

A regular meeting of the Mayor and City Council of the City of Columbus, Nebraska was convened in open and public session on October 15, 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 September 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 Charlie Bahr, Ron Bogus, Jim Bulkley, Ron Schilling, Rich Jablonski, John Lohr and Terry Reardon. Council Member Beth Augustine-Schulte was absent and excused.

City staff members present included City Administrator Joseph Mangiamelli, Assistant City Clerk Janelle Kline, City Attorney Steve Hansen, City Engineer David Goedeken, Finance Director Anne Kinnison, Police Chief William Gumm, Community Development Director Dan Curtis and Police Officer Heath Aldrich.

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 October 1, 2012, City Council meeting.
- B. Approval of reappointment of Belinda Keiter to Columbus Housing Authority for five-year term.
- C. Approval of Resolution No. R12-92 reappointing Dr. Mark S. Howerter as Medical Director for Fire Department.
- D. Approval of Resolution No. R12-93 approving agreement with Stuart Cromwell, LLC for nonexclusive rights as an Aircraft Charter (FAA Part 135), Aircraft Maintenance and Aircraft Rental Operator at Columbus Municipal Airport.
- E. Approval of payroll and bills on file. 10/26/2012 Payroll \$463,205.90; AAT, Inc. – Chemicals 10,225.00; Ace Hardware & Garden Center – Supplies 925.62; Donald D Adkisson – Pension 609.00; Alamar Uniforms – Supplies 2,291.25; American Payroll Institute – Membership 219.00; Amsan – Supplies 1,015.62; ANSIR4U – Service 95.00; APWA – Training 600.00; Aqua-Chem, Inc. – Training 150.00; Aqua-Pure, Inc. – Chemicals 9,656.31; AS Central Services – Service 704.00; Asphalt & Concrete Materials – Supplies 1,630.61; AT&T – Utilities 27.18; ATCO International – Supplies 305.60; Awards & Engraving – Service 17.40; Awards Unlimited – Supplies 244.35; Banner Press – Supplies 39.20; Wesley J Baxa – Pension 1,232.54; Beard-Warren Heating & Air Conditioning – Supplies 151.92; Behlen Auto Repair – Service 439.44; Behlen Manufacturing – Supplies 5.70; Behlen Towing – Service 640.00; Best Disc Repair, Inc. – Service 149.99; Big Red Printing – Supplies 119.15; Big Red Sanitation – Service

275.00; Bill's Tire Outlet – Service 720.00; Bissell Hose Company – Expenses 175.72; Carroll A Bisson – Pension 716.51; Black Hills Energy – Utilities 1,709.75; Frank J Blahak Jr – Pension 762.00; Blazer Manufacturing Co., Inc. – Supplies 150.00; Bomgaars – Supplies 987.89; Bound Tree Medical LLC – Supplies 130.00; Brodart Co. – Supplies 316.80; Brownell's Inc. – Supplies 58.29; BSN Sports, Inc. – Supplies 971.09; Buresh Golf & Equipment – Cart Rental 3,240.00; Business Telecommunication Systems – Service 222.00; California Contractors – Supplies 109.30; Carolina Software – Service 200.00; Cat's Pro Mow – Service 203.90; Central American Foods LLC – Final Loan Installment 46,000.00; Central Community College – Training 377.00; Central Parts & Machine – Supplies 2,928.11; Central Valley Ag – Supplies 125.98; Century Link – Utilities 1,520.87; Jay Cerny Landscaping – Service 152.78; City of Columbus – Utilities 98.42; City of Norfolk – SNARE Match 5,400.00; Civic Plus – Website Annual Fee 3,782.40; Claritus – Supplies 147.33; Club Prophet Systems – Service 889.00; Columbus Area Chamber of Commerce – Supplies 1,460.00; Columbus Community Hospital – Service/Supplies 205.47; Columbus Electronics, Inc. – Supplies 109.98; Columbus Plumbing Company – Supplies 232.30; Columbus Police Department – Expenses 302.43; Columbus Steel Supply – Supplies 241.23; Columbus Telegram – Publications 1,978.07; Columbus Tire & Service – Service 390.27; Commonwealth Electric Co. – Booster Pump 2,745.75; Community Internet – Service 195.00; Connecting Point/Radio Shack – Supplies 220.94; Consolidated Water Solutions – Chemicals 5,790.00; Cornhusker Public Power District – Utilities 824.41; Credit Bureau Services – Membership 5.00; Culligan of Columbus – Supplies 122.75; Danko Emergency Equipment – Supplies 1,959.00; DEMCO – Supplies 112.89; Department of Aeronautics – Crack Sealing 26,068.16; Diamond Vogel Paint Center – Supplies 78.84; Doernemann Construction, Inc. – Contract 1,783.32; Drain Surgeon – Service 65.00; Douglas Dunbar – Contract 5,070.00; Douglas Dunbar – Commissions 4,744.40; Douglas Dunbar – Expenses 219.14; DXP Enterprises – Supplies 120.11; E. F., Inc. – Supplies 125.65; Eakes Office Plus – Supplies 3,780.08; East Central District Health Department – Service 20.00; Carl Edwards – Expenses 150.75; Electric Pump, Inc. – Supplies 1,185.07; Electrical Engineering & Equipment Co. – Supplies 396.94; Enterprise Electric CO/CED – Supplies 743.24; ESRI – Service 3,458.90; Express Truck Center – Supplies 407.66; Fastenal Company – Supplies 650.78; First National Bank & Trust Company – Fees 169.30; First National Bank Omaha – Expenses 1,957.33; S A Foster Lumber Co. – Supplies 60.52; Frontier – Utilities 5,159.92; Frontier Communications – Utilities 237.91; Gaeth Pest Control Services, Inc. – Service 285.00; Gale – Supplies 605.76; Galls – Supplies 66.49; Gaylord Brothers, Inc. – Supplies 183.57; Gehring Construction & Ready-Mix Company – Supplies 314.00; Gerhold Concrete Company – Supplies 1,878.04; Fernando Gil – Service 20.00; Goc's Photography & Framing – Service 50.00; Godfather's Pizza – Meals 95.85; Grainger – Supplies 1,316.70; Great American Outdoor – Supplies 552.84; Great Plains One Call Service – Service 182.78; Greenkeeper Co., Inc. – Supplies 3,820.00; Ron Groene – Expenses 35.00; Hach Company – Service 337.25; Hadley-Braithwait Company – Supplies 292.10; Hawkins, Inc. – Chemicals 5,151.53; HD Supply Waterworks Ltd – Supplies 1,058.74; HDR Engineering, Inc. – Lost Creek Parkway 2,090.61; HDR Engineering, Inc. – UV Disinfection 7,200.00; Dean Hefti – Expenses 54.31; HOA Solutions, Inc. – Service 1,840.00; Holmberg Heating & Air, Inc. – Service 595.00; Hometown Leasing – Supplies 177.12; Stan Houston Equipment Co., Inc. – Service 55.25; Mark S Howerter MD – Contract 500.00; Brad Hruska – Expenses 118.14; Husker Coop – Fuel 5,146.50; Hy-Vee, Inc. – Supplies 293.71; Hydro Tech, Inc. – Service 68.00; IBM Corporation – Service 960.75; Idea Art – Supplies 114.17; Infobase Learning – Subscription 2,600.00; Ingram Library Services, Inc. – Library Materials 8,012.77; Insurance Services of Columbus – Insurance 5,400.40; International Public Management Association – Training 489.00; Jack's Uniforms & Equipment – Supplies 133.89; Jackson Services, Inc. – Supplies 2,516.28; Jackson Services, Inc. – Rent 200.00; JEO Consulting Group, Inc. – Loup River Levee Recertification 27,948.50; JI Special Risks Insurance – Insurance 7,434.15; Johnson Controls – Service 2,651.88; Kelly Supply Company – Supplies 561.75; Michael Kratochvil – Expenses 31.35; Laerdal Medical Corp – Supplies 223.43; Lakeview Small Engine – Supplies 195.63;

