

A regular meeting of the Mayor and City Council of the City of Columbus, Nebraska was convened in open and public session on December 17, 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 November 28, 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, City Clerk Janelle Kline, City Attorney Steve Hansen, City Engineer David Goedeken, Finance Director Anne Kinnison, Public Property Director Doug Moore, Public Works Director Roger Buell, Human Resources Director Mike Oglevie, Police Chief William Gumm and Street Superintendent Jay Nickolite.

**PRAYER:** Mayor Moser asked all to rise and Council President Schilling 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 December 3, 2012, City Council meeting.
- B. Approval of reappointment of Chris Dixon to Northeast Nebraska Area Agency on Aging Advisory Council for three-year term.
- C. Approval of reappointments of David L. Purcell and Brad Ramaekers to Cemetery Board for three-year terms.
- D. Approval of reappointments of Brad Hansen, Steve Kohl and Jeff Morton to Board of Parks Commissioners for three-year terms.

- E. Approval of application of Owen Lloyd as manager of American Legion Hartman Post 84, 2263 3rd Avenue, Columbus, Nebraska in conjunction with Class "C" Liquor License.
- F. Approval of award of lowest bids that meet specifications for equipment as follows: Golf Department – Award to TurfWerks in the amount of \$46,460 for 11 ft. Rotary Mower and \$39,210 for Fairway Mower; Street Department – Award to NE Harvestore in the amount of \$26,439 for Skid Steer Loader, Award to Murphy Tractor & Equipment in the amount of \$180,173 for Motor Grader and Award to West Point Implement in the amount of \$30,000 for Tractor; and Sanitary Sewer Department – Award to Elliot Equipment in the amount of \$168,635 for High Pressure Sewer Cleaner.
- G. Approval of award of lowest quotes that meet specifications to Gene Steffy Ford as follows: 3/4 ton pickup for Park Department in the amount of \$23,740; 3/4 ton pickup with utility box for Sanitary Sewer Department in the amount of \$29,684; 3/4 ton pickup for Street Department in the amount of \$21,128, as submitted by City Engineer Goedecken.
- H. Approval of Resolution No. R12-114 approving Intergovernmental Agreement with State of Nebraska for 2012 Storm Water Management Plan Program.
- I. Approval of Resolution No. R12-115 authorizing payment of various improvement projects.
- J. Approval of Finance Department reports.
- K. Approval of payroll and bills on file. 12/21/2012 Payroll 480,460.57; 1/4/2013 Payroll \$477,859.23; A & J Guns – Supplies 1,268.47; Ace Hardware & Garden Center – Supplies 1,307.62; ACS Government Systems, Inc. – Service 110.00; Donald D Adkisson – Pension 609.00; Advance Auto Parts – Supplies 13.99; Alamar Uniforms – Supplies 1,053.29; ANSIR4U – Service 95.00; Aqua-Pure, Inc. – Chemicals 3,596.39; AS Central Services – Service 704.00; AT&T – Utilities 13.55; Awards & Engraving – Service 20.10; David Badje – Expenses 31.00; Barco Municipal Products – Supplies 145.50; Wesley J Baxa – Pension 1,232.54; Beard-Warren Heating & Air Conditioning – Supplies 264.80; Behlen Towing – Service 1,010.00; Matthew Bender & Co., Inc. – Supplies 58.49; Alfred Benesch & Company – Electrical Vault & Homerun Upgrades 1,231.71; Big Red Sanitation – Service 275.00; Bill's Tire Outlet – Service 669.00; Bissell Hose Company – Expenses 31.00; Carroll A Bisson – Pension 716.51; Black Hills Energy – Utilities 2,275.91; Frank J Blahak Jr – Pension 762.00; Blazer Manufacturing Co., Inc. – Supplies 150.00; Bomgaars – Supplies 393.64; The Brides Store – Grant 1,779.00; Brodart Co. – Supplies 350.91; Brown's Shoe Fit Company – Supplies 176.00; Tom Bryan Flag Sales – Supplies 109.50; California Contractors – Supplies 219.80; Capstone Press, Inc. – Supplies 122.94; Cat's Pro Mow – Service 103.50; CCH – Supplies 101.55; Center Point Large Print – Supplies 43.74; Central Community College – Training 170.00; Central Parts & Machine – Supplies 1,159.17; Central Valley Ag – Supplies

