELOPMENT CORPORATION TO REZONE A TRACT OF LAND LOCATED AT 51ST AVENUE AND 34TH STREET FROM “RR” (RURAL RESIDENTIAL DISTRICT) TO “R-3” (MULTIPLE-FAMILY RESIDENTIAL DISTRICT) AND TO AMEND THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN TO REFLECT THE SAME CHANGE IN ZONING:**

The Affidavit of Publication and Notice of Hearing were presented on the application of Dana Point Development Corporation to rezone a tract of land located on Lot 1, Block A and Lot 1, Block B, Jackson Meadows Addition to the City of Columbus, Platte County, Nebraska (51st Avenue and 34th Street) from “RR” (Rural Residential District) to “R-3” (Multiple-Family Residential District) and to amend the Future Land Use Map of the Comprehensive Plan to reflect the same change in zoning. The Affidavit of Posting and Mailing Notices was presented. A memorandum was also presented from Community Development Director Curtis submitting detailed information and a staff recommendation to approve the rezoning and amend the Future Land Use Map of the Comprehensive Plan to reflect the same change in zoning. The Planning Commission recommended approval contingent upon the adoption of an agreement between the developer and the city or any other means assuring the city the project will be built as represented. City Administrator Mangiamelli pointed out that the agreement is included in the Council’s agenda packet and incorporated into the following rezoning ordinance. Moved by Bogus, seconded by Augustine, the public hearing be closed. Roll call and Council Members Bahr, Bogus, Bulkley, Schilling, Jablonski and Lohr voted “Aye” and Augustine and Reardon voted “Nay.” Motion carried.

**ORDINANCE NO. 11-02 WAS INTRODUCED BY COUNCIL MEMBER AUGUSTINE.**

**ORDINANCE NO. 11-02**

**ADOPTED: JANUARY 17, 2011**

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, DATED MARCH 18, 1996 UNDER ORDINANCE NO. 96-08, AS AMENDED, AND ADOPTED AUGUST 4, 1997, AS THE OFFICIAL ZONING CODE FOR THE CITY OF COLUMBUS BY ORDINANCE NO. 97-17, TO REZONE AND RECLASSIFY THE FOLLOWING DESCRIBED REAL ESTATE, TO WIT: LOT 1, BLOCK A AND LOT 1, BLOCK B JACKSON MEADOWS ADDITION TO THE CITY OF COLUMBUS, PLATTE COUNTY, NEBRASKA FROM THE PRESENT ZONING CLASSIFICATION OF “RR” (RURAL RESIDENTIAL DISTRICT) TO “R-3” (MULTIPLE-FAMILY DISTRICT); TO AMEND THE FUTURE LAND USE MAP AS WELL AS THE ZONING MAP WHICH IS ATTACHED TO AND MADE A PART OF SAID CITY OF COLUMBUS LAND DEVELOPMENT ORDINANCE OF 1996 TO SHOW SAID REZONING AND RECLASSIFICATION; TO REPEAL ALL ORDINANCES AND RESOLUTIONS OR PARTS THEREOF IN CONFLICT HEREWITH; TO PROVIDE FOR THE EFFECTIVE DATE; TO APPROVE AN AGREEMENT WITH DANA POINT DEVELOPMENT CORPORATION TO PROVIDE FOR THE REVERSION OF THE ZONING FROM “R-3” (MULTIPLE-FAMILY RESIDENTIAL DISTRICT) TO “RR”

(RURAL RESIDENTIAL DISTRICT) SHOULD THE APPLICATION FOR FUNDING ASSISTANCE NOT BE APPROVED AND THE PROJECT NOT BE CONSTRUCTED AS REPRESENTED, 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.

Moved by Augustine, seconded by Bogus, the rules be suspended and Ordinance No. 11-02 be read by number only at this meeting. Roll call and Council Members Augustine, Bahr, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Motion carried and Ordinance No. 11-02 was read by number only at this meeting.

Moved by Augustine, seconded by Bogus, Ordinance No. 11-02 be passed and adopted.

