

A regular meeting of the Mayor and City Council of the City of Columbus, Nebraska was convened in open and public session on June 6, 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 June 1, 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, Jim Bulkley, Rich Jablonski, John Lohr and Terry Reardon. Council Member Ron Schilling was absent and excused.

City staff members present included City Administrator Joseph Mangiamelli, City Attorney Stephen Hansen, City Engineer David Goedeken, Police Chief William Gumm, Finance Director Anne Kinnison, Public Property Director Doug Moore, Public Works/Environmental Services Director Chuck Thomerson, Airport Manager Mark Cozad and Account Clerk II/Records Clerk II Michaela Luckey.

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 May 16, 2011, City Council meeting.
- B. Approval of plans, specifications, and estimate of cost, as submitted by City Engineer Goedeken, for Street Construction 2011 Contract B – Asphalt Construction on North Rose Lane and South Rose Lane and authorization for city staff to advertise for bids.
- C. Approval to change date of first meeting in July 2011 to 7 p.m., Tuesday, July 5, 2011, due to Independence Day holiday.
- D. Approval of Resolution No. R11-60 authorizing payment to Kush Construction and Coating, Monroe, Nebraska, in the amount of \$59,792.28 for Paint Pawnee Plunge Project.
- E. Approval of Resolution No. R11-67 approving Service/Consultant Agreement with Northeast Nebraska Economic Development District in the amount of \$2,100 for general administrative services for Community Development Block Grant 11-DTR-006 in conjunction with Phase I (Planning) of Downtown Revitalization.
- F. Approval of Resolution No. R11-68 approving Service/Consultant Agreement with Northeast Nebraska Economic Development District in the amount of \$12,000 for general administrative services for Community Development Block Grant 10-CR-006 in conjunction with Phase II Comprehensive Revitalization activities.

- G. Approval of payroll and bills on file. 6/10/11 Payroll \$487,079.89; Clock Tower Auto Mall – Vehicle 9,000.00; Coffman Associates – Airport Layout Plan 8,032.00; Headsetters – Equipment 943.83; United States Post Office – Postage 2,213.10. TOTAL \$507,268.82.

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

PRESENTATION FROM COFFMAN ASSOCIATES REGARDING AIRPORT LAYOUT PLAN FINAL REPORT: Patrick Taylor, Coffman Associates, acknowledged Mike Dmyterko, principal and owner of Coffman Associates, who was in the audience. Taylor referred to the Master Plan for the airport that was included in the packets and said this plan will be final once approved. Taylor explained that the technical drawings in the back of the document will then be submitted to the Nebraska Department of Aeronautics as well as to the Federal Aviation Administration for final approval and once received, the airport will have a Master Plan in place in order to qualify for additional grants and funding. Taylor further explained the \$22 million, 20 year plan for the airport in detail, said it is flexible based on demand and not restricted to the timeframe established. Taylor also explained that revenue producing projects are not typically eligible for funding assistance.

COMMITTEE OF THE WHOLE REPORT – ONE PERCENT (1%) RESTRICTED FUNDS AUTHORITY INCREASE: An oral report of the Committee of the Whole was presented with the recommendation that the 1% restricted funds authority increase be advanced to the City Council for consideration. Moved by Bogus, seconded by Bahr, this report be adopted. Roll call and Council Members Augustine, Bahr, Bogus, Bulkley, Jablonski, Lohr and Reardon voted “Aye” and none voted “Nay.” Council Member Schilling was absent. Motion carried.

COMMITTEE OF THE WHOLE REPORT – REVIEW CAPITAL IMPROVEMENT PLAN FOR BUDGET YEAR 2011-2012: City Administrator Mangiamelli reported that the Committee of the Whole met at 5:30 p.m. on June 6, 2011 to review the Capital Improvement Plan for the Budget Year 2011-2012. Mangiamelli stated that no action was taken at this meeting and asked the Council to submit recommended changes to Finance Director Kinnison or himself.