79.00; Century Link – Utilities 1,517.75; Jay Cerny Landscaping – Service 127.78; Child's World, Inc. – Supplies 991.50; City of Columbus – Utilities 91.39; Clausen Brothers – Refund 27.04; Club Prophet Systems – Service 90.00; Columbus Area Chamber of Commerce – Supplies 1,115.00; Columbus Community Hospital – Service/Supplies 566.85; Columbus Electronics, Inc. – Supplies 27.99; Columbus Telegram – Subscription 305.50; Columbus Telegram – Publications 1,312.66; Columbus Tire & Service – Service 794.32; Commonwealth Electric Co. – Electrical Vault & Homerun Upgrades 39,640.37; Community Internet – Service 180.00; Connecting Point/Radio Shack – Supplies 312.94; Consolidated Water Solutions – Chemicals 5,790.00; J P Cooke Company – Supplies 770.38; Cornhusker Public Power District – Utilities 831.35; CRA Payment Center – Supplies 630.18; Crane Sales & Service – Supplies 860.75; Credit Bureau Services – Membership 5.00; Culligan of Columbus – Supplies 82.85; Curly's Fire Extinguisher Sales & Service – Supplies 325.25; Danko Emergency Equipment – Supplies 1,239.84; Diamond Vogel Paint Center – Supplies 9,300.00; Doernemann Construction, Inc. – Contract 2,310.77; George & Sharelyn Drummond – Payment 500.00; Douglas Dunbar – Contract 5,070.00; Douglas Dunbar – Commissions 215.35; Douglas Dunbar – Expenses 1,033.56; DXP Enterprises – Supplies 19.25; Eakes Office Plus – Supplies 1,713.27; Educational Services Unit #7 – Supplies 81.25; Carl Edwards – Expenses 316.80; Electric Pump, Inc. – Service/Supplies 12,478.25; Electrical Engineering & Equipment Co. – Supplies 162.47; Electronic Data Solutions – Service 140.00; Electronic Systems, Inc. – Service 45.00; Eletech, Inc. – Service 540.00; Elliott Equipment Company – Supplies 768.51; Steve Engel – Expenses 31.00; Enslow Publishers, Inc. – Supplies 418.70; Enterprise Electric CO/CED – Supplies 200.21; Mimi Ernst – Expenses 23.32; Expense Reduction Services – Service 8,374.51; Express Truck Center – Service 123.97; Fastenal Company – Supplies 301.36; First National Bank & Trust Company – Fees 165.38; First National Bank Omaha – Expenses 5,590.25; S A Foster Lumber Co. – Supplies 187.69; Frontier – Utilities 5,070.34; Frontier Communications – Utilities 228.91; Gaeth Pest Control Services, Inc. – Service 245.00; Gale – Supplies 3,253.46; Galls – Supplies 518.08; Gehring Construction & Ready-Mix Company – Street Construction 46,227.19; Gehring Construction & Ready-Mix Company – Supplies 1,570.46; Gerhold Concrete Company – Supplies 3,074.26; David Goedeken – Expenses 348.28; Greenkeeper Co., Inc. – Supplies 1,896.25; Greiner's Furniture & Carpet – Supplies 1,596.00; Hach Company – Service 353.50; Hadley-Braithwait Company – Supplies 774.15; Hawkins, Inc. – Chemicals 3,977.37; HD Supply Waterworks Ltd – Baseball Field Irrigation 2,872.69; HDR Engineering, Inc. – Viaducts 18,513.84; HDR Engineering, Inc. – Headworks Design 1,400.00; Heartland Concrete – Supplies 250.00; Heartland Natural Gas – Utilities 4,386.17; Dean Hefti – Expenses 54.25; Hometown Leasing – Supplies 177.12; Mark S Howerter MD – Contract 514.00; Brad Hruska – Expenses 32.26; Hy-Vee, Inc. – Supplies 827.84; IBM Corporation – Service 1,026.00; Ingram Library Services, Inc. – Library Materials 3,777.76; Insurance Services of Columbus – Bond Renewal 350.00; Jackson Services, Inc. – Supplies 2,662.67; Jackson Services, Inc. – Rent 200.00; Jacobson Satchell Consultants – Columbus Landfill 4,574.90; JEO Consulting Group, Inc. – Loup River Levee Recertification 4,715.00; Kayline Company – Service 95.39; Kelly Supply Company – Supplies 381.17; Kralik's Sew & Vac Center – Supplies 32.85;