Mayor Moser put the question, "Shall Ordinance No. 11-02 be passed and adopted?" Roll call and Council Members Bahr, Bogus, Schilling and Lohr voted "Aye" and Augustine, Bulkley, Jablonski and Reardon voted "Nay." Mayor Moser announced that the motion to adopt the ordinance failed. City Attorney Hansen pointed out that Mayor Moser has the opportunity to vote on this ordinance and Mayor Moser declined to vote.

**PUBLIC HEARING – APPLICATION OF GEHRING CONSTRUCTION & READY MIX CO., ON BEHALF OF ENOLA LUCHSINGER, FOR SPECIAL USE PERMIT TO ALLOW FOR CONSTRUCTION BATCH PLANT IN AN "RR" (RURAL RESIDENTIAL DISTRICT) ZONE LOCATED SOUTH OF THE LOUP POWER PLANT ON 3RD AVENUE:**

The Affidavit of Publication and Notice of Hearing were presented on the application of Gehring Construction & Ready Mix Co., on behalf of Enola Luchsinger, for a Special Use Permit to allow for a construction batch plant on the following described real estate in a "RR" (Rural Residential District) zone: a tract of land in the NW1/4SW1/4 of Section 9, Township 17 North, Range 1 East of the 6th P.M. in Platte County, Nebraska (south of the Loup Power Plant on 3rd Avenue). The Affidavit of Posting and Mailing Notices was presented. A memorandum was also presented from Community Development Director Curtis submitting detailed information and a staff recommendation to approve the Special Use Permit to be valid through December 31, 2012. The Planning Commission recommended approval. No one spoke regarding this issue and no one appeared in opposition. Moved by Bogus, seconded by Bahr, the public hearing be closed. Roll call and Council Members Augustine, Bahr, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Motion carried.

**ORDINANCE NO. 11-03 WAS INTRODUCED BY COUNCIL MEMBER BAHR.**

**ORDINANCE NO. 11-03**

**ADOPTED: JANUARY 17, 2011**

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF

COLUMBUS, NEBRASKA TO ISSUE A SPECIAL USE PERMIT TO ENOLA LUCHSINGER TO ALLOW FOR A "CONSTRUCTION BATCH PLANT" AS CONTAINED IN TABLE 4-2 ZONING DISTRICT REGULATIONS OF THE ZONING CODE, SPECIFICALLY LIMITED TO ALLOWING GEHRING CONSTRUCTION & READY MIX, INC. TO PRODUCE CONCRETE FOR GEHRING CONSTRUCTION AND READY MIX, INC. CONSTRUCTION PROJECTS LISTED ON EXHIBIT "A", SAID BATCH PLANTS LOCATED ON A TRACT OF LAND LOCATED IN THE NW1/4SW1/4 OF SECTION 9, T17N, R1E OF THE 6TH P.M., IN PLATTE COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE NW1/4SW1/4 OF SECTION 9, T17N, R1E OF THE 6TH P.M., IN PLATTE COUNTY, NEBRASKA, AND ASSUMING THE NORTH LINE OF SAID SW1/4 TO HAVE A BEARING OF N 88°16'19" E; THENCE N 88°16'19" E AND ON SAID NORTH LINE, 33.00 FEET, TO THE POINT OF BEGINNING; THENCE N 88°16'19" E AND ON SAID NORTH LINE, 189.92 FEET; THENCE S 20°00'41" E, 288.30 FEET; THENCE S 25°57'41" E, 66.48 FEET; THENCE S 01°32'02" E, 391.29 FEET; THENCE N 49°27'19" W, 413.47 FEET; THENCE N 01°46'37" W, 447.54 FEET, TO THE POINT OF BEGINNING, CONTAINING 3.67 ACRES, MORE OR LESS, AND TO REPEAL ALL ORDINANCES, EXCLUSIVE OF ORDINANCE NO. 06-35, AND RESOLUTIONS OR PARTS THEREOF IN CONFLICT HEREWITH; AND TO PROVIDE FOR THE EFFECTIVE DATE.

