

A regular meeting of the Mayor and City Council of the City of Columbus, Nebraska was convened in open and public session on February 22, 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 January 26, 2011, 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, Ron Schilling, Rich Jablonski, John Lohr and Terry Reardon. Council Member Jim Bulkley was absent and excused.

City staff members present included City Administrator Joseph Mangiamelli, Assistant City Clerk Janelle Kline, City Attorney Stephen Hansen, Finance Director Anne Kinnison, City Engineer David Goedeken, Police Chief William Gumm, Public Works/Environmental Services Director Chuck Thomerson, Fire Chief Dean Hefti and Airport Manager Mark Cozad.

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 February 7, 2011, City Council meeting.
- B. Approval of reappointment of Rodney E. Supencheck to the Columbus Tree Board for three-year term.
- C. Approval of plans, specifications, and estimate of cost, as submitted by City Engineer Goedeken, for Water Extension District No. 61, Sewer Extension

District No. 43 and Street Improvement District No. 179 (200 feet east of centerline of Deer Creek Place, easterly 695 feet along South 5th Street) and authorization for city staff to advertise for bids.

- D. Approval of award of low bid to Johnson Sand & Gravel Company, Columbus, Nebraska, for one-year supply of road gravel in the amount of \$10.58 per cubic yard delivered or \$8.60 per cubic yard if picked up by the city.
- E. Approval of Resolution No. R11-08 awarding low bid to Sta-Bilt Construction Co., Harlan, Iowa, in the amount of \$92,214 for the Parking Lot Resurfacing Project for Roselawn Cemetery, Bradshaw Park, Wilderness Park, Gerrard Park and Aquatic Center.
- F. Approval of Resolution No. R11-09 authorizing payment of various improvement projects.
- G. Approval of Finance Department reports.
- H. Approval of payroll and bills on file. 3/4/2011 Payroll 441,385.94; A & D Technical Supply – Supplies 136.88; A.L.S. Irrigation & Welding, Inc. – Service 62.00; Ace Hardware & Garden Center – Supplies 1,191.32; Donald D Adkisson – Pension 609.00; Afternooners – Meals 47.72; Airport Lighting Systems – Supplies 105.56; AJ Guns – Supplies 135.00; Alamar Uniforms – Supplies 255.19; Alltel – Utilities 1,704.33; Amazon – Supplies 115.85; American Red Cross – Training/Supplies 713.66; Anderson Auto Body – Service/Supplies 919.30; ANSIR4U – Service 90.00; Aqua-Pure, Inc. – Chemicals 16,108.14; AS Central Services – Service 704.00; Asphalt & Concrete Materials – Supplies 649.00; Association of Government Accountants – Membership 120.00; AT&T – Utilities 7.50; Avatech Solutions, Inc. – Training 7,300.50; B-D Construction, Inc. – Service 1,045.00; B-D Construction, Inc. – South Water Treatment Plant 131,196.60; Baker & Taylor – Supplies 6,389.64; Barone Security Systems – Service 1,139.04; Wesley Baxa – Pension 1,232.54; Beard-Warren Heating & Air Conditioning – Service/Supplies 385.09; Behlen Auto Repair – Service 370.33; Behlen Towing – Service 1,040.00; Big Red Sanitation – Service 295.00; Bill's Tire Outlet – Service 2,375.00; Carroll A Bisson – Pension 716.51; Black Hills Energy – Utilities 27,952.54; Frank J Blahak Jr – Pension 762.00; Bob's U-Save Pharmacy – Supplies 70.00; Bomgaars – Supplies 593.41; Bound Tree Medical LLC – Supplies 574.75; William C Brandenburgh – Pension 664.25; Brown's Shoe Fit Co. – Supplies 100.00; Business Management Software – Service 1,946.30; Business Telecommunication Systems – Service 1,984.67; California Contractors – Supplies 155.40; Vanessa Casper – Service 52.50; Central Parts & Machine – Supplies 2,047.91; Central Sand & Gravel Co. – Supplies 1,022.48; Central Valley Ag – Supplies 170.00; City Directory, Inc. – Supplies 2,703.00; City of Columbus – Utilities 103.18; Club Prophet Systems – Service 180.00; Columbus Community Hospital – Service/Supplies 2,248.36; Columbus Custom Embroidery – Supplies 24.00; Columbus Door & Window LLC – Service/Supplies

2,168.35; Columbus Plumbing Company – Service 116.15; Columbus Steel Supply – Supplies 192.61; Columbus Telegram – Publications 1,791.86; Columbus Tire & Service – Service 2,179.22; Community Internet – Service 255.00; Connecting Point/Radio Shack – Supplies 457.44; Consolidated Water Solutions – Chemicals 5,540.00; Continental Research Corp – Supplies 391.76; Cornhusker Public Power District – Utilities 853.76; Mark Cozad – Expenses 126.30; Creative Product Sourcing – Supplies 128.70; Creative Sites LLC – Picnic Tables 9,950.00; Credit Bureau Services – Membership 5.00; Culligan – Supplies 306.10; Cummins Central Power – Service 673.50; Daniel Curtis – Expenses 240.00; Danko Emergency Equipment – Supplies 2,261.61; Dell Marketing L P – Supplies 1,530.86; DLT Solutions – Software 1,890.58; Doernemann Construction, Inc. – Yard Waste Contract 237.93; Douglas Dunbar – Contract 4,936.00; Douglas Dunbar – Commissions 91.83; Douglas Dunbar – Expenses 672.66; Eakes Office Plus – Supplies 4,782.65; EBSCO Industries, Inc. – Supplies 2,998.00; Ecological Laboratories, Inc. – Supplies 558.00; Electric Pump – Supplies 4,146.28; Electrical Engineering & Equipment Co. – Supplies 262.68; Electrical Specialists – Service/Supplies 1,001.27; Enterprise Electric CO/CED – Supplies 324.40; Equipment Unlimited, Inc. – Supplies 690.00; Eriksen Construction Company, Inc. – UV Disinfection 179,122.50; Ernst Auto Center – Service 277.95; Excel Commercial – Utilities 55.69; Excel Dryer, Inc. – Supplies 679.00; Fastenal Company – Supplies 682.82; First Bankcard – Expenses 1,957.40; First National Bank & Trust Company – Service 209.50; Fisher Scientific – Supplies 493.23; Foreman Supply – Supplies 323.32; S A Foster Lumber Co. – Supplies 179.09; Frontier – Utilities 4,836.14; Frontier Communications – Utilities 279.34; Gaeth Pest Control Services, Inc. – Service 285.00; Gale – Supplies 176.97; Galls – Supplies 740.75; Fernando Gil – Service 17.50; David Goedecken – Expenses 75.00; Great American Outdoor – Service 1,713.89; Great Plains One Call Service – Service 24.71; Hach Company – Service/Supplies 5,787.85; Hach Company – Spectrometer 7,295.30; Hadley-Braithwait Company – Supplies 1,711.25; Hawkins, Inc. – Chemicals 6,457.13; HD Supply Waterworks Ltd – Supplies 6,606.87; HDR Engineering, Inc. – North Arterial 6,008.54; HDR Engineering, Inc. – Clarifier Covers 2,119.80; HDR Engineering, Inc. – UV Disinfection 32,114.25; Dean Hefti – Expenses 111.33; Lawrence Hergott – Expenses 139.42; Hi-Lo Equipment Company – Supplies 289.53; Holiday Inn Express Kearney – Lodging 426.00; Mark S Howerter MD – Contract 500.00; Humphrey Democrat – Subscription 22.50; Husker Auto – Pickup 22,998.00; Husker Auto – Pickup 18,688.00; Husker Coop – Fuel 7,998.50; Husker Steel – Supplies 79.20; Hy-Vee, Inc. – Supplies 664.28; IAEI – Training 46.00; IAFC Membership – Membership 254.00; Imagetrend, Inc. – Service 1,250.00; Ingram – Library Materials 488.17; International Association of Chiefs of Police – Membership 120.00; International Association of Plumbing & Mechanical Officials – Supplies 324.91; International Code Council, Inc. – Training 213.00; Interstate All Battery Center – Supplies 151.98; Jackson Services, Inc. – Supplies 2,307.16; Jackson Services, Inc. – Rent 200.00; Herman Janssen – Expenses 67.91; JD Services – Service 925.00; JEO Consulting Group, Inc. – Loup Levee Recertification 3,165.00; Dale Johnson