APPOINTMENT OF RUTH CHERMOK TO THE BOARD OF ADJUSTMENT FOR THREE-YEAR TERM: A memorandum was presented from Mayor Moser submitting the name of Ruth Chermok for appointment to the Board of Adjustment for a three-year term. Council President Bogus read a brief resume and it was moved by Bogus, seconded by Bulkley, to approve the Mayor's appointment. Roll call and Council Members Augustine, Bahr, Bogus, Bulkley, Jablonski, Lohr and Reardon voted “Aye” and none voted “Nay.” Council Member Schilling was absent. Motion carried.

MEMORANDUM FROM PUBLIC WORKS/ENVIRONMENTAL SERVICES DIRECTOR THOMERSON RECOMMENDING APPROVAL OF CHANGE ORDER NO. 2 WITH A & R CONSTRUCTION CO., PLAINVIEW, NEBRASKA, IN THE AMOUNT OF \$48,048 FOR MATERIAL AND LABOR TO BORE 30” WATERLINE UNDER EAST 29TH AVENUE IN CONJUNCTION WITH THE PLATTE COUNTY 8TH STREET PAVING PROJECT: A memorandum was presented from Public Works/Environmental Services Director Thomerson submitting detailed information and a staff recommendation to approve Change Order No. 2 with A & R Construction Co., Plainview, Nebraska, in the amount of \$48,048 for material and labor to bore the 30” waterline under East 29th Avenue for the Platte County 8th Street Paving Project. Moved by Bogus, seconded by Augustine, Change Order No. 2 be approved. In response to Council Member Reardon, Thomerson explained that the contract originally called for an open cut and following negotiations, it was determined that the best option would be to bore the waterline to the other side in order to provide for a future extension of the line. In response to Mayor Moser, Thomerson said over \$1,000,000 was budgeted for this project and the actual

cost will be less than \$700,000. Roll call and Council Members Augustine, Bahr, Bogus, Bulkley, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Schilling was absent. Motion carried.

COMMENTS FROM MAYOR AND CITY COUNCIL MEMBERS: Council Member Augustine referred to an anonymous phone call regarding recycling in the city and reminded constituents that they should provide a name and phone number when expressing concerns they would like to have addressed.

Council Member Jablonski commended all who were involved with the recent flag pole dedication ceremony in Frankfort Square.

Mayor Moser congratulated the Sertoma organization for their fundraising efforts for the new flag pole in Frankfort Square.

Mayor Moser referred to an inquiry he received regarding park rules for boating on city lakes and Public Property Director Moore stated that no inflatable or motorized crafts are allowed. Moore said kayaks, row boats and canoes are permitted; however, no swimming is allowed.

Mayor Moser announced that Congressman Fortenberry will be visiting Columbus at 2 p.m. on Wednesday to talk about the possibility of the city being transferred to his district and said questions should be submitted to City Administrator Mangiamelli by calling 402-562-4233 or emailing askcity@columbusne.us.

RESOLUTION NO. R11-61 WAS INTRODUCED BY COUNCIL MEMBER AUGUSTINE.

RESOLUTION NO. R11-61
ADOPTED: JUNE 6, 2011

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, TO AWARD A CONTRACT TO GEHRING CONSTRUCTION AND READY MIX CO., INC., COLUMBUS, NEBRASKA, IN THE AMOUNT OF \$183,499.10, BEING THE LOWEST RESPONSIBLE BID RECEIVED FOR THE STREET CONSTRUCTION 2011 PROJECT.

In response to Mayor Moser, City Engineer Goedecken confirmed that construction in the 28th Avenue area near the South Water Plant is included in the project. Moved by Augustine, seconded by Bogus, Resolution No. R11-61 be passed and adopted. Roll call and Council Members Augustine, Bahr, Bogus, Bulkley, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Schilling was absent. Motion carried.

RESOLUTION NO. R11-62 WAS INTRODUCED BY COUNCIL MEMBER BAHR.