LARM – Insurance 348,120.00; Larue Distributing, Inc. – Supplies 184.99; League of Nebraska Municipalities – Membership 37,993.00; Pete Lien & Sons, Inc. – Chemicals 4,254.40; Lincoln Winwater Works – Supplies 4,954.10; John Lohr – Expenses 52.37; Angelica Lopez – Expenses 19.25; Loup Power District – Utilities 106,843.44; Lucity, Inc. – GIS Software 10,471.35; M & O Door Products – Service 174.76; Mail Prep, Etc. – Postage 342.25; The Mailbox – Postage 90.71; MailFinance – Postage Meter Lease 585.63; Joseph A Mangiamelli – Expenses 848.10; Marley’s Electric, Inc. – Service 960.54; Matheson-Linweld – Supplies 174.21; Cal McClurg – Expenses 52.25; Mead Lumber Co.-Columbus – Supplies 14.92; Menards – Supplies 2,090.30; Mid Con Systems, Inc. – Supplies 524.30; Mid-America Cleaning Systems – Supplies 142.65; Mid-American Research Chemical – Supplies 511.50; Mid-Nebraska Communications, Inc. – Service 495.00; Midwest Laboratories, Inc. – Supplies 758.85; Midwest Service & Sales – Supplies 1,205.30; Mike’s Towing – Service 2,130.64; Mobilitat – Training 1,028.82; Motor Appliance Corporation – Service 924.25; Mountain View LLC – Service 195.00; MTM Recognition – Supplies 583.35; Shane Mueller – Service 146.50; Mueller Sprinklers – Service 125.00; Municipal Supply, Inc. – Supplies 907.22; Nebraska Cycling & Fitness – Supplies 12.00; Nebraska Department of Economic Development – Grant 923.16; Nebraska Department of Environmental Quality – Reimburse Recycling Grant 2,678.57; Nebraska Environmental Products – Supplies 414.87; Nebraska Library Commission – Service 3,233.70; Nebraska Public Health Environmental Laboratory – Service 1,069.00; Nebraska U C Fund – Payment 354.00; Nebraska-Iowa Industrial Fasteners Corp – Supplies 157.63; Marvin O Nelson – Pension 502.50; NEPM-ASI #279381 – Supplies 495.00; Newsbank, Inc. – Subscription 1,067.00; Niemann’s Port-A-Pot – Service 316.00; NMC Exchange LLC – Service 4,055.24; Northeast Nebraska Economic Development District – Grants 1,336.00; Northeast Nebraska Solid Waste Coalition – Landfill Disposal 37,128.25; NWEA – Training 40.00; O’Keefe Elevator Company – Service 487.09; O’Reilly Automotive, Inc. – Supplies 130.24; Obrist & Co., Inc. – Stadium Renovation 4,153.75; Occupational Health Services – Service 909.00; OCLC, Inc. – Service 473.39; Overhead Door Company – Service 110.63; Jill Owens – Expenses 51.70; Paragon Consulting Services – Service 18,427.50; The Parts Bin – Supplies 360.44; Pat’s Exhaust Shop, Inc. – Service 170.00; Lynn Peavy Co. – Supplies 399.00; Peerless Wiping Cloth – Supplies 220.70; Pet Care Specialists – Service 243.00; Petty Cash – Expenses 88.29; Pioneer Hook & Ladder Company – Expenses 137.50; Pioneer Manufacturing Co., Inc. – Supplies 21.90; Pizza Ranch – Meals 146.44; Platte County – Contract 2,750.00; Platte Valley Humane Society – Quarterly Payment 12,855.00; Jeremy Poeffel – Expenses 31.00; Precision Unibody and Auto Sales, Inc. – Service 1,238.00; Preferred Plumbing & Heating, Inc. – Service 328.51; Presto-X-Company – Service 199.03; Melissa Prohaska – Expenses 60.50; Pumping Solutions – Supplies 15.00; Quill Corporation – Supplies 311.73; James Rawhouser Jr – Expenses 35.00; Redstone Veterinary Clinic – Service 60.45; Nancy Roubal – Expenses 21.40; RR Donnelley – Supplies 99.72; Sahling Kenworth, Inc. – Service 149.58; Sapp Bros Columbus, Inc. – Fuel 7,849.56; Sapp Bros Petroleum, Inc. – Fuel 22,398.03; Schneider’s O K Tire Company – Lease Payment 30.00; Schneider’s O K Tire Company – Service 118.22; Security Equipment, Inc. – Service 590.75; Randy Sedlacek – Expenses 31.00; Rod Seidel – Expenses 8.23; Servicemaster By Shevlin – Service 2,281.30; Settje Plumbing – Service 204.75; Jean Sharman – Expenses 52.25; Shevlin Supply – Supplies 807.55; Sipple, Hansen, Emerson & Schumacher – Service 3,148.18; Chuck Sliva – Expenses 14.00; Stanley Petroleum – Service 193.00; State of Nebraska Department of Revenue – Sales Tax 43,714.99; State Treasurer of Nebraska – License 3,027.37; Super Saver – Supplies 42.41; Superior Lamp, Inc. – Supplies 258.42; Sysco Lincoln – Supplies 2,815.37; T & L Services – Service 525.00; Telvent DTN LLC – Service 646.50; Todd Thalken – Expenses 182.25; The Library Store, Inc. – Supplies 14.18; Three Eagles Communications – Advertising 865.00; Tool Shed Supply and Maintenance LLC – Supplies 13.64; Totalfunds by Hasler – Postage 1,000.00; Tractor Supply Credit Plan – Supplies 232.32; Turfwerks – Supplies 2,011.68; Twin Rivers Veterinary Clinic – Service 43.00; Typhoon Wash – Service 108.00; U & I Sanitation – Service 93.00; U S Bank – Expenses 2,389.60; United States Post Office – Postage 2,008.51;

