

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

City staff members present included City Administrator Joseph Mangiamelli, Assistant City Clerk Janelle Kline, City Attorney Stephen Hansen, City Engineer David Goedeken, Finance Director Anne Kinnison, Public Works/Environmental Services Director Chuck Thomerson, Public Property Director Doug Moore and Police Captain Todd Thalken.

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.

PUBLIC HEARING – CONSIDER ESTABLISHING A BUSINESS IMPROVEMENT DISTRICT FOR PURPOSE OF CONDUCTING A PLANNING EFFORT TO IDENTIFY POTENTIAL ALTERNATIVES FOR A DOWNTOWN REVITALIZATION PROJECT:

AND

ORDINANCE NO. 11-40
SECOND READING

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, TO ESTABLISH BUSINESS IMPROVEMENT DISTRICT NO. 2 FOR THE PURPOSE OF RECOUPING A PORTION OF THE LOCAL COSTS IN A PLANNING GRANT AWARDED BY NEBRASKA DEPARTMENT OF ECONOMIC

DEVELOPMENT FOR DOWNTOWN REVITALIZATION; AND TO PROVIDE THE EFFECTIVE DATE.

Mayor Moser asked City Attorney Hansen to explain an issue that was just discovered prior to this meeting regarding the public hearing scheduled on the Business Improvement District. Hansen referred to the notice of intent to create a Business Improvement District and said State Statute requires the resolution adopting the notice of intent to be published in a local newspaper and also sent to each property owner in the district. Hansen pointed out that the resolution was published in the newspaper; however, copies were not sent to each property owner. Mayor Moser pointed out that postcards were sent to each property owner in the district notifying them of the public hearing. Hansen stated that in order to comply with State Statute, the public hearing, as well as the ordinance creating the district, should be continued to the next City Council meeting pending proper notification. Moved by Bogus, seconded by Bulkley, to defer Item 8A – Public Hearing to consider establishing a Business Improvement District for purpose of conducting a planning effort to identify potential alternatives for a downtown revitalization project and Item 18A – Ordinance No. 11-40 (on its second reading) establishing Business Improvement District No. 2 for purpose of recouping a portion of local costs in planning grant awarded by Nebraska Department of Economic Development for downtown revitalization to December 19, 2011 at 7 p.m. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Schilling, Jablonski and Reardon voted “Aye” and none voted “Nay.” Council Member Lohr was absent. Motion carried.

ELECTION OF COUNCIL PRESIDENT: Mayor Moser called for nominations for President of the City Council. Council Member Bulkley nominated Council Member Bogus to serve as President of the City Council. Mayor Moser announced that Council Member Bogus was nominated to serve as President of the City Council and called for nominations a second time and third time. No other nominations were brought forward. Mayor Moser announced that Council Member Bogus has been nominated to serve as President of the City Council. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Schilling, Jablonski and Reardon voted “Aye” and none voted “Nay.” Council Member Lohr was absent. Motion carried. Mayor Moser announced that Council Member Bogus has been elected as President of the City Council and congratulated him.

APPOINTMENT OF COUNCIL COMMITTEE MEMBERS: A memorandum was presented from Mayor Moser submitting the following names for appointment to Council Committees: Public Finance, Judiciary and Personnel Committee – Council Members Beth Augustine-Schulte, James Bulkley, John F. Lohr and Ron Schilling; and Public Property, Safety and Works Committee – Council Members Charlie Bahr, Ron Bogus, Richard E. “Rich” Jablonski and Terry Reardon. Moved by Bulkley, seconded by Schilling, to approve the Mayor’s appointment of Council Members Beth Augustine-Schulte, James Bulkley, John F. Lohr and Ron Schilling to the Public Finance, Judiciary and Personnel Committee and Council Members Charlie Bahr, Ron Bogus, Richard E. “Rich” Jablonski and Terry Reardon to the Public Property, Safety and Works

Committee and waive the two-week notification period. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Schilling, Jablonski and Reardon voted "Aye" and none voted "Nay." Council Member Lohr was absent. Motion carried.