Moved by Bahr, seconded by Bulkley, the rules be suspended and Ordinance No. 11-03 be read by number only at this meeting. Roll call and Council Members Augustine, Bahr, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Motion carried and Ordinance No. 11-03 was read by number only at this meeting.

Moved by Bahr, seconded by Schilling, Ordinance No. 11-03 be passed and adopted.

Mayor Moser put the question, "Shall Ordinance No. 11-03 be passed and adopted?" Roll call and Council Members Augustine, Bahr, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Motion carried.

Mayor Moser declared, "By your action, you have passed Ordinance No. 11-03," and it was duly signed.

**PUBLIC HEARING – TO CONSIDER TEXT AMENDMENTS TO THE LAND DEVELOPMENT ORDINANCE FOR THE CITY OF COLUMBUS, ZONING CHAPTER, SECTION 13-7 WITH REGARD TO WAIVERS OF ZONING DISTRICT SETBACK REQUIREMENTS OR SEPARATION DISTANCES BETWEEN TOWERS UPON SHOWING SATISFACTORY EVIDENCE OF SAFETY:** The Affidavit of Publication and Notice of Hearing were presented on the public hearing to consider the Text Amendments to The Land Development Ordinance for the City of Columbus, Zoning Chapter, to amend Section 13-7 "Special Use Permit, (a) General" to add a new subsection (6) which will allow a waiver of any zoning district setback requirements of Section 13-7(b)(4) or separation distances between towers in Section 13-7(b)(5), by up

to 50%, upon a showing of satisfactory evidence of safety. A memorandum was also presented from City Administrator Mangiamelli, with concurrence from Community Development Director Curtis, recommending approval of this text amendment. The Planning Commission recommended approval. It was noted that the amendments will allow a taller tower to be constructed to permit co-location and alleviate the number of towers in the community. No one spoke regarding this issue and no one appeared in opposition. Moved by Bulkley, seconded by Bahr, the public hearing be closed. Roll call and Council Members Augustine, Bahr, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Motion carried.

**ORDINANCE NO. 11-04 WAS INTRODUCED BY COUNCIL MEMBER BULKLEY.**

**ORDINANCE NO. 11-04**

**ADOPTED: JANUARY 17, 2011**

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA TO REVISE AND AMEND THE LAND DEVELOPMENT ORDINANCE, ZONING CHAPTER, ADOPTED BY ORDINANCE NO. 96-08 ON MARCH 18, 1996 AS FOLLOWS: AMENDING SECTION 13-7 "SPECIAL USE PERMITS (a) GENERAL" BY ADDING A NEW SUBSECTION (6) TO ALLOW FOR THE WAIVER OF ZONING DISTRICT SETBACK REQUIREMENTS AS CONTAINED IN SECTION 7(b)(4) OR SEPARATION DISTANCES BETWEEN TOWERS AS CONTAINED IN SECTION 7(b)(5) BY UP TO 50%, UPON A SHOWING OF SATISFACTORY EVIDENCE OF SAFETY; REPEALING ALL ORDINANCES OR PORTIONS THEREOF IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE.

Moved by Bulkley, seconded by Bahr, the rules be suspended and Ordinance No. 11-04 be read by number only at this meeting. Roll call and Council Members Augustine, Bahr, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Motion carried and Ordinance No. 11-04 was read by number only at this meeting.

Moved by Bulkley, seconded by Lohr, Ordinance No. 11-04 be passed and adopted.

In response to a question from Council Member Bogus regarding clarification of the terminology 'upon a showing of satisfactory evidence of safety', City Administrator Mangiamelli clarified that towers can be designed to be constructed in sections in order to reduce the fall zone. Mangiamelli referred to the tower that collapsed in Columbus a few years ago and said it was not designed in this manner.

Mayor Moser put the question, "Shall Ordinance No. 11-04 be passed and adopted?" Roll call and Council Members Augustine, Bahr, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Motion carried.

Mayor Moser declared, "By your action, you have passed Ordinance No. 11-04," and it was duly signed.