Michael Kratochvil – Expenses 19.80; Layne Christensen Company – Well Maintenance 12,441.56; Lerner Publishing Group – Supplies 780.07; Pete Lien & Sons, Inc. – Chemicals 9,115.20; Lincoln Winwater Works – Supplies 2,925.14; Logan Contractors Supply, Inc. – Supplies 10,198.07; John Lohr – Expenses 54.45; Loup Power District – Utilities 82,008.46; Mail Prep, Etc. – Postage 310.83; The Mailbox – Postage 114.39; Marley's Electric, Inc. – Service 1,203.23; Matheson-Linweld – Supplies 286.80; Mead Lumber Co.-Columbus – Supplies 86.43; Menards – Supplies 2,099.08; Mid Con Systems, Inc. – Supplies 538.53; Mid-American Research Chemical – Supplies 5,477.75; Mid-Nebraska Repair & Construction – Wilderness Park 2,353.00; Midwest Laboratories, Inc. – Service 1,937.45; Midwest Machine & Tool, Inc. – Supplies 196.00; Midwest Ready Mix – Service 1,225.00; Midwest Service & Sales – Supplies 840.95; Midwest Tape LLC – Supplies 2,016.48; Mike's Towing – Service 2,155.11; Doug Molczyk – Expenses 215.00; Ginger Moon & Associates – Bond Renewal 100.00; Motion Industries, Inc. – Service 243.32; MTM Recognition – Supplies 127.58; Shane Mueller – Service 146.50; Mueller Sprinklers – Pawnee Park Baseball Field Booster Pump 26,261.97; Mueller Sprinklers – Pawnee Park Baseball Field Underground Sprinklers 39,996.00; Natare Corporation – Gutter Grate 4,111.12; Nebraska Association of Airport Officials – Membership 250.00; Nebraska Aviation Council – Training 80.00; Nebraska Department of Economic Development – Grant 923.16; Nebraska Environmental Products – Supplies 668.10; Nebraska Golf Course Superintendent Association – Membership 125.00; Nebraska Irrigation – Service 709.00; Nebraska Library Commission – Service 1,060.00; Nebraska Public Health Environmental Laboratory – Service 1,380.00; Nebraska State Fire Marshal – Training 600.00; Marvin O Nelson – Pension 502.50; Nemaha Landscape Construction – Pawnee Park Stadium 83,132.90; NFPA – Membership 300.00; Niemann's Port-A-Pot – Service 40.00; NMC Exchange LLC – Service 64.25; Northeast Nebraska Economic Development District – Grants 2,914.00; Northeast Nebraska Solid Waste Coalition – Landfill Disposal 41,767.97; NoSwett Fencing & Decks – Baseball Field Fence 3,320.00; NWOD – Membership 20.00; O'Reilly Automotive, Inc. – Supplies 480.42; Obrist & Co., Inc. – Service 144.75; Occupational Health Services – Service 255.00; OCLC, Inc. – Service 612.91; Odeys, Inc. – Supplies 8,820.00; Officenet – Service/Supplies 282.68; Kim Olsufka – Supplies 31.99; Omaha Tractor, Inc. – Bobcat/Trailer 10,545.00; One Call Concepts, Inc. – Service 144.60; Overturf Electric Motors – Service 250.00; The Parts Bin – Supplies 313.74; Penworthy Company – Supplies 2,376.30; Pet Care Specialists – Service 176.28; Petty Cash – Expenses 80.13; Alan Pickrel – Expenses 250.00; Pizza Ranch – Meals 218.35; Platte County – Contract 2,750.00; Playtime LLC – Service 499.50; Pool Equip LLC – Supplies 2,557.78; Presto-X-Company – Service 51.97; Quill Corporation – Supplies 619.48; R & R Products – Supplies 624.78; James Rawhouser Jr – Expenses 31.00; Recorded Books LLC – Supplies 396.00; Redstone Veterinary Clinic – Service 125.58; Ricoh Production Print – Service 479.16; Dona Ridenour – Service 48.00; S & S Willers, Inc. – Supplies 495.48; Sahling Kenworth, Inc. – Service 814.99; Sapp Bros Columbus, Inc. – Fuel 7,618.83; Sapp Bros Petroleum, Inc. – Fuel 35,372.76; Schaben Industries – Supplies 194.64; Schieffer Signs, Inc. – Supplies 247.50; Schneider's O K Tire Company – Lease Payment 30.00; Rod Seidel – Expenses 10.60; Servicemaster By Shevlin – Service 1,644.00; Settje