Unlimited Welding – Service 1,150.00; UPS Store – Postage 64.90; Urban Restoration Group US, Inc. – Supplies 867.40; USA Blue Book – Supplies 1,615.26; Utilities Section League of Nebraska Municipalities – Training 160.00; Utility Service Co., Inc. – Water Tank Maintenance Program 22,288.25; Utility Solutions, Inc. – Service 2,400.00; Verizon Wireless – Utilities 1,909.24; Vessco, Inc. – Supplies 73.07; Adam Villanueva – Service 20.00; Volunteer Fire Department – Expenses 232.94; Wahoo Heritage Inn – Lodging 139.08; Walmart Community – Supplies 1,566.88; Waste Connections of Nebraska – Service 328.43; Watchguard Video – Supplies 33.00; Water Environment Federation – Membership 96.00; Wellness Councils of America – Supplies 15.20; West Point Implement of Columbus – Service 340.61; Winter Equipment Company, Inc. – Supplies 538.98; Zee Medical Service – Supplies 210.50; 3M – Service 1,844.00. TOTAL 1,494,461.83.

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

PUBLIC HEARING – APPLICATION OF C. RONALD LAMBERT FOR FINAL PLAT OF LAMBERT ACRES FIRST ADDITION (EAST OF EAST CALLE COLOMBO):