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 November 21, 2011, City Council meeting.
- B. Approval of reappointments of Charlie Bahr, Dale Ciboron, William Gumm, Dean Hefti, Joseph Mangiamelli, Michael Middendorf, Mike Oglevie, Ron Schilling and Chuck Sliva to Municipal Recognition Committee for one-year terms.
- C. Approval of Resolution No. R11-117 reaffirming city's Notice of Intent to provide and expand municipal solid waste collection.
- D. Approval of Resolution No. R11-118 approving Intergovernmental Agreement with State of Nebraska for 2011 Storm Water Management Plan Program.
- E. Approval of Resolution No. R11-119 approving Columbus element of the Platte County Local Emergency Operations Plan.
- F. Approval of payroll and bills on file. 12/09/11 Payroll 493,226.89. TOTAL \$493,226.89.

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

APPOINTMENT OF MICHEAL "MIKE" FLEMING TO MUNICIPAL RECOGNITION COMMITTEE: A memorandum was presented from Mayor Moser submitting the name of Micheal "Mike" Fleming for appointment to the Municipal Recognition Committee for a one-year term. Council President Bogus read a brief resume and it was moved by Bulkley, seconded by Schilling, to approve the Mayor's appointment. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Schilling, Jablonski and Reardon voted "Aye" and none voted "Nay." Council Member Lohr was absent. Motion carried.

APPOINTMENT OF CHARLES "CHUCK" WHITNEY TO COLUMBUS BOARD OF AIRPORT COMMISSIONERS: A memorandum was presented from Mayor Moser submitting the name of Charles "Chuck" Whitney for appointment to the Columbus Board of Airport Commissioners for a three-year term. Council President Bogus read a brief resume and it was moved by Schilling, seconded by Bulkley, to approve the Mayor's appointment. Roll call and Council

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

COMMENTS FROM MAYOR AND CITY COUNCIL MEMBERS: Council Member Augustine-Schulte thanked all who participated in the Downtown Stroll.

ORDINANCE NO. 11-41 WAS INTRODUCED BY COUNCIL MEMBER AUGUSTINE-SCHULTE.

ORDINANCE NO. 11-41
ADOPTED: DECEMBER 5, 2011

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA TO PROVIDE FOR THE VACATION OF THE FOLLOWING UTILITY EASEMENTS: THE EAST FIVE FEET OF LOT 2, THE WEST AND EAST FIVE FEET OF LOT 3, AND THE WEST FIVE FEET OF LOT 4, THE ARBOR SUBDIVISION, A SUBDIVISION OF PART LOT 8, ALL OF LOT 9, AND PART OF LOT 10, RAMBOUR'S ADDITION TO THE CITY OF COLUMBUS, PLATTE COUNTY, NEBRASKA; PROVIDING FOR THE EFFECTIVE DATE HEREOF AND THE REPEAL OF ALL ORDINANCES OR PORTIONS THEREOF IN CONFLICT HEREWITH.

Moved by Augustine-Schulte, seconded by Schilling, the rules be suspended and Ordinance No. 11-41 be read by number only at this meeting. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Schilling, Jablonski and Reardon voted "Aye" and none voted "Nay." Council Member Lohr was absent. Motion carried.

Moved by Augustine-Schulte, seconded by Schilling, Ordinance No. 11-41 be passed and adopted. In response to Council Member Bogus, City Engineer Goedeken explained that a duplex will be built on this property, access will be from a private drive and no city services will be provided for this access. Council Member Schilling pointed out that a fire hydrant is located on the back side of this lot and City Administrator Mangiamelli confirmed that the Fire Chief is included in pre-planning meetings prior to any platting of property.

Mayor Moser put the question, "Shall Ordinance No. 11-41 be passed and adopted?" Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Schilling, Jablonski and Reardon voted "Aye" and none voted "Nay." Council Member Lohr was absent. Motion carried.

Mayor Moser declared, "By your action, you have passed Ordinance No. 11-41," and it was duly signed.

Moved by Bulkley, seconded by Schilling, the meeting be adjourned. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Schilling, Jablonski and Reardon voted "Aye" and none voted "Nay." Council Member Lohr was absent. Motion carried and the meeting was adjourned at 7:19 p.m.

Presented and approved this 19 day of December, 2011.

MAYOR

ATTEST:

CITY CLERK