RESOLUTION NO. R11-62
ADOPTED: JUNE 6, 2011

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, TO AWARD A CONTRACT TO INSITUFORM TECHNOLOGIES, CHESTERFIELD, MISSOURI, IN THE AMOUNT OF \$105,028, BEING THE LOWEST RESPONSIBLE BID RECEIVED, FOR THE 2011 SANITARY SEWER REHABILITATION PROJECT.

Moved by Bahr, seconded by Bulkley, Resolution No. R11-62 be passed and adopted. Roll call and Council Members Augustine, Bahr, Bogus, Bulkley, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Schilling was absent. Motion carried.

RESOLUTION NO. R11-63 WAS INTRODUCED BY COUNCIL MEMBER JABLONSKI.

RESOLUTION NO. R11-63

ADOPTED: JUNE 6, 2011

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA APPOINTING THE CITIZENS ADVISORY REVIEW COMMITTEE TO SERVE AS THE ADVISORY BODY FOR USE OF COMMUNITY DEVELOPMENT BLOCK GRANT REVOLVING LOAN FUNDS.

Moved by Jablonski, seconded by Bahr, Resolution No. R11-63 be passed and adopted. City Administrator Mangiamelli referred to the Applications and Review Board that was formed in 1995 to review applications for block grants for economic development activities as well as the Citizens Advisory Review Committee that was established in 2006 in conjunction with the LB840 Economic Development Plan as required by state statute and said this resolution will eliminate the duplication of the same type of committees. In response to Council Member Jablonski, Mangiamelli confirmed that there are revolving loan funds available to be used for economic development. Roll call and Council Members Augustine, Bahr, Bogus, Bulkley, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Schilling was absent. Motion carried.

RESOLUTION NO. R11-64 WAS INTRODUCED BY COUNCIL MEMBER BULKLEY.**RESOLUTION NO. R11-64**
ADOPTED: JUNE 6, 2011

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, APPROVING THE APPLICATION OF THOMAS M. FEHRINGER, ON BEHALF OF MARIE W. JOHNSON, INDIVIDUALLY, AND TRUSTEE OF THE MARIE W. JOHNSON TRUST AND OF THE MYRON J. JOHNSON TRUST, OWNER OF THE TRACT OF LAND IN THE SW1/4SW1/4 OF SECTION 28, TOWNSHIP 17 NORTH, RANGE 1 EAST OF THE 6TH P.M., ALL IN PLATTE COUNTY, NEBRASKA. MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF QUAIL LANDING 1ST ADDITION, THENCE S 00°03'19" E 66.00 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF SOUTH 5TH STREET, SAID POINT BEING THE POINT OF BEGINNING, THENCE EASTERLY ALONG THE SAID SOUTH RIGHT OF WAY LINE 695.31 FEET TO A POINT, THENCE S 00°03'19" E 132.00 FEET TO A POINT, THENCE WESTERLY ALONG A LINE PARALLEL TO THE SAID SOUTH RIGHT OF WAY LINE A DISTANCE OF 695.31 FEET TO A POINT, THENCE N 00°03'19" W 66.00' TO POINT OF BEGINNING, PLATTE COUNTY, NEBRASKA, FOR AN AGRICULTURAL DEFERMENT OF SPECIAL ASSESSMENTS RELATING TO WATER EXTENSION DISTRICT (WED) #61 AND SEWER EXTENSION DISTRICT (SED) #43 (SOUTH 5TH STREET FROM A POINT STARTING 200 FEET EAST OF THE CENTERLINE OF DEER CREEK PLACE, THENCE EASTERLY 695 FEET ALONG SOUTH 5TH STREET.

Moved by Bulkley, seconded by Bahr, Resolution No. R11-64 be passed and adopted. In response to Council Member Lohr, City Attorney Hansen explained that the agricultural deferment allows agricultural property owners to remain exempt from paying improvements on a property until the property is developed. Roll call and Council Members Augustine, Bahr, Bogus, Bulkley, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Schilling was absent. Motion carried.

