

A regular meeting of the Mayor and City Council of the City of Columbus, Nebraska was convened in open and public session on August 1, 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 July 27, 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, Jim Bulkley, Rich Jablonski, John Lohr and Ron Schilling. Council Members Ron Bogus and Terry Reardon were absent and excused.

City staff members present included City Administrator Joseph Mangiamelli, City Clerk Linda Walters, City Attorney Stephen Hansen, Police Chief William Gumm, Finance Director Anne Kinnison, Public Property Director Doug Moore, Fire Chief Dean Hefti and City Engineer Dave Goedeken.

PRAYER: Mayor Moser asked all to rise and Council Member Augustine 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 July 18, 2011, City Council meeting.
- B. Approval of award of bid to Front Range Fire Apparatus, Frederick, Colorado, being lowest responsible bid received, in the amount of \$224,663 for Type I/Class I ambulance for Fire Department.
- C. Approval of Resolution No. R11-79 approving lease with Robert Dahlstedt for use of hangar space at Columbus Municipal Airport.
- D. Approval of payroll and bills on file. 8/5/11 Payroll 482,840.57; Logan Contractors Supply Inc. – Equipment 10,800.00. TOTAL \$493,640.57.

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

COMMITTEE OF THE WHOLE REPORTS – REVIEW 2011 – 2012 CAPITAL IMPROVEMENT PLAN; PAY PLAN; FEE CHANGES; AND REVIEW 2011-2012 BUDGET: The reports of the Committee of the Whole were presented with the following recommendations: to accept the Capital Improvement Plan as presented (the Planning Commission recommended approval); to approve the Pay Plan as presented; to approve the fee changes as presented; and to approve the operating budget for 2011-2012 and set a date of hearing on the budget for September 6, 2011 at 7 p.m. Moved by Augustine, seconded by Schilling, these reports be adopted. Roll call and Council

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

PARTIAL FORGIVENESS OF DOWN PAYMENT HOUSING ASSISTANCE LOAN, FILE #08402:

A memorandum was presented from Finance Director Kinnison submitting detailed information regarding a request to grant partial forgiveness of the down payment housing assistance loan for File #08402. Moved by Bulkley, seconded by Augustine, partial forgiveness be granted. In response to Council Member Bahr, Kinnison explained that during the 2008-2010 timeframe, the Northeast Nebraska Economic Development District (NENEDD) administered a grant from the Nebraska Affordable Housing Trust, on behalf of the City of Columbus, to provide down payment assistance loans to nineteen home buyers in an amount of 20% of the purchase price up to \$20,000 at no interest. Kinnison further explained that one of the purchasers from January 2009 (File #08402) moved to Colorado following a layoff and, after nearly a year of having their home on the market, are asking partial forgiveness of the \$20,000 loan as there will not be enough money from a potential sale of their home to cover the loan. It was also noted that the city's offer of releasing the first estimate of shortfall in the amount of \$9,270 for their signature on a promissory note was turned down as the homeowners said they would not be able to make payments. An updated memorandum from Kinnison was also presented stating that following further negotiations, staff is recommending loan forgiveness on the proposed shortfall of \$4,270. Council Member Bahr questioned whether the city could allow the property to go to foreclosure and City Attorney Hansen said this is an option but added that there is an element of uncertainty with this process. In response to Council Member Lohr, Kinnison said NENEDD has indicated that this partial loan default would not affect future grant opportunities. Roll call and Council Members Augustine, Bahr, Bulkley, Schilling, Jablonski and Lohr voted "Aye" and none voted "Nay." Council Members Bogus and Reardon were absent. Motion carried.

COMMENTS FROM MAYOR AND CITY COUNCIL MEMBERS: Council Member Augustine reported that she has received a number of positive comments with regard to the asphalt overlay project on North and South Rose Lanes.

RESOLUTION NO. R11-80 WAS INTRODUCED BY COUNCIL MEMBER BULKLEY.

RESOLUTION NO. R11-80
ADOPTED: AUGUST 1, 2011

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, ADOPTING AND APPROVING THE EXECUTION OF A GRANT AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION FOR PROJECT NO. 3-31-0019-09 TO OBTAIN FEDERAL ASSISTANCE FOR THE DEVELOPMENT OF THE COLUMBUS MUNICIPAL AIRPORT AND SIGNATORY AUTHORITY.

Moved by Bulkley, seconded by Augustine, Resolution No. R11-80 be passed and adopted. Roll call and Council Members Augustine, Bahr, Bulkley, Schilling, Jablonski and Lohr voted "Aye" and none voted "Nay." Council Members Bogus and Reardon were absent. Motion carried.

ORDINANCE NO. 11-26 WAS INTRODUCED BY COUNCIL MEMBER SCHILLING.

ORDINANCE NO. 11-26
FIRST READING

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA TO AMEND CHAPTER 97 OF TITLE IX OF ORDINANCE NO. 05-47 (COLUMBUS CITY CODE) BY ADOPTING SECTION 97.01(R) SO AS TO PLACE RESTRICTIONS ON THE USE OF PAWNEE PARK TENNIS COURTS, CENTENNIAL PARK TENNIS COURTS AND GERRARD PARK TENNIS COURTS; TO REPEAL ALL ORDINANCES IN CONFLICT HERewith AND TO PROVIDE FOR AN EFFECTIVE DATE.

On its first reading, Ordinance No. 11-26 was read by title only at this meeting. City Administrator Mangiamelli requested this ordinance be continued to the August 15, 2011 City Council meeting for a second reading to allow for public input and advanced to the September 6, 2011 City Council meeting for a final reading. In response to Council Member Lohr, Mangiamelli pointed out that Section 2 of Ordinance No. 11-26 states that the penalty for violation of this ordinance is addressed in the general penalty clause of the City Code. Council Member Bulkley commented on how well the Pawnee Park Tennis Court Project is progressing.

ORDINANCE NO. 11-25
SECOND READING

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA TO AMEND SECTION 11.01 OF CHAPTER 11 OF TITLE I OF ORDINANCE NO. 05-47 (COLUMBUS CITY CODE) REDISTRICTING AND REDEFINING THE FOUR WARDS OF THE CITY OF COLUMBUS, NEBRASKA; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF AND THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH.

On its second reading, Ordinance No. 11-25 was read by title only at this meeting. City Administrator Mangiamelli asked for public input and none was received. It was noted that this ordinance will be advanced to the August 15, 2011 City Council meeting for final reading.

Moved by Augustine, seconded by Jablonski, the meeting be adjourned. Roll call and Council Members Augustine, Bahr, Bulkley, Schilling, Jablonski and Lohr voted "Aye" and none voted "Nay." Council Members Bogus and Reardon were absent. Motion carried and the meeting was adjourned at 7:28 p.m.

Presented and approved this 15 day of August, 2011.

MAYOR

ATTEST:

CITY CLERK