**PUBLIC HEARING – SENIOR CENTER SERVICES:** The Affidavit of Publication and Notice of Hearing were presented on the public hearing held for the purpose of receiving and reviewing public comments concerning Senior Center services within the community. A memorandum was also presented from Public Property Director Moore explaining that the Northeast Nebraska Area Agency on Aging (NENAAA) administers federal and state subsidies for meals and activities at the Senior Center and in order to qualify, the city is required to hold a public hearing to provide an opportunity for the public to comment on the current programs and suggest possible changes. City Administrator Mangiamelli reported that a memorandum was received from Bonnie McPhillips, Executive Director of the Columbus Housing Authority, expressing her appreciation for the services provided by the NENAAA and commending the Senior Center staff for their service. Chris Dixon, President of the Senior Center Board, expressed appreciation to the Mayor and Council for their involvement with the Senior Center. Council Member Bogus, NENAAA Board Member, acknowledged the positive contributions that Senior Center Manager Sharman and her staff provide and said they have a very good relationship with the NENAAA. No one appeared in opposition. Moved by Bogus, seconded by Reardon, the public hearing be closed. Roll call and Council Members Augustine, Bahr, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted “Aye” and none voted “Nay.” Motion carried.

**PUBLIC HEARING – APPLICATION OF HY-VEE INC., D.B.A. HY-VEE GAS, FOR RETAIL CLASS “D” BEER, WINE AND DISTILLED SPIRITS OFF SALE ONLY LIQUOR LICENSE AT 3012 23RD STREET, COLUMBUS, NEBRASKA:** The Affidavit of Publication and Notice of Hearing were presented on the application of Hy-Vee Inc., d.b.a. Hy-Vee Gas, for a Retail Class “D” Beer, Wine and Distilled Spirits Off Sale Only Liquor License at 3012 23rd Street, Columbus, Nebraska. The following exhibits were also presented: Exhibit “A” - Application; Exhibit “B” - Notice of Hearing; Exhibit “C” - Letter to Applicant; Exhibit “D” - Police Chief’s Report; Exhibit “E” - City Engineer’s Report; Exhibit “F” - List of Current Liquor License Holders; and Exhibit “G” - Criteria for approval/denial of License. A memorandum was included from the City Clerk’s office regarding Nebraska Liquor Control Commission requirements. A communication was also included from Police Chief Gumm making no recommendation regarding this application. No one appeared in opposition and no one spoke regarding this issue. Moved by Schilling, seconded by Lohr, the public hearing be closed, the application be approved and a letter be sent to the Nebraska Liquor Control Commission notifying them of the Council’s action. Roll call and Council Members Augustine, Bahr, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted “Aye” and none voted “Nay.” Motion carried.

**APPLICATION OF SCOTT SCHLATTER AS MANAGER OF HY-VEE GAS, 3012 23RD STREET, COLUMBUS, NEBRASKA, IN CONJUNCTION WITH CLASS “D” LIQUOR LICENSE:** The application of Scott Schlatter as manager of Hy-Vee Gas, 3012 23rd Street, Columbus, Nebraska, in conjunction with their Class “D” Liquor License was presented. A memorandum was included from the City Clerk’s office regarding Nebraska Liquor Control Commission requirements. A communication was also included from Police Chief Gumm making no recommendation regarding this

application. Moved by Bulkley, seconded by Bogus, the manager application be approved and a letter be sent to the Nebraska Liquor Control Commission notifying them of the Council's action. Roll call and Council Members Augustine, Bahr, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Motion carried.

**"STATE OF THE CITY" ADDRESS BY MAYOR MICHAEL L. MOSER:** Mayor Moser read his 2011 State of the City Address to inform the public of all that has been accomplished in 2010 as well as to provide a look into the future. Moser highlighted the accomplishments of various city departments and pointed out the services they provide to the public. Moser gave a brief update on a few of the large projects that are in progress. Moser said the city is in good health financially and noted that the budget was balanced with no layoffs or service cuts. Moser also pointed out that the city has the lowest number of employees per thousand of comparable cities. Moser encouraged residents to get involved by volunteering on committees or assisting with projects to help make Columbus a better place.