The Affidavit of Publication and Notice of Hearing were presented on the application of C. Ronald Lambert for the final plat of Lambert Acres First Addition located in the NW1/4 of Section 21, T17N, R1E of the 6th P.M. in Platte County, Nebraska (east of East Calle Colombo). A memorandum was presented from City Engineer Goedeken submitting detailed information and a staff recommendation to approve the final plat with the following contingencies: 1) a Flood Plain Development Permit is approved for the area; 2) the city and property owner agree to terms as to the party responsible for maintenance of a storm drain; 3) the city and property owner agree to terms for inspection and maintenance access into a manhole on the western end of the drainage; 4) issues on the status of the new pipe are resolved in the terms of the subdivision agreement; 5) storm sewer, water and sanitary sewer easement issues at the northern end of the development are coordinated through the consulting engineer; 6) a subdivision agreement is filed with the final plat; 7) a wetlands determination study is done to determine final boundaries or a conservation easement is platted along the perimeter of the development abutting the drainageway to conserve the topography in its present condition; and 8) Lot 25 is labeled as "Common Lot" and the subdivision agreement includes language regarding the status, usage, maintenance, ownership, etc. of this tract of land. The Planning Commission recommended approval with the contingencies as listed in addition to the following contingencies: 1) the city having access to the manhole on the storm sewer main; 2) the city and property owner include terms in the subdivision agreement regarding ownership and maintenance of the storm sewer line on the south end of the property; 3) the sewer main on the north end of the property is relocated with the location to be determined by the city and property owner. Chair Bogus expressed concerns with regard to the number of contingencies attached to this application and City Engineer Goedeken explained that a few of the contingencies have been resolved and the remainder are being worked on. Goedeken pointed out the short timeframe from receiving the application to the scheduled public hearing and said contingencies will ensure that various issues will be resolved prior to filing of the plat. City Administrator Mangiamelli confirmed that all associated documents are not executed until the provisions have been met. Mangiamelli said the Zoning Code could be amended to provide sufficient time for all issues to be resolved prior to submittal of an application. No one appeared in opposition. Moved by Bogus, seconded by Schilling, the public hearing be closed. Roll call and Council Members Bahr, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted “Aye” and none voted “Nay”. Council Member Augustine-Schulte was absent. Motion carried.

RESOLUTION NO. R12-94 WAS INTRODUCED BY COUNCIL MEMBER LOHR.

RESOLUTION NO. R12-94
ADOPTED: OCTOBER 15, 2012

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, ACCEPTING THE DEED OF DEDICATION TO A PARCEL OF LAND LEGALLY DESCRIBED AS: A TRACT OF LAND LOCATED IN THE NW1/4 OF SECTION 21, T17N, R1E OF THE 6TH P.M. IN PLATTE COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF LOT 122, CHRISTOPHER'S COVE 4TH ADDITION, SAID POINT ALSO BEING ON THE SOUTH RIGHT-OF-WAY LINE OF SOUTH CALLE COLOMBO, AND ASSUMING THE EAST LINE OF SAID LOT 122 TO HAVE A BEARING OF N 07°10'15"W; THENCE S 77°06'25"E AND ON SAID SOUTH LINE, 69.71 FEET; THENCE NORTHEASTERLY 623.62 FEET ON A 329.84-FOOT RADIUS CURVE CONCAVE NORTHWESTERLY WITH A CHORD BEARING AND DISTANCE OF N 48°35'42" E, 534.80 FEET TO A POINT, SAID POINT BEING ON THE EAST RIGHT-OF-WAY LINE OF EAST CALLE COLOMBO; THENCE N 05°36'29"W AND ON SAID EAST LINE 296.65 FEET, TO THE POINT OF BEGINNING; THENCE N 05°36'29"W AND ON SAID EAST LINE, 1033.52 FEET; THENCE NORTHWESTERLY 486.24 FEET ON A 427.95-FOOT RADIUS CURVE CONCAVE SOUTHWESTERLY WITH A CHORD BEARING AND DISTANCE OF N 38°13'53"W, 461.01 FEET, TO A POINT ON THE NORTH LINE OF NORTH CALLE COLOMBO; THENCE N 87°39'47"E, 576.51 FEET; THENCE S 63°08'26"E, 111.23 FEET; THENCE S 00°42'00"E, 1762.35 FEET; THENCE S 28°10'41"W, 162.18 FEET; THENCE N 05°36'29"W, 561.50 FEET; THENCE S 84°23'31"E, 180.00 FEET, TO THE POINT OF BEGINNING, CONTAINING 13.47 ACRES, MORE OR LESS, HEREINAFTER TO BE KNOWN AS LAMBERT ACRES FIRST ADDITION TO THE CITY OF COLUMBUS, PLATTE COUNTY, NEBRASKA, APPROVING THE PLAT THEREOF.

Moved by Lohr, seconded by Bahr, Resolution No. R12-94 approving final plat and subdivision agreement subject to the contingencies listed be passed and adopted. Roll call and Council Members Bahr, Bogus, Bulkley, Schilling, Lohr and Reardon voted "Aye" and Jablonski voted "Nay". Council Member Augustine-Schulte was absent. Motion carried.

PUBLIC HEARING – APPLICATION OF LONGHARDT, LLC FOR FINAL PLAT OF SCOTT LOSEKE SUBDIVISION (BETWEEN 63RD AND 68TH STREET, EAST OF 48TH AVENUE): The Affidavit of Publication and Notice of Hearing were presented on the application of Longhardt, LLC for the final plat of Scott Loseke Subdivision located in the NW1/4 of Section 1, T17N, R1W of the 6th P.M. in Platte County, Nebraska (between 63rd and 68th Street, east of 48th Avenue). A memorandum was presented from City Engineer Goedeken submitting detailed information and a staff recommendation to approve the final plat with the following contingencies: 1) a subdivision agreement is filed with the final plat; and 2) a stipulation is included with the subdivision agreement regarding usage of the water well for future needs of the existing building. The Planning Commission recommended approval contingent upon the execution of a subdivision agreement. No one appeared in opposition and no one spoke regarding this issue. Moved by Bogus, seconded by Schilling, the public hearing be closed. Roll call and Council Members Bahr, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay". Council Member Augustine-Schulte was absent. Motion carried.