Trucking – Service 2,870.00; Kimberly Johnson – Service 50.27; Kelly Supply Company – Supplies 1,070.99; Kimball Midwest – Supplies 138.09; Kiplinger Washington – Supplies 97.30; Joyce Kirby – Cemetery Spaces 800.00; Kirkham Michael – South Water Plant 3,389.32; KJSK – Advertising 159.00; KKOT/KTTT – Advertising 159.00; Janelle Kline – Expenses 10.00; KLIR – Advertising 159.00; Koch Excavating – Service 4,275.00; KZEN – Advertising 159.00; Lab Safety Supply – Supplies 327.98; Lakeview Small Engine – Service 510.18; Larue Distributing, Inc. – Supplies 54.91; Lawson Products, Inc. – Supplies 36.87; Pete Lien & Sons, Inc. – Chemicals 7,243.82; Amber Limbach – Expenses 148.94; Lincoln Winwater Works – Hydraulic Bar Saw 10,056.81; Logan Contractors Supply, Inc. – Supplies 333.30; John F Lohr – Expenses 134.10; Loup Power District – Utilities 86,998.94; Randy Lucht – Expenses 69.53; M & O Metals – Supplies 47.40; Mail Prep, Etc. – Postage 267.03; The Mailbox – Postage 102.23; MailFinance – Postage Machine Lease 198.03; Maine Plastics – LB840 Loan 150,000.00; Joseph Mangiamelli – Expenses 408.00; Marley’s Electric, Inc. – Service 556.02; Matheson-Linweld – Supplies 424.25; Mead Lumber Company-Columbus – Supplies 10.42; Menards – Supplies 1,836.28; Metron-Farnier LLC – Supplies 2,267.93; Mid Con Systems, Inc. – Supplies 121.25; Mid-American Research Chemical – Supplies 317.00; Mid-Iowa Solid Waste Equipment Co., Inc. – Supplies 1,089.48; Midwest Right of Way Services – 8th Street Paving 9,975.00; Midwest Service & Sales – Supplies 4,452.62; Midwest Turf & Irrigation – Supplies 907.81; Mike’s Towing – Service 6,447.49; Motion Industries, Inc. – Supplies 418.41; MTM Recognition – Supplies 280.83; Shane Mueller – Service 146.50; Nebraska APA – Membership 25.00; Nebraska Aviation Council – Training 80.00; Nebraska Department of Economic Development – Grants 4,773.73; Nebraska Department of Environmental Quality – Training 150.00; Nebraska Department of Health & Human Services – Service 350.00; Nebraska Emergency Service Communications Association – Training 90.00; Nebraska Environmental Products – Supplies 2,156.00; Nebraska Golf Course Superintendent Association – Advertising 25.00; Nebraska Harvestore Systems – Supplies 227.80; Nebraska Harvestore Systems – Bobcat Broom 4,972.77; Nebraska Public Health Environmental Laboratory – Service 1,979.00; Nebraska Sports – Supplies 28.00; Nebraska Truck Center – Dump Truck 74,474.00; Nebraska Truck Center – Semi Tractor 99,201.00; Nebraska-Iowa Industrial Fasteners Corp. – Supplies 68.17; Neighborworks Northeast Nebraska – Grants 75,258.00; Marvin O Nelson – Pension 502.50; Newsbank, Inc. – Supplies 940.00; Niemann’s Port-A-Pot – Service 84.00; Northeast Nebraska Economic Development District – Grants 1,962.50; Northeast Nebraska Solid Waste Coalition – Landfill Disposal 34,714.82; Novicki Fire Prevention Service Co. – Service 41.50; O’Keefe Elevator Company – Service 974.18; O’Reilly Automotive, Inc. – Supplies 668.19; Obrist & Co., Inc. – Water Main Replacement 26,277.30; OCLC, Inc. – Service 315.49; Officenet – Supplies 374.77; Omaha Tractor, Inc. – Supplies 847.88; OMB Guns – Supplies 19.99; Overhead Door Company – Service/Supplies 800.75; Overturf Electric Motors – Supplies 760.00; Jill Owens – Expenses 193.30; The Parts Bin – Supplies 658.71; The Parts Bin – Power Washer 5,752.64; Jon Paul – Expenses 263.83;