**PUBLIC PROPERTY, SAFETY AND WORKS COMMITTEE REPORT – ONE AND SIX YEAR STREET PLAN:** The report of the Public Property, Safety and Works Committee was presented with the recommendation that the proposed One and Six Year Street Plan be approved and the date of public hearing before the City Council be scheduled for February 22, 2011 at 7 p.m. Moved by Bahr, seconded by Lohr, this report be adopted. Roll call and Council Members Augustine, Bahr, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Motion carried.

**PUBLIC FINANCE, JUDICIARY AND PERSONNEL COMMITTEE REPORT – REVIEW PROCEDURES FOR CESSATION OF 1/2% CITY SALES TAX BY CALL OF \$1,415,000 OF SERIES 2004 SWIMMING POOL/WATER PARK BONDS AND BEGINNING OF NEW 1/2% CITY SALES TAX:** The report of the Public Finance, Judiciary and Personnel Committee was presented with the recommendation to call \$1,415,000 of the Series 2004 Swimming Pool/Water Park Bonds on June 15, 2011. Moved by Schilling, seconded by Lohr, this report be adopted. Roll call and Council Members Augustine, Bahr, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Motion carried.

The report of the Public Finance, Judiciary and Personnel Committee was presented with the recommendation to direct city staff to proceed with the preparation of an ordinance to implement the continuation of the 1/2% city sales tax effective July 1, 2011. Moved by Augustine, seconded by Lohr, this report be adopted. Roll call and Council Members Augustine, Bahr, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Motion carried.

**APPOINTMENT OF SUE BARTON AND BARBARA DUFFY TO BUSINESS IMPROVEMENT BOARD FOR THREE-YEAR TERMS:** A memorandum was presented from Mayor Moser submitting the names of Sue Barton and Barbara Duffy for appointment to the Business Improvement Board for three-year terms. Council

President Bogus read a brief resume and it was moved by Bogus, seconded by Bulkley, to approve the Mayor's appointments. Roll call and Council Members Augustine, Bahr, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Motion carried.

**APPROVAL OF AWARD OF LOW BIDS FOR VEHICLES AND EQUIPMENT:**

A memorandum was presented from City Engineer Goedeken submitting detailed information and a staff recommendation to award the low bids for vehicles and equipment as follows: 1) Street Department – 1/2 Ton 4 X 4 Pickup in the amount of \$22,998 to Husker Auto, Lincoln, Nebraska; 3/4 Ton Pickup in the amount of \$18,188 to Gene Steffy Ford, Columbus, Nebraska; Tractor in the amount of \$22,735 to Vacin, Inc., Humphrey, Nebraska; 5 CY Dump Truck in the amount of \$74,474 to Nebraska Truck Center, Grand Island, Nebraska; and Wheel Loader in the amount of \$88,988 to Titan Machinery, Omaha, Nebraska; 2) Water Department – 1/2 Ton Pickup in the amount of \$18,688 to Husker Auto, Lincoln, Nebraska; 3) Transfer Station – Semi-Tractor in the amount of \$99,201 to Nebraska Truck Center, Grand Island, Nebraska; and Semi-Trailer in the amount of \$60,000 to Wilkens Industries, Inc., Morris, Minnesota. It was noted that the Wheel Loader in the amount of \$88,988 to Titan Machinery was awarded through the State of Nebraska bid process. Moved by Bogus, seconded by Bulkley, to award the low bids for the purchase of vehicles and equipment for various city departments as presented. In response to a question from Council Member Reardon with regard to bids for the pickup for the Water Department and the narrow margin between Husker Auto and a local company, City Administrator Mangiamelli explained state statute dictates that bids be awarded to the lowest, responsible bidder. Finance Director Kinnison pointed out that the city's Purchasing Policy mirrors state statute. City Attorney Hansen stated that he discourages awarding a bid based on local preference if it is not the lowest bid. Roll call and Council Members Augustine, Bahr, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Motion carried.