RESOLUTION NO. R12-95 WAS INTRODUCED BY COUNCIL MEMBER SCHILLING.

RESOLUTION NO. R12-95
ADOPTED: OCTOBER 15, 2012

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, APPROVING THE PLAT TO A PARCEL OF LAND LEGALLY DESCRIBED AS: LOCATED IN THE NW1/4 OF SECTION 1, TOWNSHIP 17 NORTH, RANGE 1 WEST OF THE 6TH P.M., A TRACT OF LAND LOCATED IN THE NW 1/4 OF SECTION 1, T17N, R1W OF THE 6TH P.M. IN PLATTE COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SECTION 1, T17N, R1W OF THE 6TH P.M. IN PLATTE COUNTY, NEBRASKA AND ASSUMING THE WEST LINE NW 1/4 NW 1/4 OF SAID SECTION 1, TO HAVE A BEARING OF N 00°01'11" E; THENCE S 89°56'47" E, 400.83 FEET, TO THE NORTHWEST CORNER OF LAMBERT'S TOWNHOUSE

SUBDIVISION; THENCE ALONG THE SOUTH AND WEST PERIMETER OF SAID LAMBERT'S TOWNHOUSE SUBDIVISION THE FOLLOWING COURSES: S 00°19'34" W, 33.00 FEET; THENCE S 16°41'36" E, 130.69 FEET; THENCE S 88°37'37" E, 335.96 FEET; THENCE S 80°43'29" E, 71.12 FEET; THENCE S 45°08'36" E, 71.73 FEET; THENCE S 33°30'22" E, 87.71 FEET; THENCE S 25°33'04" W, 12.40 FEET, SAID POINT BEING THE NORTHWEST CORNER OF LOT 1, COUNTRY SHADOWS 4TH SUBDIVISION; THENCE ALONG THE PERIMETER OF SAID COUNTRY SHADOWS 4TH SUBDIVISION, THE FOLLOWING COURSES: S 25°54'29" W, 57.29 FEET; THENCE S 71°21'32" W, 72.72 FEET; THENCE N 72°30'10" W, 483.68 FEET; THENCE S 68°42'43" W, 91.70 FEET; THENCE S 17°21'32" W, 195.50 FEET; THENCE S 34°17'44" E, 84.12 FEET; THENCE S 72°29'58" E, 526.78 FEET; THENCE N 84°34'27" E, 144.95 FEET; THENCE N 71°35'38" E, 245.72 FEET; THENCE N 18°39'38" E, 242.07 FEET; THENCE N 75°17'48" W, 122.80 FEET; THENCE 222.15 FEET, NORTHWESTERLY ON A 218.95-FOOT RADIUS CURVE TO THE LEFT AND HAVING A CHORD BEARING AND DISTANCE OF N 20°06'14" W, 212.74 FEET; THENCE N 49°03'14" W, 72.26 FEET; THENCE NORTHERLY ON A 6.50-FOOT RADIUS CURVE TO THE RIGHT AND HAVING CHORD BEARING AND DISTANCE OF N 21°09'51" W, 5.25 FEET; THENCE N 00°35'50" W, 85.33 FEET TO THE NORTH LINE NW 1/4 NW 1/4 OF SAID SECTION 1, SAID POINT ALSO BEING THE NORTHEAST CORNER OF COUNTRY SHADOWS 4TH SUBDIVISION; THENCE S 89°56'47" E ON SAID NORTH LINE NW 1/4 NW 1/4, 328.34 FEET, TO THE NORTHEAST CORNER OF SAID NW 1/4 NW 1/4 OF SECTION 1; THENCE S 00°02'13" W ON THE EAST LINE OF SAID NW 1/4 NW 1/4, 1313.55 FEET, TO THE SOUTHEAST CORNER OF SAID NW 1/4 NW 1/4; THENCE N 89°48'28" W, 329.47 FEET, TO THE EAST RIGHT-OF-WAY LINE OF COUNTRY LINKS PLACE; THENCE N 00°49'58" E ON SAID EAST RIGHT-OF-WAY LINE 40.01 FEET, TO THE SOUTHWEST CORNER OF LOT 35, COUNTRY SHADOWS 3RD SUBDIVISION; THENCE ALONG THE PERIMETER OF SAID COUNTRY SHADOWS SUBDIVISION, THE FOLLOWING COURSES AND DISTANCE: S 89°27'23" E, 127.75 FEET; THENCE N 15°37'58" E, 269.94 FEET; THENCE N 15°38'36" E, 90.14 FEET; THENCE N 21°53'45" E, 102.86 FEET; THENCE N 30°01'47" W, 203.97 FEET; THENCE S 75°00'31" W, 235.85 FEET; THENCE S 04°04'00" E, 117.05 FEET; THENCE S 13°35'46" W, 73.94 FEET; THENCE S 17°21'43" W, 259.97 FEET; THENCE S 10°47'04" W, 180.44 FEET; THENCE S 71°43'09" E, 133.68 FEET, TO THE SOUTHEAST CORNER OF LOT 22 OF SAID COUNTRY SHADOWS 3RD SUBDIVISION, SAID POINT ALSO BEING ON THE WEST RIGHT-OF-WAY LINE OF COUNTRY LINKS PLACE; THENCE S 00°04'17" E ON SAID RIGHT-OF-WAY LINE, 63.22 FEET, TO THE NORTHEAST CORNER OF LOT 7, COUNTRY SHADOWS SUBDIVISION; THENCE ALONG THE PERIMETER OF SAID COUNTRY SHADOWS SUBDIVISION, THE FOLLOWING COURSES: N 89°52'22" W, 680.51 FEET; THENCE N 89°44'10" W, 109.94 FEET; THENCE S 00°03'47" W, 150.00 FEET, TO THE SOUTHWEST CORNER OF LOT 1, COUNTRY SHADOWS SUBDIVISION, SAID POINT ALSO BEING ON THE NORTH RIGHT-OF-WAY LINE OF 63RD STREET; THENCE N 89°35'21" W ON SAID NORTH RIGHT-OF-WAY LINE, 142.96 FEET, TO A POINT ON THE WEST LINE OF SAID SECTION 1; THENCE N 00°01'11" E ON THE WEST LINE OF SAID SECTION 1, 568.35 FEET, TO THE SOUTHWEST CORNER OF SAID COUNTRY SHADOWS 2ND SUBDIVISION; THENCE ALONG THE PERIMETER OF SAID COUNTRY SHADOWS 2ND SUBDIVISION, THE FOLLOWING COURSES AND DISTANCES: S 89°35'21" E, 32.96 FEET; THENCE S 77°02'51" E, 201.14 FEET; THENCE S 86°52'22" E, 441.46 FEET; THENCE N 38°10'04" E, 94.40 FEET; THENCE N 00°11'27" E, 194.92 FEET; THENCE N 38°10'03" W, 94.32 FEET; THENCE S 85°05'03" W, 251.48 FEET; THENCE N 84°29'29" W, 191.63 FEET; THENCE N 71°03'38" W, 206.61 FEET; THENCE S 89°56'27" W, 33.21 FEET, TO THE NORTHWEST CORNER OF SAID COUNTRY SHADOWS 2ND SUBDIVISION, SAID POINT ALSO BEING ON THE WEST LINE OF SAID SECTION 1; THENCE N 00°01'11" E ON SAID WEST LINE OF SECTION 1, 676.57 FEET, TO THE POINT OF BEGINNING, SAID TRACT CONTAINING 23.58 ACRES, MORE OR LESS., HEREINAFTER TO BE KNOWN AS SCOTT LOSEKE SUBDIVISION, PLATTE COUNTY, NEBRASKA.