Payroll Clearing – Police Pension 84.00; Performance Paint & Body – Service 30.00; Petty Cash – Expenses 128.97; Platte County – Contract 2,416.67; Playtime LLC – Service 803.14; Police Chiefs Association of Nebraska – Membership 50.00; PR Diamond Products – Supplies 295.00; Precision Unibody & Auto Sales, Inc. – Service 420.00; Presto-X-Company – Service 243.70; Quill Corporation – Supplies 30.40; Qwest – Utilities 1,514.63; Radiophone Engineering, Inc. – Supplies 530.10; Recorded Books LLC – Supplies 322.40; Recreation Supply Company – Supplies 39.69; Redstone Veterinary Clinic – Service 454.50; Road Builders Machinery & Supply Co., Inc. – Supplies 140.80; S & S Services – Service 806.25; Sackett Electric – Service 374.72; Sahling Kenworth, Inc. – Service 591.69; Santa Barbara Control Systems – Service 470.00; Sapp Bros Columbus, Inc. – Fuel 8,142.48; Sapp Bros Petroleum, Inc. – Fuel 30,769.23; Scheffler Machine & Tool, Inc. – Supplies 99.70; Schieffer Signs, Inc. – Supplies 805.00; Schneider's O K Tire Company – Lease Payment 30.00; Seacrest & Kalkowski – TIF Projects 2,333.05; Sears Commercial One – Supplies 149.97; Security Equipment, Inc. – Equipment 5,450.00; Sean Settgast – Refund 66.00; Short Elliott Hendrickson, Inc. – Loup River Levee 901.93; Sipple, Hansen, Emerson & Schumacher – Service 3,352.71; Chuck Sliva – Expenses 212.82; Jim Speicher – Expenses 173.83; Stanley Petroleum – Service 279.15; State of Nebraska Department of Revenue – Sales Tax 26,496.75; Gene Steffy Ford – Service 36.75; Gene Steffy Ford – Pickup 18,188.00; Stericycle, Inc. – Supplies 236.69; Harold Stevens P C – Service 120.00; Super 8 Chadron – Lodging 181.32; Sysco Lincoln – Supplies 2,646.32; T & L Services – Service 250.00; Technical Maintenance & Service – Supplies 283.56; Telebeep Wireless – Service 34.22; Telvent DTN – Service 583.50; Cindy Ternus – Service 35.00; Charles Thomerson – Expenses 245.82; Time Warner Cable – Internet Service 359.70; Tinchler Ford Mercury – Police Vehicles 51,878.00; Titan Machinery – Wheel Loader 88,988.00; Trent Tobiason - Expenses 199.38; Tom Settje Plumbing – Service 216.14; Tool Shed – Supplies 284.34; Tractor Supply Credit Plan – Supplies 320.97; Turfwerks – Supplies 384.04; Turfwerks – Mower 77,413.00; Tweet's Sport Shop – Supplies 29.97; Jerry Tworek – Service 262.00; Typhoon Wash – Service 36.00; U & I Sanitation – Service 106.00; U S Bank – Expenses 2,930.43; Uline Shipping Supply – Supplies 67.29; Ultra Graphics – Supplies 428.32; United States Post Office – Postage 2,163.89; United States Postal Service – Postage 1,000.00; UPS Store – Postage 12.13; USA Blue Book – Supplies 758.70; USDA, APHIS – Service 1,396.75; Vacin, Inc. – Tractor 22,735.00; Van Wall Turf & Irrigation – Fairway Mower 77,954.00; Van Wall Turf & Irrigation – Rotary Broom 4,754.00; Van Wall Turf & Irrigation – Greens Mower 23,935.00; Vidacare – Supplies 996.03; Vulcan Industries – Supplies 553.68; Wahoo Heritage Inn – Lodging 1,275.72; Walmart Community – Supplies 1,819.42; Waste Connections of Nebraska – Service 309.84; West Point Implement of Columbus – Supplies 358.27; Wilkens Industries, Inc. – Semi Trailer 60,000.00; Leona Woodhead – Refund 68.57; Zee Medical Service – Supplies 299.24. TOTAL 2,211,003.00.

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

PUBLIC HEARING – TO CONSIDER ADOPTING NEW REVOLVING LOAN FUND GUIDELINES WHICH WERE ESTABLISHED USING COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS:

The Affidavit of Publication and Notice of Hearing were presented on the public hearing to consider the adoption of new Revolving Loan Fund Guidelines which were established using Community Development Block Grant Funds. A memorandum was also presented from Jeff Christensen, Northeast Nebraska Economic Development District, submitting detailed information and a staff recommendation to adopt the new guidelines to replace the guidelines that were adopted in 1987. City Administrator Mangiamelli explained that new guidelines need to be adopted to conform to the Nebraska Economic Development District's guidelines in order to ensure that the city recaptures the repayment of these loans. No one appeared in opposition. Moved by Bogus, seconded by Augustine, the public hearing be closed. Roll call and Council Members Augustine, Bahr, Bogus, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Bulkley was absent. Motion carried.

RESOLUTION NO. R11-10 WAS INTRODUCED BY COUNCIL MEMBER AUGUSTINE.

RESOLUTION NO. R11-10
ADOPTED: FEBRUARY 22, 2011

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, ADOPTING NEW GUIDELINES FOR THE CITY'S COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ECONOMIC DEVELOPMENT REVOLVING LOAN FUND (RLF) PLAN, A COPY OF WHICH IS ATTACHED HERETO; AND PROVIDING FOR THE MAYOR TO EXECUTE THE SAME.

Moved by Augustine, seconded by Bogus, Resolution No. R11-10 be passed and adopted. Roll call and Council Members Augustine, Bahr, Bogus, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Bulkley was absent. Motion carried.

PUBLIC HEARING – CONCERNING APPLICATION TO NEBRASKA DEPARTMENT OF ECONOMIC DEVELOPMENT FOR A COMMUNITY DEVELOPMENT BLOCK GRANT TO PLAN AND DEVELOP A RAIL-SERVED SITE TO ATTRACT INDUSTRY:

The Affidavit of Publication and Notice of Hearing were presented on the public hearing concerning an application to the Nebraska Department of Economic Development for a Community Development Block Grant to plan and develop a rail-served site to attract industry. A memorandum was also presented from Lisa Hurley, Northeast Nebraska Economic Development District, submitting detailed information and a staff recommendation to approve the application for Community Development Block Grant –

Recovery Funds to plan and develop a rail-served site. It was noted that the total project cost could be up to \$102,500, of which \$52,500 will be a Community Development Block Grant (\$50,000 for planning activities and \$2,500 for general administration) with the City of Columbus contributing the remaining \$50,000 (minimum \$25,000 cash match and \$25,000 which may be documented in-kind or cash contributions made to the site development that occurred on or after January 1, 2010). No one spoke regarding this issue and no one appeared in opposition. Moved by Bogus, seconded by Bahr, the public hearing be closed. City Administrator Mangiamelli explained that the city, in cooperation with Loup Power District, competed for a community development block grant for a plan to develop 475 acres with rail service along eastern 8th Street. David Bell, Loup Power District, referred to the flood plain and said a study would need to be conducted to determine the amount of land that would be usable. Roll call and Council Members Augustine, Bahr, Bogus, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Bulkley was absent. Motion carried.

RESOLUTION NO. R11-11 WAS INTRODUCED BY COUNCIL MEMBER LOHR.

RESOLUTION NO. R11-11

ADOPTED: FEBRUARY 22, 2011

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA AUTHORIZING THE MAYOR TO SIGN THE APPLICATION TO THE NEBRASKA DEPARTMENT OF ECONOMIC DEVELOPMENT FOR COMMUNITY DEVELOPMENT BLOCK GRANT RECOVERY FUNDS TO PLAN AND DEVELOP A RAIL-SERVED SITE, A COPY OF WHICH IS ATTACHED HERETO; PROVIDING FOR THE MAYOR AND CITY CLERK TO EXECUTE THE SAME.

