

A regular meeting of the Mayor and City Council of the City of Columbus, Nebraska was convened in open and public session on July 2, 2012 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 27, 2012, 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, John Lohr and Terry Reardon.

City staff members present included City Administrator Joseph Mangiamelli, City Clerk Linda Walters, City Attorney Steve Hansen, Police Chief William Gumm, City Engineer David Goedeken, Finance Director Anne Kinnison and Human Resources Director Mike Oglevie.

**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 18, 2012, City Council meeting.
- B. Approval of Finance Department reports.
- C. Approval of payroll and bills on file. 07/06/2012 Payroll 489,494.89; Apogee Retail LLC – Expansion Loan 120,000.00 TOTAL 609,494.89.

Moved by Bogus, seconded by Augustine-Schulte, 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, Lohr and Reardon voted "Aye" and none voted "Nay." Motion carried.

**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 Restricted Funds Authority be increased by an additional one percent for fiscal year 2012-2013 as allowed by State Statute. Moved by Bogus, seconded by Schilling, this report be adopted. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Motion carried.

**COMMITTEE OF THE WHOLE REPORTS – REVIEW FEE SCHEDULE FOR FISCAL YEAR 2012-2013; HEALTH CARE PREMIUM RECOMMENDATION AND PAY PLAN RECOMMENDATION:**

City Administrator Mangiamelli reported that the Committee of the Whole reviewed the fee schedule for fiscal year 2012-2013 as well as the health care premium and pay plan recommendations presented by city staff. Mangiamelli stated that the budget will be prepared within the parameters as discussed at the committee meeting. Mangiamelli also stated that staff will report back to the committee on the park and golf fees after further review by the Park Board as well as city staff.

**COMMENTS FROM MAYOR AND CITY COUNCIL MEMBERS:** Council Members Bahr, Augustine-Schulte and Lohr extended wishes for a safe and happy 4th of July holiday. It was pointed out that fireworks can be discharged from June 25th through July 3rd between the hours of 8 a.m. and 10 p.m. and on July 4th between the hours of 8 a.m. and 12 midnight. It was also noted that anyone leaving debris from fireworks on city streets will be subject to a fine for littering.

Council Member Schilling announced that T4C (Time For Change) will be promoting Bands on the Square, a new event directed at providing entertainment for middle and high school students at Frankfort Square on Monday nights beginning July 9th. Schilling said these events, which will be free of charge, are co-sponsored by Back to Basics and will include a root beer garden. Schilling also announced that an arts program will be presented on July 30th at Frankfort Square. Schilling reported that approximately 600 youth participated in the Play Day in the Park Program sponsored by T4C.

Council Member Augustine-Schulte commended city staff for their work on the new tennis courts.

City Administrator Mangiamelli encouraged the public to access the city's website at [www.columbusne.us](http://www.columbusne.us) and pointed out that it includes City Council agendas and minutes, employment opportunities, bid postings for various projects as well as other information. Mangiamelli also pointed out that the website contains a 'notify me' option that allows the public to receive information on selected city events.

Mayor Moser pointed out that a video recording of the City Council meetings are available on the city's website.

**RESOLUTION NO. R12-66 WAS INTRODUCED BY COUNCIL MEMBER BULKLEY.**

**RESOLUTION NO. R12-66**  
**ADOPTED: JULY 2, 2012**

A RESOLUTION OF THE CITY OF COLUMBUS, NEBRASKA CALLING FOR REDEMPTION AND PAYMENT PRIOR TO MATURITY OF (A) SUBORDINATE COMBINED REVENUE BONDS, SERIES 2004, DATED AS OF MAY 15, 2004, IN THE PRINCIPAL AMOUNT OF FOUR MILLION ONE HUNDRED FIFTY-FIVE THOUSAND DOLLARS (\$4,155,000), AND (B) COMBINED REVENUE BONDS, SERIES 2007, DATED AS OF AUGUST 15, 2007, IN THE PRINCIPAL AMOUNT OF ONE MILLION EIGHT HUNDRED THOUSAND DOLLARS (\$1,800,000).