Moved by Schilling, seconded by Bulkley, Resolution No. R12-95 approving final plat and subdivision agreement subject to the contingencies listed be passed and adopted. Roll call and Council Members Bahr, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay". Council Member Augustine-Schulte was absent. Motion carried.

PUBLIC HEARING – APPLICATION OF WEST WOOD ADDITION, LLC TO REZONE PROPERTY AT 19TH STREET AND 48TH AVENUE FROM "RR" (RURAL RESIDENTIAL DISTRICT) TO "R-1" (SINGLE-FAMILY RESIDENTIAL DISTRICT) AND "R-2" (URBAN-FAMILY RESIDENTIAL DISTRICT) AND TO AMEND THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN TO REFLECT THE SAME CHANGE IN ZONING:

The Affidavit of Publication and Notice of Hearing were presented on the application of West Wood Addition, LLC to rezone Lots 1, 2, 3, 4, 5, 9 and 10, Riverside Addition to the City of Columbus, Platte County, Nebraska (19th Street and 48th Avenue) from "RR" (Rural Residential District) to "R-1" (Single-Family Residential District) and rezone Lots 6, 7, 8, 11, 12 and 13, Riverside Addition to the City of Columbus, Platte County, Nebraska (19th Street and 48th Avenue) from "RR" (Rural Residential District) to "R-2" (Urban-Family Residential District) and to amend the Future Land Use Map of the Comprehensive Plan to reflect the same change in zoning. The Affidavit of Posting and Mailing Notices was presented. A memorandum was also presented from Community Development Director Curtis submitting detailed information and a staff recommendation to approve the rezoning and amend the Future Land Use Map of the Comprehensive Plan to reflect the same change in zoning. The Planning Commission recommended approval. No one appeared in opposition and no one spoke regarding this issue. Moved by Bogus, seconded by Reardon, the public hearing be closed. Roll call and Council Members Bahr, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay". Council Member Augustine-Schulte was absent. Motion carried.

ORDINANCE NO. 12-19 WAS INTRODUCED BY COUNCIL MEMBER BULKLEY.

ORDINANCE NO. 12-19

ADOPTED: OCTOBER 15, 2012

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA TO AMEND THE CITY OF COLUMBUS LAND DEVELOPMENT ORDINANCE OF 1996, ZONING CHAPTER, UNDER ORDINANCE NO. 96-08, AS AMENDED, DATED MARCH 18, 1996, AND ADOPTED AUGUST 4, 1997, AS THE OFFICIAL ZONING CODE OF COLUMBUS BY ORDINANCE NO. 97-17; TO REZONE AND RECLASSIFY THE FOLLOWING DESCRIBED REAL ESTATE, TO WIT: LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 AND 13, RIVERSIDE ADDITION TO THE CITY OF COLUMBUS, PLATTE COUNTY, NEBRASKA; FROM THE PRESENT ZONING CLASSIFICATION OF "RR" (RURAL RESIDENTIAL DISTRICT) TO "R-1" (SINGLE-FAMILY RESIDENTIAL DISTRICT) FOR LOTS 1 THROUGH 5, 9 AND 10, AND "R-2" (URBAN-FAMILY RESIDENTIAL DISTRICT) FOR LOTS 6 THROUGH 8 AND 11 THROUGH 13; TO AMEND THE FUTURE LAND USE MAP AS WELL AS THE ZONING MAP WHICH HAS BEEN ADOPTED BY AND MADE A PART OF SAID COLUMBUS, NEBRASKA LAND DEVELOPMENT ORDINANCE OF 1996, ZONING CHAPTER, TO SHOW SAID REZONING AND RECLASSIFICATION; TO REPEAL ALL ORDINANCES AND RESOLUTIONS OR PARTS THEREOF IN CONFLICT HEREWITH; AND TO PROVIDE FOR THE EFFECTIVE DATE.