Moved by Lohr, seconded by Schilling, Resolution No. R11-11 be passed and adopted. Roll call and Council Members Augustine, Bahr, Bogus, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Bulkley was absent. Motion carried.

PUBLIC HEARING – CONCERNING NEBRASKA DEPARTMENT OF ECONOMIC DEVELOPMENT COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT NO. 09-CR-106 FOR COMPREHENSIVE REVITALIZATION:

The Affidavit of Publication and Notice of Hearing were presented on the public hearing concerning Nebraska Department of Economic Development Block Grant Project No. 09-CR-106 for Comprehensive Revitalization. A memorandum was also presented from Lisa Hurley, Northeast Nebraska Economic Development District, explaining that the grant requires a second public hearing on grants toward the end of a project. City Administrator Mangiamelli explained that this is an annual re-occurring grant. No one appeared in opposition. Moved by Lohr, seconded by Schilling, the public hearing be closed. Roll call and Council Members Augustine, Bahr, Bogus, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Bulkley was absent. Motion carried.

PUBLIC HEARING – ONE AND SIX YEAR STREET IMPROVEMENT PLAN: The Affidavit of Publication, Posting and Notice of Hearing were presented on the public hearing held for the purpose of hearing testimony in favor of, opposition to, and to answer questions in relation to the proposed One and Six Year Street Improvement Plan for the City of Columbus, Nebraska. A memorandum was also presented from City Engineer Goedeken submitting detailed information and a staff recommendation to approve the One and Six Year Street Improvement Plan. It was noted that the following projects are included in the One Year Plan for 2011: 1) 48th Avenue, 38th Street to city limit line; 2) Lost Creek Parkway, Phase 4; 3) Overlay East 14th Avenue from 23rd Street north 3/4 mile; 4) South 5th Street from 0.10 mile east of 3rd Avenue, then 680 feet east; 5) North Rose Lane – 10th Avenue to 8th Avenue and South Rose Lane – North Rose Lane to 8th Avenue; 6) Deerfield Park 1st Addition; 7) 51st Avenue from 34th Street to 36th Street; 8) Stone Ridge Addition – 40th Avenue - 31st Street to 32nd Street; 41st Avenue - 31st Street to 32nd Street; 32nd Street - 40th Avenue to 41st Avenue; 9) 34th Street Place – 26th Avenue and 200 feet west; 10) 34th Street – 31st Avenue to 33rd Avenue; and 11) South Deer Field Place Street, South 5th Street and 560 feet north. Goedeken reported that the One and Six Year Street Plan is a standard report submitted to the Nebraska Department of Roads each year. Goedeken said the 48th Avenue, 38th Street to city limits and the Howard Boulevard projects are new to the plan. Goedeken pointed out that the 3rd Avenue project has been removed from the one year plan as it is still in the design phase. In response to Council Member Lohr, Goedeken explained that a project has to be included in the plan in order to qualify for funding assistance but there is no guarantee that all projects listed in the plan will be constructed. No one appeared in opposition. Moved by Bogus, seconded by Bahr, the public hearing be closed. Roll call and Council Members Augustine, Bahr, Bogus, Schilling, Jablonski, Lohr and Reardon voted “Aye” and none voted “Nay.” Council Member Bulkley was absent. Motion carried.

RESOLUTION NO. R11-12 WAS INTRODUCED BY COUNCIL MEMBER BAHR.

RESOLUTION NO. R11-12
ADOPTED: FEBRUARY 22, 2011

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, TO ADOPT A ONE AND SIX YEAR STREET PLAN FOR THE CITY OF COLUMBUS, NEBRASKA.

Moved by Bahr, seconded by Schilling, Resolution No. R11-12 be passed and adopted. In response to Council Member Jablonski, City Engineer Goedeken clarified that the Howard Boulevard project is included in the two to six year plan. Roll call and Council Members Augustine, Bahr, Bogus, Schilling, Jablonski, Lohr and Reardon voted “Aye” and none voted “Nay.” Council Member Bulkley was absent. Motion carried.

PUBLIC HEARING – APPLICATION OF QUAIL LANDING ESTATES, LLC FOR FINAL PLAT OF QUAIL LANDING SECOND SUBDIVISION (EAST OF THE INTERSECTION OF SOUTH 5TH STREET AND 3RD AVENUE): The Affidavit of

Publication and Notice of Hearing were presented on the application of Quail Landing Estates, LLC for the final plat of Quail Landing Second Subdivision, a tract of land 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 (east of the intersection of South 5th Street and 3rd Avenue). A memorandum was also presented from City Engineer Goedeken submitting detailed information and a staff recommendation to approve the final plat. The Planning Commission recommended the public hearing be continued to 7 p.m. on March 14, 2011 pending a report from city staff with regard to numerical naming of streets and verification of the number of cul-de-sacs with "Deer" in their name. Moved by Bogus, seconded by Augustine, the public hearing be continued to 7 p.m., March 21, 2011. Roll call and Council Members Augustine, Bahr, Bogus, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Bulkley was absent. Motion carried.

PUBLIC HEARING – APPLICATION OF NE COLORADO CELLULAR INC., DBA VIAERO WIRELESS, FOR SPECIAL USE PERMIT TO ALLOW FOR A BROADCASTING TOWER IN AN "RR" (RURAL RESIDENTIAL DISTRICT) ZONE LOCATED SOUTH OF THE LOST CREEK PARKWAY 1300 FEET WEST OF 48TH AVENUE:

The Affidavit of Publication and Notice of Hearing were presented on the application of NE Colorado Cellular Inc., d.b.a. Viaero Wireless, for a Special Use Permit to allow for a broadcasting tower on the following described real estate in an "RR" (Rural Residential District) zone: part of the southeast quarter of Section 11, Township 17 North, Range 1 West, Platte County, Nebraska (south of the Lost Creek Parkway 1300 feet west of 48th 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. The Planning Commission recommended approval. Mark Cozad, Airport Manager, expressed his opposition to the proposed 142 foot tower as it violates the 150 foot height restriction, established by the Airport Zoning Board, when taking the sea level into account. Cozad explained that the proposed height meets FAA and Department of Aeronautics requirements but could affect the approaches for business jets. Mayor Moser pointed out that the draft ordinance included in the packet has been revised to allow for a 138 foot tower. Eugene Carroll, Site Acquisition Manager for Viaero, stated that Viaero is not opposed to reducing the tower height to 138 feet. Carroll explained that this tower will service the northwest quadrant of the city and the proposed plan meets all setback requirements. Carroll further explained that the tower is engineered to fall inside the fall zone at 50% as required by the newly revised Zoning Code. Carroll described the aesthetics of the tower, said there will be no lighting installed and it will meet all landscaping requirements. In response to Council Member Bogus, City Administrator Mangiamelli explained that the proposed plans have been reviewed and approved by the Community Development Director. In response to Council Member Bahr, Carroll said an affidavit has been provided to the city that will allow three additional carriers to co-locate on the tower and any 911 antennas on the tower would be at no cost to the city. Moved by Bogus, seconded by Bahr, the public hearing be closed. Roll call and Council Members Augustine, Bahr, Bogus, Schilling, Jablonski, Lohr and

Reardon voted "Aye" and none voted "Nay." Council Member Bulkley was absent. Motion carried.