**APPROVAL OF AWARD OF LOW BID FOR TWO FAIRWAY MOWERS FOR GOLF DEPARTMENT:**

A memorandum was presented from Public Property Director Moore submitting detailed information and a staff recommendation to award the low bid to Van Wall Equipment, Omaha, Nebraska, in the amount of \$77,954 for two mowers for the Golf Department. Moved by Bulkley, seconded by Bogus, to award the low bid as presented. Roll call and Council Members Augustine, Bahr, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Motion carried.

**APPROVAL OF AWARD OF LOW BID FOR MOWER FOR PARK DEPARTMENT:**

A memorandum was presented from Public Property Director Moore submitting detailed information and a staff recommendation to award the low bid to Turfwerks, Sioux Falls, South Dakota, in the amount of \$77,413 for a mower for the Park Department. Moved by Bulkley, seconded by Bogus, to award the low bid as presented. Roll call and Council Members Augustine, Bahr, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Motion carried.

**APPLICATION OF QUAIL LANDING ESTATES, LLC FOR PRELIMINARY PLAT OF QUAIL LANDING SECOND SUBDIVISION (SOUTH 5TH STREET AND DEER CREEK PLACE):** An application was presented from Quail Landing Estates, LLC for the preliminary plat of Quail Landing Second Subdivision located in the NW1/4 of the SW1/4 of Section 28, Township 17 North, Range 1 East of the 6th P.M. in Platte County, Nebraska (South 5th Street and Deer Creek Place). A memorandum was also presented from City Engineer Goedecken submitting detailed information and a staff recommendation to approve the preliminary plat. The Planning Commission recommended approval. City Administrator Mangiamelli addressed the issue of cul-de-sacs and the need for a through street in conjunction with future development. Moved by Bulkley, seconded by Reardon, the preliminary plat be approved. Roll call and Council Members Augustine, Bahr, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Motion carried.

**NORTHEAST NEBRASKA SOLID WASTE COALITION TOWN HALL MEETING TO CONSIDER BUDGET FOR FISCAL YEAR ENDING SEPTEMBER 30, 2011 AND RELATED RATES:** The Affidavit of Posting and Notice of Hearing were presented on the Town Hall meeting held to consider the Northeast Nebraska Solid Waste Coalition (NNSWC) budget for the fiscal year ending September 30, 2011 and related rates. A memorandum was also presented from Public Works/Environmental Services Director Thomerson submitting detailed information and a staff recommendation that the 2010-2011 NNSWC budget and rates be accepted. Council Member Bogus pointed out that the tipping fees will remain at \$24 per ton. No one appeared in opposition. Moved by Bulkley, seconded by Augustine, to close the Town Hall meeting and concur with the budget as presented. Roll call and Council Members Augustine, Bahr, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Motion carried.

**COMMENTS FROM MAYOR AND CITY COUNCIL MEMBERS:** Council Member Bahr commended the city crews for their work regarding snow removal.

**CONSIDERATION OF PAYROLL AND BILLS ON FILE:** ARL Credit Services – Services \$707.14; Reardon Lawn & Garden, Inc. – Supplies 186.61. TOTAL \$893.75. Council Member 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. Council Member Reardon requested to be excused from discussion on this agenda item because he is an owner of Reardon Lawn & Garden, Inc. and therefore has a conflict of interest. Moved by Bogus, seconded by Augustine, to authorize Richard Jablonski and Terry Reardon to abstain from voting on this agenda item and to suspend the City Council rules requiring them to leave the Council Chambers during the discussion and vote on this agenda item. Roll call and Council Members Augustine, Bahr, Bogus, Bulkley, Schilling and Lohr voted "Aye" and none voted "Nay." Council Members Jablonski and Reardon abstained from voting. Motion carried. Moved by Bulkley, seconded by Schilling, to approve the bills on file. Roll call and Council Members Augustine, Bahr, Bogus, Bulkley, Schilling and Lohr voted "Aye" and none



voted "Nay." Council Members Jablonski and Reardon abstained from voting. Motion carried.

Moved by Bulkley, seconded by Schilling, the meeting be adjourned. Roll call and Council Members Augustine, Bahr, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Motion carried and the meeting was adjourned at 8:45 p.m.

Presented and approved this 7 day of February, 2011.

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MAYOR

ATTEST:

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CITY CLERK