Moved by Bulkley, seconded by Schilling, the rules be suspended and Ordinance No. 12-19 be read by number only at this meeting. Roll call and Council Members Bahr, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Augustine-Schulte was absent. Motion carried and Ordinance No. 12-19 was read by number only at this meeting.

Moved by Bulkley, seconded by Bahr, Ordinance No. 12-19 be passed and adopted.

Mayor Moser put the question, "Shall Ordinance No. 12-19 be passed and adopted?" Roll call and Council Members Bahr, Bogus, Bulkley, Schilling, Jablonski, Lohr and

Reardon voted "Aye" and none voted "Nay". Council Member Augustine-Schulte was absent. Motion carried.

Mayor Moser declared, "By your action, you have passed Ordinance No. 12-19," and it was duly signed.

PRESENTATION BY SUSAN SCHOENHOFER, EXECUTIVE DIRECTOR OF COLUMBUS ARTS COUNCIL, WITH REGARD TO RESULTS OF THE ECONOMIC IMPACT STUDY OF PLATTE COUNTY:

Susan Schoenhofer, Executive Director of Columbus Arts Council, said the Columbus Arts Council, in conjunction with Americans for the Arts, performed a year-long study in 2011 to determine the economic impact of non-profit arts in Platte County. Schoenhofer explained that nine non-profit organizations from Platte County participated in the study and said audience members spent \$687,185 and the participating organizations spent \$954,844 for a total economic impact of 1.7 million dollars in Platte County over a one year period. Schoenhofer reviewed the results of the study in detail and it revealed that the arts add significant economic and cultural value to a community.

PUBLIC PROPERTY, SAFETY AND WORKS COMMITTEE – REVIEW TRAFFIC CONTROL DEVICE COMMITTEE MINUTES FROM OCTOBER 1, 2012: A) LOWERING SPEED LIMIT ON CHRISTOPHER'S COVE BRIDGE FROM 20 MPH TO 10 MPH; B) REQUEST FOR ACCESS TO CITY RIGHT-OF-WAY FOR ENVIRONMENTAL INVESTIGATION; C) CHANGE CROSSWALK PUSHBUTTON AT 33RD AVENUE AND 13TH STREET:

The report of the Public Property, Safety and Works Committee was presented with the recommendation to approve the recommendations of the Traffic Control Device Committee from their October 1, 2012 meeting. Moved by Bahr, seconded by Schilling, this report be adopted. Roll call and Council Members Bahr, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay". Council Member Augustine-Schulte was absent. Motion carried.

APPOINTMENT OF JEAN KNAPP TO THE SENIOR CENTER ADVISORY BOARD FOR THREE-YEAR TERM:

A memorandum was presented from Mayor Moser submitting the name of Jean Knapp for appointment to the Senior Center Advisory Board 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 Bahr, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay". Council Member Augustine-Schulte was absent. Motion carried.

APPOINTMENT OF POLICE OFFICER HEATH ALDRICH AS POLICE SERGEANT FOR THE CITY OF COLUMBUS:

A memorandum was presented from Mayor Moser submitting the name of Police Officer Heath Aldrich for appointment as Police Sergeant for the City of Columbus. Council President Bogus read a brief resume and it was moved by Bogus, seconded by Schilling, to approve the Mayor's appointment. Roll call and Council Members Bahr, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay". Council Member Augustine-Schulte was absent. Motion carried. Police Sergeant Heath Aldrich thanked the Mayor and City Council for the opportunity to serve the public in this capacity.

RESOLUTION NO. R12-96 WAS INTRODUCED BY COUNCIL MEMBER REARDON.

RESOLUTION NO. R12-96

ADOPTED: OCTOBER 15, 2012

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, APPROVING THE INTERLOCAL AGREEMENT WITH PLATTE COUNTY TO PROVIDE FOR AN ENGINEERING ASSESSMENT TO ADDRESS DRAINAGE ISSUES IN THE "COLUMBUS INDUSTRIAL PARK" AND AUTHORIZING THE ENGAGEMENT OF GILMORE & ASSOCIATES, INC., TO PERFORM THE ASSESSMENT AT A COST OF \$29,000 TO BE SPLIT BETWEEN THE CITY AND COUNTY, EACH PAYING ONE HALF OF THE COST IN THE AMOUNT OF \$14,500.

Moved by Reardon, seconded by Schilling, Resolution No. R12-96 be passed and adopted. Roll call and Council Members Bahr, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay". Council Member Augustine-Schulte was absent. Motion carried.

RESOLUTION NO. R12-97 WAS INTRODUCED BY COUNCIL MEMBER BAHR.