ORDINANCE NO. 11-06 WAS INTRODUCED BY COUNCIL MEMBER SCHILLING.

ORDINANCE NO. 11-06

ADOPTED: FEBRUARY 22, 2011

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA TO ISSUE A SPECIAL USE PERMIT TO ALLOW FOR A 138' LATTICE SELF SUPPORT WIRELESS TELECOMMUNICATIONS TOWER AND ANTENNA ON A TRACT OF LAND DESCRIBED AS A PARCEL OF LAND LOCATED IN THE SE1/4 OF SECTION 11, TOWNSHIP 17 NORTH, RANGE 1 WEST OF THE 6TH P.M., PLATTE COUNTY, NEBRASKA BEING DESCRIBED AS FOLLOWS: REFERRING TO THE SOUTHWEST CORNER OF A PARCEL OF LAND DESCRIBED AND RECORDED IN DEED BOOK 220, PAGE 1203; THENCE N 88°04'05" E (ASSUMED BEARING) ON THE SOUTH LINE OF SAID PARCEL, A DISTANCE OF 1157.79 FEET TO THE POINT OF BEGINNING; THENCE N 02°08'44" W, PARALLEL WITH THE EAST LINE OF SAID PARCEL, A DISTANCE OF 230.42 FEET; THENCE N 88°04'05" E, PARALLEL WITH SAID SOUTH LINE, A DISTANCE OF 165.00 FEET TO A CORNER ON SAID EAST LINE; THENCE S 02°08'44" E ON SAID EAST LINE, A DISTANCE OF 230.42 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL; THENCE S 88°04'05" W ON SAID SOUTH LINE, A DISTANCE OF 165.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.87 ACRES, MORE OR LESS, WHICH IS IN A RR (RURAL RESIDENTIAL DISTRICT) ZONE, TO WAIVE THE ZONING DISTRICT SETBACK REQUIREMENTS SET FORTH IN SECTION 13-7(b)(4) BY UP TO 50%, AND TO REPEAL ALL ORDINANCES AND RESOLUTIONS OR PARTS THEREOF IN CONFLICT HEREWITH; AND TO PROVIDE FOR THE EFFECTIVE DATE.

Moved by Jablonski, seconded by Bogus, the rules be suspended and Ordinance No. 11-06 be read by number only at this meeting. Roll call and Council Members Augustine, Bahr, Bogus, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Bulkley was absent. Motion carried and Ordinance No. 11-06 was read by number only at this meeting.

Moved by Reardon, seconded by Bogus, Ordinance No. 11-06 be passed and adopted.

Mayor Moser put the question, "Shall Ordinance No. 11-06 be passed and adopted?" Roll call and Council Members Augustine, Bahr, Bogus, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Bulkley was absent. Motion carried.

Mayor Moser declared, "By your action, you have passed Ordinance No. 11-06," and it was duly signed.

PUBLIC HEARING – APPLICATION OF U.S. ASPHALT CO., ON BEHALF OF LYMAN RICHEY CORPORATION, FOR SPECIAL USE PERMIT TO ALLOW FOR CONSTRUCTION BATCH PLANT IN AN “RR” (RURAL RESIDENTIAL DISTRICT) ZONE LOCATED AT 6621 SHADY LAKE ROAD:

The Affidavit of Publication and Notice of Hearing were presented on the application of U.S. Asphalt Co., on behalf of Lyman Richey Corporation, for a Special Use Permit to allow for a construction batch plant on the following described real estate in an “RR” (Rural Residential District) zone: a tract of land in the SW1/4 of Section 15, Township 17 North, Range 1 West, Platte County, Nebraska (6621 Shady Lake Road). 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, 2011. The Planning Commission recommended approval. No one spoke regarding this issue and no one appeared in opposition. Moved by Schilling, seconded by Lohr, the public hearing be closed. Roll call and Council Members Augustine, Bahr, Bogus, Schilling, Jablonski, Lohr and Reardon voted “Aye” and none voted “Nay.” Council Member Bulkley was absent. Motion carried.

ORDINANCE NO. 11-07 WAS INTRODUCED BY COUNCIL MEMBER BOGUS.

ORDINANCE NO. 11-07

ADOPTED: FEBRUARY 22, 2011

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA TO ISSUE A SPECIAL USE PERMIT TO ALLOW FOR “CONSTRUCTION BATCH PLANT” AS CONTAINED IN TABLE 4-2, ZONING DISTRICT REGULATIONS OF THE ZONING CODE ON THE FOLLOWING DESCRIBED REAL ESTATE IN AN “RR” (RURAL RESIDENTIAL) ZONE: A TRACT OF LAND LOCATED IN THE SW 1/4 SECTION 15, TOWNSHIP 17N, RANGE 1W, PLATTE COUNTY, NEBRASKA, MORE OR LESS, AND TO REPEAL ALL ORDINANCES AND RESOLUTIONS OR PARTS THEREOF IN CONFLICT HERewith, AND TO PROVIDE FOR THE EFFECTIVE DATE.

Moved by Bogus, seconded by Schilling, the rules be suspended and Ordinance No. 11-07 be read by number only at this meeting. Roll call and Council Members Augustine, Bahr, Bogus, Schilling, Jablonski, Lohr and Reardon voted “Aye” and none voted “Nay.” Council Member Bulkley was absent. Motion carried and Ordinance No. 11-07 was read by number only at this meeting.

Moved by Bogus, seconded by Schilling, Ordinance No. 11-07 be passed and adopted.

Mayor Moser put the question, “Shall Ordinance No. 11-07 be passed and adopted?” Roll call and Council Members Augustine, Bahr, Bogus, Schilling, Jablonski, Lohr and Reardon voted “Aye” and none voted “Nay.” Council Member Bulkley was absent. Motion carried.

Mayor Moser declared, "By your action, you have passed Ordinance No. 11-07," and it was duly signed.