City Administrator Mangiamelli pointed out that this resolution was continued from the June 18, 2012 City Council meeting in order to provide the Council with a report on the bond sale process. Mangiamelli also presented Ordinance No. 12-09 for the Council's consideration as it pertains to the same issue.

**ORDINANCE NO. 12-09**

**THIRD READING**  
**ADOPTED: JULY 2, 2012**

AN ORDINANCE OF THE CITY OF COLUMBUS, NEBRASKA AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF \$5,785,000 AGGREGATE PRINCIPAL AMOUNT OF COMBINED REVENUE REFUNDING BONDS, SERIES 2012, OF THE CITY FOR THE PURPOSE OF PROVIDING FUNDS, TOGETHER WITH OTHER AVAILABLE FUNDS OF THE CITY, FOR THE PAYMENT AND REDEMPTION OF (A) \$4,155,000 PRINCIPAL AMOUNT OF SUBORDINATE COMBINED REVENUE AND REFUNDING BONDS, SERIES 2004, AND (B) \$1,800,000 PRINCIPAL AMOUNT OF COMBINED REVENUE BONDS, SERIES 2007; PRESCRIBING THE FORM AND DETAILS OF THE BONDS AND THE COVENANTS AND AGREEMENTS TO PROVIDE FOR THE PAYMENT AND SECURITY THEREOF; PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM; AND AUTHORIZING CERTAIN ACTIONS AND DOCUMENTS AND PRESCRIBING OTHER MATTERS RELATING THERETO.

On its third reading, Ordinance No. 12-09 was read by title only. Phil Lorenzen, D.A. Davidson & Co. and Bond Underwriter for the City of Columbus, distributed a handout illustrating the recommended final structure for the Combined Revenue Refunding Bonds, Series 2012, in the principal amount of \$5,785,000. Lorenzen explained that the average coupon interest rate of the prior bonds was 4.4208 percent and the average coupon interest rate of the refunding bonds is 2.3249 percent. Lorenzen further

explained that the actual dollar savings over the life of the bond issue is \$804,378.60. Lorenzen reviewed the steps to completion of the refunding issue in detail and pointed out that the percentage savings of the refunded bonds is 11.616174 percent. In response to Council Member Lohr, Lorenzen said there was good participation from bond purchasers on the local level and the issue was well received in the broad public market. In response to Council Member Bogus, Lorenzen reaffirmed that the City of Columbus received an outstanding AA- rating from Standard & Poor's. Lorenzen also pointed out that the city is accomplishing this refunding issue utilizing bond insurance as well as a surety bond.

Moved by Bulkley, seconded by Augustine-Schulte, Resolution No. R12-66 be passed and adopted. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Motion carried.

Moved by Bogus, seconded by Augustine-Schulte, Ordinance No. 12-09 be passed and adopted.

Lorenzen clarified that Ordinance No. 12-09 also approves a bond purchase agreement as well as the continuing disclosure statement in compliance with the Internal Revenue Service Code, the form of the paying agent and registrar agreement and the form of the escrow agreement.

Mayor Moser put the question, "Shall Ordinance No. 12-09 be passed and adopted?" Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Motion carried.

Mayor Moser declared, "By your action, you have passed Ordinance No. 12-09," and it was duly signed.

**RESOLUTION NO. R12-67 WAS INTRODUCED BY COUNCIL MEMBER SCHILLING.**

**RESOLUTION NO. R12-67**  
**ADOPTED: JULY 2, 2012**

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA APPROVING A MEMORANDUM OF UNDERSTANDING AND RESULTING LOAN FROM THE PROGRESS AND JOBS FUND OF \$91,000 TO CENTRAL AMERICAN FOODS, LLC, FOR EQUIPMENT PURCHASE FOR A CHEESE MAKING BUSINESS TO BE LOCATED IN COLUMBUS AND AUTHORIZING THE MAYOR TO EXECUTE THE MEMORANDUM OF UNDERSTANDING ON BEHALF OF THE CITY OF COLUMBUS.

