

A regular meeting of the Mayor and City Council of the City of Columbus, Nebraska was convened in open and public session on April 4, 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 March 30, 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 Charlie Bahr, Ron Bogus, Jim Bulkley, Ron Schilling, Rich Jablonski, John Lohr and Terry Reardon. Council Member Beth Augustine was absent and excused.

City staff members present included City Administrator Joseph Mangiamelli, City Clerk Linda Walters, City Attorney Stephen Hansen, City Engineer David Goedeken, Police Chief William Gumm, Finance Director Anne Kinnison, Public Property Director Doug Moore, Airport Manager Mark Cozad and Senior Center Manager Jean Sharman.

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 March 21, 2011, City Council meeting.
- B. Approval of reappointment of Keith Kline and Robert Kloke to the Employee Pension Committee.
- C. Approval of payroll and bills on file. 04/15/11 Payroll \$419,248.11 TOTAL \$419,248.11.

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 Bahr, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Augustine was absent. Motion carried.

PUBLIC HEARING – TO DETERMINE WHETHER A TRACT OF LAND IN DOWNTOWN COLUMBUS GENERALLY BOUNDED BY 22ND AVENUE ON THE EAST, 15TH STREET ON THE NORTH, 30TH AVENUE ON THE WEST, AND 10TH STREET ON THE SOUTH, AS DESCRIBED IN THE BLIGHT STUDY FOR THE CITY OF COLUMBUS, NEBRASKA, PREPARED BY RDG CROSE GARDNER SHUKERT DATED JUNE 1999, IS BLIGHTED AND SUBSTANDARD AS DEFINED IN THE COMMUNITY DEVELOPMENT LAW:

The Affidavit of Publication and Notice of Hearing were presented for the purpose of determining whether a tract of land in downtown Columbus generally bounded by 22nd Avenue on the east, 15th Street on the north, 30th Avenue on the west, and 10th Street on the south, as described in the Blight Study for the City of Columbus, Nebraska, prepared by RDG Crose Gardner Shukert dated June 1999, is blighted and substandard as defined in the Community Development Law. A memorandum was also presented from City Administrator Mangiamelli submitting detailed information and a staff recommendation to declare the downtown area as blighted and substandard. The Planning Commission recommended that this tract of land in downtown Columbus be declared blighted and substandard. It was noted in the memorandum that the city has an opportunity to apply and compete for a grant that will assist with the efforts of revitalizing the downtown area and the area must be determined as blighted and substandard as part of the grant requirement. 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 Bahr, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Augustine was absent. Motion carried.

RESOLUTION NO. R11-31 WAS INTRODUCED BY COUNCIL MEMBER BULKLEY.

RESOLUTION NO. R11-31
ADOPTED: APRIL 4, 2011

RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA DECLARING A CERTAIN AREA OF THE CITY IN DOWNTOWN COLUMBUS TO BE BLIGHTED AND SUBSTANDARD AND IN NEED OF REDEVELOPMENT PURSUANT TO THE COMMUNITY DEVELOPMENT LAW, CHAPTER 18, ARTICLE 21, REISSUE REVISED STATUTES OF NEBRASKA, AS AMENDED.

Moved by Bulkley, seconded by Bogus, Resolution No. R11-31 be passed and adopted. Roll call and Council Members Bahr, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Augustine was absent. Motion carried.

PUBLIC HEARING – FOR THE PURPOSE OF AMENDING HOURS OF SERVICE FOR COLUMBUS AREA TRANSIT FOR WHICH FINANCIAL ASSISTANCE IS BEING SOUGHT FROM THE FEDERAL TRANSIT ADMINISTRATION:

The Affidavit of Publication and Notice of Hearing were presented for the purpose of amending hours of service for the Columbus Area Transit for which financial assistance is being sought from the Federal Transit Administration. A memorandum was also presented from Public Property Director Moore submitting detailed information and a staff recommendation that the application for funding assistance with the Nebraska Department of Roads, as well as the Columbus Area United Way, Inc. budget, be forwarded for review. It was noted in the memorandum that the following changes related to the hours of service of the Columbus Area Transit are being proposed: a) Increase Monday through Friday service time by starting at 7:30 a.m. rather than 8 a.m.; b) Operate an additional (third) vehicle for 4 hours Monday through Friday; c) Add an additional hour of service on Saturday, starting at 9 a.m. rather than 10 a.m.; and d) Eliminate Sunday service. Public Property Director Moore distributed a report on the history of transports, explained that while he and Senior Center Manager Sharman were reviewing next year's budget, discussions were held regarding the need for additional essential services. Moore said this budget includes the elimination of service on Sunday, a request for an additional bus and extended hours on Saturday. Moore pointed out that Columbus Area Transit has been providing very few rides for medical or employment purposes on Sundays and said family and church members are more readily available to assist passengers with their travel needs on this day. In response to Council Member Bogus, Moore stated that a budget needs to be submitted to the State of Nebraska by April 15th but can be amended at a later date. It was pointed out that program costs would increase approximately \$16,000, with federal and state funding being sought for the majority of this increase. Sharman explained the costs per ride as well as the required qualifications for drivers. Sylvan Zwick, 1305 8th Street, cited the purposes for his use of the transportation service and said he does not utilize the service on Sundays. Richard Swartz, 3518 12th Street, said he uses the transportation service on Sundays for his employment at Walmart. City Administrator Mangiamelli stated that he received a call from Apogee expressing support of the transportation service on Sundays as they currently have two employees who utilize the service and there is also potential for expansion that may result in additional requests for rides. Finance Director Kinnison distributed a copy of a summary page from the 2011 budget, described the comparisons of the 2011 and estimated 2012 numbers, referred to concerns with availability of state funding and said taxpayers will be responsible for any shortages. Following extensive discussion, Mangiamelli pointed out that a budget does need to be approved at this meeting in order to meet the deadline and consensus of the Council was to not eliminate the service on Sundays. Moved by Bogus, seconded by Schilling, the public hearing be closed. Roll call and Council Members Bahr, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Augustine was absent. Motion carried.

RESOLUTION NO. R11-32 WAS INTRODUCED BY COUNCIL MEMBER BULKLEY.

RESOLUTION NO. R11-32

ADOPTED: APRIL 4, 2011

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA TO AUTHORIZE AND DIRECT THE MAYOR AND CITY CLERK TO APPLY FOR FUNDS FOR THE OPERATION OF THE COLUMBUS AREA TRANSIT SYSTEM PROGRAM FOR THE FISCAL YEAR 2011-2012.

Moved by Bulkley, seconded by Schilling, Resolution No. R11-32 be passed and adopted with the budget amended to provide for service on Sundays. Roll call and Council Members Bahr, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Augustine was absent. Motion carried.

PUBLIC HEARING – APPLICATION TO NEBRASKA DEPARTMENT OF ECONOMIC DEVELOPMENT FOR COMMUNITY DEVELOPMENT BLOCK GRANT FOR 2011 COMPREHENSIVE REVITALIZATION ACTIVITIES IN THE AMOUNT OF \$175,000:

The Affidavit of Publication and Notice of Hearing were presented on the application to the Nebraska Department of Economic Development for a Community Development Block Grant for 2011 comprehensive revitalization activities in the amount of \$175,000 (\$138,000 for single family purchase/rehabilitation/resale; \$17,500 for housing management; \$7,500 for lead based activities; and \$12,000 for general administration). A memorandum was also presented from Lisa Hurley, Northeast Nebraska Economic Development District (NENEDD), submitting detailed information and a recommendation that the application for a Comprehensive Revitalization Grant be accepted. It was noted in the memorandum that the City of Columbus will provide \$163,000 in water and sewer improvements in the targeted area. City Administrator Mangiamelli explained that this is a continuation of the comprehensive revitalization program where the city has been providing matching funds for sewer lining improvements. No one appeared in opposition. Moved by Bogus, seconded by Reardon, the public hearing be closed. Roll call and Council Members Bahr, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Augustine was absent. Motion carried.

RESOLUTION NO. R11-33 WAS INTRODUCED BY COUNCIL MEMBER LOHR.**RESOLUTION NO. R11-33**
ADOPTED: APRIL 4, 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 NEBRASKA COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS, A COPY OF WHICH IS ATTACHED HERETO; PROVIDING FOR THE MAYOR AND CITY CLERK TO EXECUTE THE SAME.

Moved by Lohr, seconded by Bahr, Resolution No. R11-33 be passed and adopted. Roll call and Council Members Bahr, Bogus, Bulkley, Schilling, Jablonski, Lohr and

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

APPOINTMENT OF KENDALL R. CHRISTENSEN TO THE COLUMBUS TREE BOARD TO FILL THE UNEXPIRED TERM OF STEVEN RAMAEKERS: A memorandum was presented from Mayor Moser submitting the name of Kendall R. Christensen for appointment to the Columbus Tree Board to fill the unexpired term of Steven Ramaekers. Council President Bogus read a brief resume and it was moved by Bogus, seconded by Bahr, to approve the Mayor's appointment. Roll call and Council Members Bahr, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Augustine was absent. Motion carried.