PUBLIC HEARING – CONCERNING ACQUISITION OF VARIOUS TRACTS OF REAL ESTATE BY PURCHASE OR EMINENT DOMAIN FOR SEWER AND WATER INSTALLATION IN 8TH STREET EAST OF CITY LIMITS IN CONJUNCTION WITH PLATTE COUNTY 8TH STREET PAVING PROJECT: The Affidavit of Publication and Notice of Hearing were presented on the public hearing concerning the acquisition of various tracts of real estate by purchase or eminent domain for sewer and water installation in 8th Street east of the city limits in conjunction with the Platte County 8th Street Paving Project. A memorandum was also presented from City Administrator Mangiamelli submitting detailed information and a staff recommendation to conduct the hearing to allow for testimony from any property owner who has questions or requires additional information about the project and the city's infrastructure involvement. Mangiamelli stated that an open house was held to inform all property owners involved of the project and notification of the open house was sent to the affected property owners. No one spoke regarding this issue and no one appeared in opposition. Moved by Schilling, seconded by Bahr, the public hearing be closed. Roll call and Council Members Augustine, Bahr, Bogus, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Bulkley was absent. Motion carried.

RESOLUTION NO. R11-13 WAS INTRODUCED BY COUNCIL MEMBER SCHILLING.

RESOLUTION NO. R11-13
ADOPTED: FEBRUARY 22, 2011

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, AUTHORIZING THE ACQUISITION OF INTERESTS IN REAL PROPERTY, BY PURCHASE OR BY EMINENT DOMAIN, IN VARIOUS TRACTS OF LAND, AS DELINEATED HEREIN; ALL LOCATED IN PLATTE COUNTY, NEBRASKA, FOR THE PURPOSE OF EXTENDING WATER SERVICE EAST OF THE CITY LIMITS IN 8TH STREET RIGHT OF WAY IN CONJUNCTION WITH THE PLATTE COUNTY 8TH STREET PAVING PROJECT.

Moved by Schilling, seconded by Lohr, Resolution No. R11-13 be passed and adopted. Roll call and Council Members Augustine, Bahr, Bogus, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Bulkley was absent. Motion carried.

PRESENTATION ON STATUS OF VIADUCT CONSTRUCTION: City Engineer Goedeken explained that the 3rd, 12th and 18th Avenue viaduct projects are currently in the environmental stage where staff has been gathering permits and authorizations from the Federal Highway Administration, Nebraska Department of Roads and Corps of Engineers. Goedeken said a draft Environmental Assessment document has been submitted to the Nebraska Department of Roads for review and they will forward it to the Federal Highway Administration for review. Goedeken stated that he is anticipating

a public hearing to be held in April for review of the plans and following a 30 day comment period, a final Environmental Assessment would be submitted with the final design phase. In response to Council Member Bogus, Goedeken said construction for the 3rd Avenue and 18th Avenue projects is anticipated to begin in the summer of 2013 with the 12th Avenue project to begin the following year.

PUBLIC PROPERTY, SAFETY AND WORKS COMMITTEE REPORT – REQUEST OF DARYL THIELE TO ALLOW TENTS RATHER THAN TRAILERS FOR SALE OF FIREWORKS (LB880) AND FIREWORKS ORDINANCE:

The report of the Public Property, Safety and Works Committee was presented with the recommendation to forward the proposed fireworks ordinance to the City Attorney for review to include the revisions noted at this meeting. City Administrator Mangiamelli stated that the ordinance adopting this amendment to the City Code is included on this agenda and he is recommending that it be presented for three readings to allow for public comment. In response to a question from Council Member Bogus with regard to the wording of this agenda item that states "...to allow tents rather than trailers...", Mangiamelli clarified the purpose of the ordinance is to allow tents in addition to trailers. Moved by Bahr, seconded by Lohr, this report be adopted. Roll call and Council Members Augustine, Bahr, Bogus, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Bulkley was absent. Motion carried.

PUBLIC PROPERTY, SAFETY AND WORKS COMMITTEE REPORT – UPDATE OF PLUMBING CODE AND BUILDING CODE TO COMPLY WITH STANDARDS:

The report of the Public Property, Safety and Works Committee was presented with the recommendation to adopt the 2009 Uniform Plumbing Code, the 2006 International Building Code and the 2006 International Residential Code. City Administrator Mangiamelli stated that the ordinances adopting these codes are included on this agenda and he is recommending that it be presented for three readings to allow for public comment as they are amendments to the City Code. Moved by Bahr, seconded by Schilling, this report be adopted. Roll call and Council Members Augustine, Bahr, Bogus, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Bulkley was absent. Motion carried.

APPROVAL OF AWARD OF SOLE SOURCE QUOTE FOR COMMERCIAL LAWN MOWER WITH SNOW BLOWER ATTACHMENT FOR COLUMBUS MUNICIPAL AIRPORT:

A memorandum was presented from Airport Manager Cozad submitting detailed information and a staff recommendation to approve the award of a sole source quote to Reardon Lawn and Powersports, Inc., Columbus, Nebraska, in the amount of \$17,225 for a commercial lawn mower with snow blower attachment for the Columbus Municipal Airport. Council Member Reardon requested to be excused from discussion on this agenda item because he is an owner of Reardon Lawn and Powersports, Inc. and therefore has a conflict of interest. Moved by Bogus, seconded by Lohr, to authorize Terry Reardon to abstain from voting on this agenda item and to suspend the City Council rules requiring him to leave the Council Chambers during the discussion and vote on this agenda item. Roll call and Council Members Augustine, Bahr, Bogus, Schilling, Jablonski and Lohr voted "Aye" and none voted "Nay." Council Member

Reardon abstained from voting and Council Member Bulkley was absent. Motion carried. Moved by Bogus, seconded by Bahr, to approve the award of sole source quote to Reardon Lawn and Powersports, Inc. in the amount of \$17,225 for a commercial lawn mower with snow blower attachment. In response to Mayor Moser, Cozad explained that Reardon's was the only quote that had a mower with a snow blower attachment. Roll call and Council Members Augustine, Bahr, Bogus, Schilling, Jablonski and Lohr voted "Aye" and none voted "Nay." Council Member Reardon abstained from voting and Council Member Bulkley was absent. Motion carried.

APPROVAL OF AWARD OF SOLE SOURCE QUOTE FOR SCHWING BIOSET PISTON PUMP AND SCREW FEEDER SYSTEM FOR THE WASTEWATER TREATMENT FACILITY BIOSOLIDS PROCESS:

A memorandum was presented from Public Works/Environmental Services Director Thomerson submitting detailed information and a staff recommendation to approve the award of a sole source quote to Schwing Bioiset, Inc., Somerset, Wisconsin, in the amount of \$200,830 for a Schwing Bioiset Piston Pump and Screw Feeder System for the Wastewater Treatment Facility Biosolids Process. Thomerson explained that this proprietary equipment will be an upgrade to the current equipment that was installed in 2003 and is now obsolete. Moved by Bogus, seconded by Lohr, to approve the award of sole source quote to Schwing Bioiset, Inc. in the amount of \$200,830 for a Schwing Bioiset Piston Pump and Screw Feeder System. Roll call and Council Members Augustine, Bahr, Bogus, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Bulkley was absent. Motion carried.