RESOLUTION NO. R12-97

ADOPTED: OCTOBER 15, 2012

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, APPROVING AN ENGINEERING SERVICES AGREEMENT WITH GILMORE & ASSOCIATES, INC., PROVIDING FOR DESIGN OF INFRASTRUCTURE TO SERVE THE DISCOVERER ADDITION LOCATED NORTHWEST OF THE INTERSECTION OF 38TH STREET AND 33RD AVENUE AT A LUMP SUM COST OF \$252,700 TO BE PAID FOR BY THE COLUMBUS PUBLIC SCHOOL DISTRICT, EAST CENTRAL DISTRICT HEALTH DEPARTMENT AND THE CITY OF COLUMBUS WITH SHARES BEING 50%, 25% AND 25%, RESPECTIVELY.

Moved by Bahr, seconded by Schilling, Resolution No. R12-97 be passed and adopted. In response to Mayor Moser, Greg Lower of Gilmore and Associates, explained that this agreement for infrastructure to serve the Discoverer Addition is part of the Quality of Life Project and is the first phase in development of the property. Council Member Reardon expressed concerns with regard to the cost for infrastructure and City Administrator Mangiamelli explained that the infrastructure will serve East Central District Health Department's new facility as well as all future development of this property. Roll call and Council Members Bahr, Bogus, Bulkley, Schilling, Jablonski and Lohr voted "Aye" and Reardon voted "Nay". Council Member Augustine-Schulte was absent. Motion carried.

RESOLUTION NO. R12-98 WAS INTRODUCED BY COUNCIL MEMBER JABLONSKI.

RESOLUTION NO. R12-98

ADOPTED: OCTOBER 15, 2012

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, APPROVING GRANT AWARDS FOR DOWNTOWN REVITALIZATION PROJECTS IN THE AMOUNTS DESCRIBED AND RECOMMENDED IN THE RESOLUTION.

Moved by Jablonski, seconded by Schilling, Resolution No. R12-98 be passed and adopted. It was noted that the following applications were approved: Todd Trofholz, Glur's Tavern, for new signage in the approximate amount of \$650 with grant funding in the amount of \$325; Charles McChristy, McChristy Jewelers, for facade restoration in the approximate amount of \$101,116 with grant funding in the amount of \$30,000; Kevin Johnson, Wize Buys Carpet, for window replacement and facade painting in the approximate amount of \$41,207 with grant funding in the amount of \$20,603; Bob Stachura, Columbus Tire & Service, for window replacement and painting in the approximate amount of \$9,862 with grant funding in the amount of \$4,931; Larry Anderson, Eakes Office Plus, for new brick and EIFS (Efficient Insulation and Finish Systems) in the approximate amount of \$45,600 with grant funding in the amount of \$22,800; Mary Nyffler, Antiques and Treasures, for window and awning replacement and painting in the approximate amount of \$20,300 with grant funding in the amount of \$10,165; Kurt Micek, Micek's Shangrila Bar, for brick molding, awning and signage replacement in the approximate amount of \$34,000 with grant funding in the amount of \$17,000; Scott Mueller, Evans House, 2204 14th Street, for window replacement, soffit and porch restoration in the approximate amount of \$62,095 with grant funding in the amount of \$30,000; Scott Mueller, Bordy Building, aka Barton Creek Feeders, for window replacement in the approximate amount of \$14,250 with grant funding in the amount of \$7,125; and Wayne Zysset, vacant building under renovation at 2407 11th Street, for storefront restoration in the approximate amount of \$30,300 with grant funding in the amount of \$15,150. In response to Council Member Lohr, City

Administrator Mangiamelli explained that there are currently unused funds from this grant and another opportunity for submitting applications will be scheduled. Roll call and Council Members Bahr, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay". Council Member Augustine-Schulte was absent. Motion carried.

CONSIDERATION OF PAYROLL AND BILLS ON FILE: ARL Credit Services – Service \$586.70; Reardon Lawn & Garden, Inc. – Service \$677.66. TOTAL \$1,264.36. Council Member Jablonski requested to be excused from discussion on this agenda item because he is an owner of ARL Credit Services and therefore has a conflict of interest. Council Member Reardon requested to be excused from discussion on this agenda item because he is an owner of Reardon Lawn & Garden, Inc. and therefore has a conflict of interest. Moved by Bogus, seconded by Schilling, Council Members Jablonski and Reardon be allowed to abstain from voting on this agenda item and to suspend the City Council rules requiring them to leave the Council Chambers during the discussion and vote on this agenda item. Roll call and Council Members Bahr, Bogus, Bulkley, Schilling and Lohr voted "Aye" and none voted "Nay." Council Member Augustine-Schulte was absent. Council Members Jablonski and Reardon abstained from voting. Motion carried. Moved by Bogus, seconded by Bulkley, to approve the bills on file. Roll call and Council Members Bahr, Bogus, Bulkley, Schilling and Lohr voted "Aye" and none voted "Nay." Council Member Augustine-Schulte was absent. Council Members Jablonski and Reardon abstained from voting. Motion carried.

Moved by Bulkley, seconded by Schilling, the meeting be adjourned. Roll call and Council Members Bahr, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Augustine-Schulte was absent. Motion carried and the meeting was adjourned at 7:46 p.m.

Presented and approved this 5th day of November, 2012.

MAYOR

ATTEST:

ASSISTANT CITY CLERK