COMMENTS FROM MAYOR AND CITY COUNCIL MEMBERS: Mayor Moser announced that two vacancies exist on the Board of Adjustment. Moser described the purpose and responsibilities of this board and asked anyone who would be interested in serving on this board to apply. Moser pointed out that one of the individuals must live within the city limits and one must live in the two mile jurisdiction in order to serve on this board.

Mayor Moser announced that Governor Heineman will be participating in the Mayor's Round Table on April 14th and Senator Schumacher will be participating in the Mayor's Round Table on April 26th.

RESOLUTION NO. R11-34 WAS INTRODUCED BY COUNCIL MEMBER REARDON.

RESOLUTION NO. R11-34
ADOPTED: APRIL 4, 2011

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA TO AMEND RESOLUTION NO. R10-75 ("SCHEDULE OF FEES") BY CHANGING THE FEES FOR SERVICES RENDERED WITH RESPECT TO FIREWORKS APPLICATIONS AND WATER/SEWER SPECIAL CONNECTIONS PURSUANT TO THE ATTACHED AND INCORPORATED HEREIN SCHEDULE; TO PROVIDE FOR AN EFFECTIVE DATE AND TO REPEAL ALL RESOLUTIONS OR PORTIONS THEREOF IN CONFLICT HERewith.

Moved by Reardon, seconded by Bahr, Resolution No. R11-34 be passed and adopted. In response to Council Member Bogus, City Administrator Mangiamelli stated that the water and sewer fees relate to special connections only. Roll call and Council Members Bahr, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Augustine was absent. Motion carried.

RESOLUTION NO. R11-35 WAS INTRODUCED BY COUNCIL MEMBER JABLONSKI.

RESOLUTION NO. R11-35
ADOPTED: APRIL 4, 2011

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA TO APPROVE THE REVISED REGULATIONS RECOMMENDED BY THE JOINT AIRPORT ZONING BOARD DEALING WITH THE STATUTORY HEIGHT RESTRICTIONS AROUND THE COLUMBUS MUNICIPAL AIRPORT.

Airport Manager Cozad stated that state statutes require height restrictions not to exceed 150 feet within three miles around the Columbus Municipal Airport to protect landings and takeoffs. Cozad referred to the extension of the airport runways, said the elevation of the airport has been verified and these changes have necessitated that the three mile radius around the airport be extended and the maximum height limits be raised. A memorandum was submitted from City Administrator Mangiamelli explaining that the current Joint Airport Zoning Board met on several occasions to review and consider the necessary changes and held a hearing on March 2, 2011, at which time the extended limits and increased elevation issues were discussed and a recommendation made that the regulations required under statute be adopted by the City Council. Moved by Jablonski, seconded by Bogus, Resolution No. R11-35 be passed and adopted. Roll call and Council Members Bahr, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Augustine was absent. Motion carried.

ORDINANCE NO. 11-14 WAS INTRODUCED BY COUNCIL MEMBER SCHILLING.

THIRD READING

ADOPTED: APRIL 4, 2011

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA TO AMEND ORDINANCE NO. 11-10 BY AMENDING THE CITY CODE CITATION "150.105" TO "150.001" IN 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.

City Administrator Mangiamelli explained that Ordinance No. 11-10 amending the City Code to adopt the 2006 International Building Code was adopted on its third reading at the March 21, 2011 City Council meeting and subsequently discovered that the section number referenced in the ordinance was incorrect. Ordinance No. 11-14 amends Ordinance No. 11-10 to correct the error and there were no changes made to the verbiage in the ordinance.

Moved by Schilling, seconded by Lohr, the rules be suspended and Ordinance No. 11-14 be read by number only at this meeting. Roll call and Council Members Bahr, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Augustine was absent. Motion carried and Ordinance No. 11-14 was read by number only at this meeting.

Moved by Schilling, seconded by Lohr, Ordinance No. 11-14 be passed and adopted.

Mayor Moser put the question, "Shall Ordinance No. 11-14 be passed and adopted?" Roll call and Council Members Bahr, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Augustine was absent. Motion carried.

Mayor Moser declared, "By your action, you have passed Ordinance No. 11-14," and it was duly signed.

Moved by Bulkley, seconded by Reardon, the meeting be adjourned. Roll call and Council Members Bahr, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Augustine was absent. Motion carried and the meeting was adjourned at 8:03 p.m.

Presented and approved this 18 day of April, 2011.

MAYOR

ATTEST:

CITY CLERK