COMMENTS FROM MAYOR AND CITY COUNCIL MEMBERS: Council Member Jablonski referred to the luncheon he attended and said Governor Heineman's speech regarding all activities going on at city and state levels, particularly as they relate to education, was very inspiring. Mayor Moser referred to the budget challenges and commended the governor as well as state legislators for cutting expenses as opposed to increasing taxes.

RESOLUTION NO. R11-14 WAS INTRODUCED BY COUNCIL MEMBER LOHR.

**RESOLUTION NO. R11-14
ADOPTED: FEBRUARY 22, 2011**

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA APPROVING A SERVICE/CONSULTANT AGREEMENT FOR HOUSING MANAGEMENT SERVICES AND A SUB-RECIPIENT AGREEMENT FOR COMMUNITY REVITALIZATION GRANT 09-CR-206 BETWEEN THE CITY OF COLUMBUS AND NEIGHBORWORKS NORTHEAST NEBRASKA, COPIES OF WHICH ARE ATTACHED HERETO AND INCORPORATED HEREIN; TO AUTHORIZE THE MAYOR TO EXECUTE THE SAME; AND TO REPEAL ALL RESOLUTIONS OR PORTIONS THEREOF IN CONFLICT HEREWITH.

Roger Nadrchal, Executive Director for NeighborWorks Northeast Nebraska, explained that these contracts are the fourth part of four years of grants the city has obtained and said the funds will be used to purchase three homes for rehabilitation and resale. Moved by Lohr, seconded by Bahr, Resolution No. R11-14 be passed and adopted. Roll call and Council Members Augustine, Bahr, Bogus, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Bulkley was absent. Motion carried.

RESOLUTION NO. R11-15 WAS INTRODUCED BY COUNCIL MEMBER JABLONSKI.

RESOLUTION NO. R11-15

ADOPTED: FEBRUARY 22, 2011

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA TO APPROVE A LOAN AGREEMENT WITH MAINE PLASTICS, INC. FOR A NO INTEREST LOAN OF \$150,000 FOR EQUIPMENT ACQUISITION TO BE USED IN ESTABLISHING THE RECYCLING OPERATIONS IN COLUMBUS.

City Administrator Mangiamelli explained that this project has been in progress for a number of months under the LB840 Economic Development Program. Mangiamelli further explained that Maine Plastics, Inc. has a contract with Becton Dickinson to begin recycling operations and is currently seeking additional contracts with other industries in the area. Mangiamelli stated that the funds will be used for equipment and the agreement includes a hiring requirement. In response to Council Member Jablonski, Mangiamelli said Maine Plastics does not have any concerns with regard to the hiring requirements. In response to Council Member Augustine, Mangiamelli explained that the local residential recycling programs will not be affected as Maine Plastics will serve industry. Moved by Jablonski, seconded by Bogus, Resolution No. R11-14 be passed and adopted. Roll call and Council Members Augustine, Bahr, Bogus, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Bulkley was absent. Motion carried.

RESOLUTION NO. R11-16 WAS INTRODUCED BY COUNCIL MEMBER AUGUSTINE.

RESOLUTION NO. R11-16

ADOPTED: FEBRUARY 22, 2011

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, TO ACCEPT AND APPROVE VARIOUS RIGHT-OF-WAY CONTRACTS AND EASEMENTS; TO AUTHORIZE EXECUTION OF SUCH DOCUMENTS; AND TO AUTHORIZE PAYMENT TO PROPERTY OWNERS FOR THE ACQUISITION OF SUCH INTERESTS IN REAL PROPERTY LOCATED IN PLATTE COUNTY, NEBRASKA, AS DELINEATED HEREIN; FOR THE PURPOSE OF EXTENDING WATER SERVICE EAST OF THE CITY LIMITS IN 8TH STREET RIGHT OF WAY IN CONJUNCTION WITH THE PLATTE COUNTY PAVING PROJECT.

City Administrator Mangiamelli stated that the payments for these acquisitions will be presented with the payroll and bills at the March 21, 2011 City Council meeting. Moved by Augustine, seconded by Bogus, Resolution No. R11-16 be passed and adopted. Roll call and Council Members Augustine, Bahr, Bogus, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Bulkley was absent. Motion carried.

ORDINANCE NO. 11-08 WAS INTRODUCED BY COUNCIL MEMBER BAHR.

ORDINANCE NO. 11-08
FIRST READING

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA TO AMEND A PORTION OF SECTION 130.052, 130.053, AND 130.054 OF CHAPTER 130 OF TITLE XIII OF ORDINANCE NO. 05-47 (COLUMBUS CITY CODE), TO-WIT: CHANGE HOURS OF SALES OF FIREWORKS; ALLOW FOR SALES FROM TEMPORARY STRUCTURES AND TENTS; PROVIDE PENALTIES FOR NONCOMPLIANCE; CHANGE HOURS OF DISCHARGING OF FIREWORKS; AND PROVIDE FOR THE EFFECTIVE DATE HEREOF AND THE REPEAL OF ALL OTHER ORDINANCES IN CONFLICT HEREWITH.

On its first reading, Ordinance No. 11-08 was read by title only at this meeting. City Administrator Mangiamelli requested this ordinance be continued to the March 7, 2011 City Council meeting for a second reading to allow for public input and advanced to the March 21, 2011 City Council meeting for a final reading due to the fact it is an amendment to the City Code.

ORDINANCE NO. 11-09 WAS INTRODUCED BY COUNCIL MEMBER REARDON.

ORDINANCE NO. 11-09
FIRST READING

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA TO AMEND CHAPTER 150 OF TITLE XV OF ORDINANCE NO. 05-47 (COLUMBUS CITY CODE) ADOPTING THE 2009 UNIFORM PLUMBING CODE; PROVIDING FOR AN EFFECTIVE DATE HEREOF AND THE REPEAL OF ALL ORDINANCES OR PORTIONS THEREOF IN CONFLICT HEREWITH.

On its first reading, Ordinance No. 11-09 was read by title only at this meeting. City Administrator Mangiamelli requested this ordinance be continued to the March 7, 2011 City Council meeting for a second reading to allow for public input and advanced to the March 21, 2011 City Council meeting for a final reading due to the fact it is an amendment to the City Code.

ORDINANCE NO. 11-10 WAS INTRODUCED BY COUNCIL MEMBER AUGUSTINE.

ORDINANCE NO. 11-10
FIRST READING

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA TO AMEND CHAPTER 150 OF TITLE XV OF ORDINANCE NO. 05-47 (COLUMBUS CITY CODE) ADOPTING THE 2006 INTERNATIONAL BUILDING CODE; PROVIDING FOR AN EFFECTIVE DATE HEREOF AND THE REPEAL OF ALL ORDINANCES OR PORTIONS THEREOF IN CONFLICT HEREWITH.