Moved by Schilling, seconded by Lohr, Resolution No. R12-67 be passed and adopted. David Bell, 3014 39th Street, on behalf of the Columbus Economic Council and Co-Chair of the Citizens Advisory Review Committee, said he and city staff have been processing

a loan application for Central American Foods from the "840" Progress and Jobs fund for a cheese making business to be located in Columbus. Bell explained that US Bank and Northeast Nebraska Economic Development District (NENEDD) have both agreed to provide a letter of credit to establish the operations and the city has been asked to assist with a loan for necessary equipment purchases. Bell further explained that the owners, Carlos and Marlon Reyes, are currently renovating the east portion of the Frontier Communications service center located at 1014 East 19th Street for the cheese production operation. In response to Council Member Schilling, Bell confirmed that this is an interest free loan but said the committee has discussed charging interest on future loans. In response to Mayor Moser, Marlon Reyes described the product as a dry cheese used for seasoning and said they have been exporting to the United States for approximately five years. Reyes stated that adding a U.S. production facility will reduce the amount of product spoilage due to the lengthy customs process. In response to Council Member Schilling, Reyes said they will begin production with six employees and plan to increase to ten employees within one year. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Motion carried.

**RESOLUTION NO. R12-68 WAS INTRODUCED BY COUNCIL MEMBER LOHR.**

**RESOLUTION NO. R12-68**  
**ADOPTED: JULY 2, 2012**

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, APPROVING THE DOWNTOWN REVITALIZATION ADVISORY COMMITTEE FACADE IMPROVEMENT PROGRAM FOR DOWNTOWN FACADE IMPROVEMENTS UNDER DOWNTOWN REVITALIZATION GRANT 11-DTR-106 AWARDED BY THE NEBRASKA DEPARTMENT OF ECONOMIC DEVELOPMENT.

Moved by Lohr, seconded by Schilling, Resolution No. R12-68 be passed and adopted. In response to Council Member Reardon, City Administrator Mangiamelli said the guidelines provide for funds to be allocated for a maximum of up to 50 percent of the cost of improvements not to exceed grant funding of \$30,000. It was noted that the Steering Committee, consisting of downtown business owners, has determined the best use of the funding will be directed toward façade improvements that will provide the most visible signs of the revitalization effort. Mangiamelli stated that downtown business owners are invited to attend a meeting on July 12, 2012 at 1 p.m. in the City Council Chambers, at which time the guidelines will be explained and applications for financial assistance provided. Mangiamelli further stated that at the same meeting, a representative of the Nebraska State Historical Society will be in attendance to discuss the impacts of the "historic district" of downtown as well as how and what improvements can be made to comply with the historic designation. Mayor Moser announced that although he is a downtown business owner he will not be applying for these funds. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Motion carried.

**RESOLUTION NO. R12-69 WAS INTRODUCED BY COUNCIL MEMBER BAHR.****RESOLUTION NO. R12-69****ADOPTED: JULY 2, 2012**

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA TO APPROVE THE ATTACHED ENGINEERING SERVICES AGREEMENT WITH THE NEBRASKA DEPARTMENT OF ROADS FOR INSPECTION SERVICES OF THE CITY'S FRACTURE CRITICAL BRIDGES.

Moved by Bahr, seconded by Bulkley, Resolution No. R12-69 be passed and adopted. City Engineer Goedeken stated that the city's only fracture critical bridge is located at Christopher's Cove. Goedeken further stated that the State of Nebraska Department of Roads will be responsible for 80 percent of the inspection costs. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Motion carried.

Moved by Bulkley, seconded by Reardon, the meeting be adjourned. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Motion carried and the meeting was adjourned at 7:44 p.m.

Presented and approved this 16th day of July, 2012.

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MAYOR

ATTEST:

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CITY CLERK