RESOLUTION NO. R11-65 WAS INTRODUCED BY COUNCIL MEMBER LOHR.**RESOLUTION NO. R11-65**
ADOPTED: JUNE 6, 2011

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA TO APPROVE AN LPA PROGRAM AGREEMENT BETWEEN THE CITY OF COLUMBUS AND THE STATE OF NEBRASKA, DEPARTMENT OF ROADS, RELATING TO ROAD SURFACE CONSTRUCTION ON 3RD AVENUE, BETWEEN 8TH STREET, TO SOUTH 5TH STREET, A COPY OF WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN BY THIS REFERENCE; TO AUTHORIZE

THE MAYOR TO EXECUTE THE SAME ON BEHALF OF THE CITY OF COLUMBUS, NEBRASKA; AND TO REPEAL ALL RESOLUTIONS OR PORTIONS THEREOF IN CONFLICT HEREWITH. ASSIGNED PROJECT NUMBER IS: URB-6065(6).

Moved by Lohr, seconded by Bahr, Resolution No. R11-65 be passed and adopted. In response to Council Member Bahr, City Engineer Goedeken explained the timeframe for this project. Roll call and Council Members Augustine, Bahr, Bogus, Bulkley, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Schilling was absent. Motion carried.

RESOLUTION NO. R11-66 WAS INTRODUCED BY COUNCIL MEMBER REARDON.

RESOLUTION NO. R11-66
ADOPTED: JUNE 6, 2011

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, ACCEPTING THE PROPOSAL RECEIVED FROM LER, INC. (RENNER SPORTS SURFACES) AND AWARDING A CONTRACT FOR THE CONSTRUCTION OF SIX TENNIS COURTS AT PAWNEE PARK IN THE AMOUNT OF \$416,322.00.

Moved by Reardon, seconded by Augustine, Resolution No. R11-66 be passed and adopted. City Administrator Mangiamelli said this is a new method for this type of project and asked Greg McKenna, President of Renner Sports Surfaces, to explain the process. McKenna stated that the proposal is to rehabilitate four existing tennis courts and construct two additional courts using post tension concrete technology. McKenna explained this type of technology in detail, said any cracking will never open up more than a hairline and standard color resurfacing will be the only type of maintenance to consider for future budgets and repair work. In response to Mayor Moser, Mangiamelli said the Columbus Public School system will be contributing approximately \$180,000 toward this project and additional funding and/or grants will be sought from the United States Tennis Association, Columbus Tennis Association as well as the Nebraska Game and Parks Commission. In response to Council Member Bogus, Merlin Lindahl, Lindahl Engineering, stated that policies and procedures were established, letters of interest were sent to various contractors, request for proposals were sent to interested contractors and a selection committee consisting of himself, Council Members Augustine and Bahr, City Administrator Mangiamelli, City Engineer Goedeken, Public Property Director Moore, Roland Augspurger, Columbus Tennis Association and Jeff Page, Columbus Public Schools, was established to select the contractor. Bob Arp, Columbus Tennis Association, said the association is eagerly anticipating the new tennis courts and feels this project will provide opportunities for hosting tournaments. Arp expressed concerns regarding long term use with rehabilitation of the existing courts and McKenna assured there is a two year warranty against peeling or wearing thin. McKenna also pointed out that LER, Inc. has been noted to go beyond the two year warranty for any defects that are not related to wearing or neglect. Council Member Lohr referred to the tennis courts at Gerrard Park and Public Property Director Moore pointed out that the Pawnee Park tennis courts are being built for competitive use by a professional tennis court contractor. Roll call and Council Members Augustine, Bahr, Bogus, Bulkley, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Schilling was absent. Motion carried.

Moved by Bulkley, seconded by Augustine, the meeting be adjourned. Roll call and Council Members Augustine, Bahr, Bogus, Bulkley, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Schilling was absent. Motion carried and the meeting was adjourned at 8:00 p.m.

Presented and approved this 20 day of June, 2011.

MAYOR

ATTEST:

CITY CLERK