

A regular meeting of the Mayor and City Council of the City of Columbus, Nebraska was convened in open and public session on July 5, 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 29, 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, Terry Reardon and Ron Schilling.

City staff members present included City Administrator Joseph Mangiamelli, City Clerk Linda Walters, City Attorney Stephen Hansen, Police Captain Charles Sherer, Finance Director Anne Kinnison, Library Director Jill Owens and Public Works/Environmental Services Director Chuck Thomerson.

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 June 20, 2011, City Council meeting and June 22, 2011, Special City Council meeting.
- B. Approval of Resolution No. R11-75 awarding bid to U.S. Asphalt Co., Omaha, Nebraska, sole bidder, in the amount of \$108,281.73 for Street Construction 2011 Contract B – Asphalt Construction Project.
- C. Approval of payroll and bills on file. 07/8/11 Payroll 487,563.50 TOTAL \$487,563.50.

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, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Motion carried.

PUBLIC HEARING – APPLICATION OF FWHI BEVERAGE CO., INC., DBA NEW WORLD INN & CONFERENCE CENTER, FOR RETAIL CLASS "C" BEER, WINE & DISTILLED SPIRITS ON & OFF SALE LIQUOR LICENSE AT 265 33RD AVENUE AND CLASS "K" CATERING LICENSE TO DELIVER, SELL OR DISPENSE BEER, WINE, DISTILLED SPIRITS FOR CONSUMPTION AT A LOCATION DESIGNATED ON A SPECIAL DESIGNATED LICENSE: The Affidavit of Publication and Notice of Hearing were presented on the application of FWHI Beverage Co., Inc., d.b.a. New World Inn & Conference Center, for a Retail Class "C" Beer, Wine & Distilled Spirits On & Off Sale Liquor License at 265 33rd Avenue, Columbus, Nebraska, and a Class "K" Catering License to deliver, sell or dispense beer, wine, distilled spirits for consumption at a location designated on a Special Designated License. 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 Bulkley, seconded by Reardon, 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 SEAN L. POWERS AS MANAGER OF NEW WORLD INN & CONFERENCE CENTER IN CONJUNCTION WITH CLASS "C" LIQUOR LICENSE

AND CLASS "K" CATERING LICENSE: The application of Sean L. Powers as manager of New World Inn & Conference Center, 265 33rd Avenue, in conjunction with their Class "C" Liquor License and Class "K" Catering License was presented. A memorandum was also presented from the City Clerk's office regarding Nebraska Liquor Control Commission requirements. Moved by Schilling, seconded by Lohr, 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.

APPOINTMENT OF ROLAND AUGSPURGER TO THE BOARD OF PARKS COMMISSIONERS TO FILL UNEXPIRED TERM OF MICHAEL SCHUMACHER:

A memorandum was presented from Mayor Moser submitting the name of Roland Augspurger for appointment to the Board of Parks Commissioners to fill the unexpired term of Michael Schumacher. Council President Bogus read a brief resume and it was moved by Bogus, seconded by Augustine, to approve the Mayor's appointment. Roll call and Council Members Augustine, Bahr, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Motion carried.

MEMORANDUM FROM CITY ENGINEER GOEDEKEN RECOMMENDING AWARD OF SOLE SOURCE QUOTE TO LOGAN CONTRACTORS SUPPLY, INC., OMAHA, NEBRASKA, IN THE AMOUNT OF \$10,800 FOR A HOT MIX ROLLER WITH TRAILER FOR STREET DEPARTMENT:

A memorandum was presented from City Engineer Goedeken recommending award of sole source quote to Logan Contractors Supply, Inc., Omaha, Nebraska, in the amount of \$10,800 for a hot mix roller with trailer for the Street Department. Moved by Bogus, seconded by Schilling, the quote be awarded. In response to Council Member Bogus, City Administrator Mangiamelli explained that the Street Department devised an asphalt drag box system of patching potholes with hot mix asphalt as the use of hot mix is less expensive and time consuming than total replacement but also more permanent than cold mix. Mangiamelli further explained that this roller will allow more asphalt repairs to be made in a timely manner. In response to Council Member Reardon, Mangiamelli said a new roller would cost approximately \$30,000. Roll call and Council Members Augustine, Bahr, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Motion carried.

MEMORANDUM FROM PUBLIC WORKS/ENVIRONMENTAL SERVICES DIRECTOR THOMERSON RECOMMENDING AWARD OF QUOTE TO ELECTRIC PUMP, DES MOINES, IOWA, IN THE AMOUNT OF \$11,389 FOR EMERGENCY PURCHASE OF LIFT STATION PUMP FOR THE SANITARY SEWER SYSTEM:

A memorandum was presented from Public Works/Environmental Services Director Thomerson recommending award of quote to Electric Pump, Des Moines, Iowa, in the amount of \$11,389 for emergency purchase of lift station pump for the sanitary sewer system. Moved by Bogus, seconded by Schilling, the quote be awarded. Public Works/Environmental Services Director Thomerson referred to the low quote accepted three years ago for ABS pumps as well as the failures associated with these pumps and said the recommendation is to transition back to Flygt pumps. In response to Council Member Bulkley, Thomerson said some of the ABS pumps will be used as spares. 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 Members Augustine and Lohr referred to the city ordinance with regard to littering and asked citizens to clean up debris left from lighting fireworks including public locations such as Ag Park and Lake North.

RESOLUTION NO. R11-76 WAS INTRODUCED BY COUNCIL MEMBER BULKLEY.

RESOLUTION NO. R11-76
ADOPTED: JULY 5, 2011

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, TO APPROVE A CONTRACT WITH PLATTE COUNTY, NEBRASKA, TO PROVIDE LIBRARY SERVICES FROM JULY 1, 2011 THROUGH JUNE 30, 2014, FOR CITIZENS OF PLATTE COUNTY WHO RESIDE OUTSIDE OF THE COLUMBUS CITY LIMITS, EXCLUDING HUMPHREY, NEBRASKA, AT A COST OF \$100,000 PER YEAR, A COPY OF WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN; TO AUTHORIZE THE MAYOR TO EXECUTE THE SAME; AND TO REPEAL ALL RESOLUTION IN CONFLICT HEREWITH.

Moved by Bulkley, seconded by Bahr, Resolution No. R11-76 be passed and adopted. In response to Council Member Reardon, Library Director Jill Owens explained that negotiations began on this contract well in advance of the contract's termination date. In response to Council Member Lohr, Owens clarified that it costs approximately \$133,000 to \$136,000 per year to provide this service which includes library walk-in and on-line services for county cardholders in addition to the bookmobile services. In response to Council Member Bulkley, Owens explained that citizens of Humphrey are taxed for their own library and are excluded from this contract. Roll call and Council Members Augustine, Bahr, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Motion carried.

RESOLUTION NO. R11-77 WAS INTRODUCED BY COUNCIL MEMBER BAHR.

RESOLUTION NO. R11-77
ADOPTED: JULY 5, 2011

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, TO ADOPT THE "RULES OF THE CITY COUNCIL" IN ACCORD WITH SECTION 30.20 OF TITLE III OF ORDINANCE NO. 05-47 (COLUMBUS CITY CODE).

Moved by Bahr, seconded by Bulkley, Resolution No. R11-77 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.

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 7:26 p.m.

Presented and approved this 18 day of July, 2011.

MAYOR

ATTEST:

CITY CLERK