On its first reading, Ordinance No. 11-10 was read by title only at this meeting. City Administrator Mangiamelli requested this ordinance be continued to the March 7, 2011 City Council meeting for a second reading to allow for public input and advanced to the March 21, 2011 City Council meeting for a final reading due to the fact it is an amendment to the City Code.

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

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA TO AMEND CHAPTER 150 OF TITLE XV OF ORDINANCE NO. 05-47 (COLUMBUS CITY CODE) ADOPTING THE 2006 INTERNATIONAL RESIDENTIAL CODE; PROVIDING FOR AN EFFECTIVE DATE HEREOF AND THE REPEAL OF ALL ORDINANCES OR PORTIONS THEREOF IN CONFLICT HEREWITH.

On its first reading, Ordinance No. 11-11 was read by title only at this meeting. City Administrator Mangiamelli requested this ordinance be continued to the March 7, 2011 City Council meeting for a second reading to allow for public input and advanced to the March 21, 2011 City Council meeting for a final reading due to the fact it is an amendment to the City Code.

ORDINANCE NO. 11-12 WAS INTRODUCED BY COUNCIL MEMBER SCHILLING.**ORDINANCE NO. 11-12**
ADOPTED: FEBRUARY 22, 2011

AN ORDINANCE OF THE CITY OF COLUMBUS, NEBRASKA CREATING WATER EXTENSION DISTRICT NO. 61 OF THE CITY OF COLUMBUS, NEBRASKA; DEFINING THE BOUNDARIES THEREOF; DIRECTING THE CONSTRUCTION OF THE WATER LINES; PROVIDING FOR PLANS, SPECIFICATIONS, ESTIMATES OF COSTS AND SECURING OF BIDS; PROVIDING FOR THE PAYMENT OF SUCH WORK AND OTHER EXPENSES INCIDENTAL THERETO; PROVIDING FOR THE ASSESSMENT OF THE COSTS OF SAID IMPROVEMENT AGAINST THE PROPERTY IN SAID DISTRICT ESPECIALLY BENEFITED THEREBY TO THE EXTENT OF SAID BENEFITS; PROVIDING FOR THE ISSUANCE OF THE DISTRICT

WARRANT AND DISTRICT BONDS AND FOR THE LEVY OF SPECIAL ASSESSMENTS AND GENERAL TAXES TO PAY FOR SAID IMPROVEMENT; PROVIDING FOR THE REPEALING OF ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING THE TIME WITHIN WHICH THIS ORDINANCE SHALL TAKE EFFECT.

Moved by Schilling, seconded by Lohr, the rules be suspended and Ordinance No. 11-12 be read by number only at this meeting. Roll call and Council Members Augustine, Bahr, Bogus, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Bulkley was absent. Motion carried and Ordinance No. 11-12 was read by number only at this meeting.

Moved by Schilling, seconded by Reardon, Ordinance No. 11-12 be passed and adopted.

Mayor Moser put the question, "Shall Ordinance No. 11-12 be passed and adopted?" Roll call and Council Members Augustine, Bahr, Bogus, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Bulkley was absent. Motion carried.

Mayor Moser declared, "By your action, you have passed Ordinance No. 11-12," and it was duly signed.

ORDINANCE NO. 11-13 WAS INTRODUCED BY COUNCIL MEMBER LOHR.

ORDINANCE NO. 11-13

ADOPTED: FEBRUARY 22, 2011

AN ORDINANCE OF THE CITY OF COLUMBUS, NEBRASKA CREATING SEWER EXTENSION DISTRICT NO. 43 IN THE CITY OF COLUMBUS, NEBRASKA; DEFINING THE BOUNDARIES THEREOF; DIRECTING THE CONSTRUCTION OF THE SEWER LINES; PROVIDING FOR PLANS, SPECIFICATIONS, ESTIMATES OF COSTS AND SECURING OF BIDS; PROVIDING FOR THE PAYMENT OF SUCH WORK AND OTHER EXPENSES INCIDENTAL THERETO; PROVIDING FOR THE ASSESSMENT OF THE COSTS OF SAID IMPROVEMENT AGAINST THE PROPERTY IN SAID DISTRICT ESPECIALLY BENEFITED THEREBY TO THE EXTENT OF SAID BENEFITS; PROVIDING FOR THE ISSUANCE OF THE DISTRICT WARRANT AND DISTRICT BONDS AND FOR THE LEVY OF SPECIAL ASSESSMENTS AND GENERAL TAXES TO PAY FOR SAID IMPROVEMENT; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING THE TIME WITHIN WHICH THIS ORDINANCE SHALL TAKE EFFECT.

Moved by Lohr, seconded by Bahr, the rules be suspended and Ordinance No. 11-13 be read by number only at this meeting. Roll call and Council Members Augustine, Bahr, Bogus, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay."

Council Member Bulkley was absent. Motion carried and Ordinance No. 11-13 was read by number only at this meeting.

Moved by Lohr, seconded by Bahr, Ordinance No. 11-13 be passed and adopted.

Mayor Moser put the question, "Shall Ordinance No. 11-13 be passed and adopted?" Roll call and Council Members Augustine, Bahr, Bogus, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Bulkley was absent. Motion carried.

Mayor Moser declared, "By your action, you have passed Ordinance No. 11-13," and it was duly signed.

CONSIDERATION OF PAYROLL AND BILLS ON FILE: ARL Credit Services – Services \$627.60; Reardon Lawn & Garden, Inc. – Supplies 5,248.17. TOTAL \$5,875.77. 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. Moved by Bogus, seconded by Augustine, to authorize Richard Jablonski to abstain from voting on this agenda item and to suspend the City Council rules requiring him to leave the Council Chambers during the discussion and vote on this agenda item. Roll call and Council Members Augustine, Bahr, Bogus, Bulkley, Schilling, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Jablonski abstained from voting and Council Member Bulkley was absent. Motion carried. 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 Terry Reardon to abstain from voting on this agenda item and to suspend the City Council rules requiring him to leave the Council Chambers during the discussion and vote on this agenda item. Roll call and Council Members Augustine, Bahr, Bogus, Jablonski, Schilling and Lohr voted "Aye" and none voted "Nay." Council Member Reardon abstained from voting and Council Member Bulkley was absent. Motion carried. Moved by Bogus, seconded by Schilling, to approve the bills on file. Roll call and Council Members Augustine, Bahr, Bogus, Schilling and Lohr voted "Aye" and none voted "Nay." Council Members Jablonski and Reardon abstained from voting. Council Member Bulkley was absent. Motion carried.

Moved by Schilling, seconded by Reardon, the meeting be adjourned. Roll call and Council Members Augustine, Bahr, Bogus, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Bulkley was absent. Motion carried and the meeting was adjourned at 8:04 p.m.

Presented and approved this 7 day of March, 2011.

MAYOR

ATTEST:

CITY CLERK