Plumbing – Service 311.02; Sherwin-Williams Co. – Supplies 96.62; Shevlin Supply – Supplies 89.14; Siedlik Signs – Supplies 59.00; Siemens Industry, Inc. – Service 3,720.00; Sioux City Truck Sales, Inc. – Service 3,059.09; Sipple, Hansen, Emerson & Schumacher – Service 5,942.66; Sirius Computer Solutions, Inc. – Service 174.42; State of Nebraska Department of Revenue – Sales Tax 30,670.17; Gene Steffy Ford – Service 38.67; Michael Steiner – Expenses 7.46; Stericycle, Inc. – Supplies 255.46; Sungard Public Sector User's Group, Inc. – Membership 195.00; Super Saver – Supplies 167.05; Swissphone LLC – Service 94.31; Sysco Lincoln – Supplies 2,779.35; T & L Services – Service 525.00; Joie Taylor – Expenses 87.45; Technology Associates – GIS System 4,120.00; The Rawlings Company – Refund 563.70; Three Eagles Communications – Advertising 865.00; Tighton Fastener & Supply, Inc. – Supplies 129.12; TM Cleaning – Service 200.00; Totalfunds by Hasler – Postage 2,000.00; Tractor Supply Credit Plan – Supplies 91.38; Tri-County Truck Repair – Supplies 5.33; Turfwerks – Supplies 16.89; U & I Sanitation – Service 83.00; U S Bank – Expenses 1,070.79; Union Pacific Railroad Co. – Lease Payment 700.00; United States Post Office – Postage 2,175.62; UPS Store – Postage 28.39; USA Blue Book – Supplies 985.28; Verizon Wireless – Utilities 2,254.49; Wall Street Journal – Subscription 448.40; Walmart Community – Supplies 3,476.24; Waste Connections of Nebraska – Service 288.43; Wells Fargo Bank – Fiscal Fee 400.00; West Payment Center – Supplies 469.00; West Point Implement of Columbus – Service 2,907.40; Wingate Inn – Lodging 1,169.35; Wize Buys Abbey Carpet – Grant 4,784.00; Wunderlich's Catering – Meals 248.94; Zee Medical Service – Supplies 550.30; Zeger Automotive – Service 723.64; David Zulkoski – Expenses 31.00. TOTAL \$1,710,592.05.

Council Member Reardon requested that Item F – Approval of award of lowest bids that meet specifications for equipment for various departments be removed from consent status and considered under Item 13 – New Business. Moved by Schilling, seconded by Bulkley, the items on the consent agenda, with the exception of Item F, 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 PROPERTY, SAFETY AND WORKS COMMITTEE REPORT - ELECT CHAIR AND VICE CHAIR:** The report of the Public Property, Safety and Works Committee was presented stating that the Committee elected Council Member Reardon to serve as Chair and Council Member Jablonski to serve as Vice Chair of the Public Property, Safety and Works Committee. City Administrator Mangiamelli announced that in accordance with the City Council Rules, no further action is required.

**PUBLIC PROPERTY, SAFETY AND WORKS COMMITTEE REPORT – DISCUSSION REGARDING PLACEMENT, REPLACEMENT OR REPAIR OF SIDEWALKS THROUGHOUT COLUMBUS AND RECOMMENDED SIDEWALK REPAIR LOCATIONS:** The report of the Public Property, Safety and Works Committee was presented with the recommendation the owners of the properties at the following locations be ordered to repair the sidewalks in accordance with City Code: 3418 15th Street; 3304, 3312, 3315, 3316, 3319, 3320, 3406, 3410, 3418, 3422, 3504, 3506, 3509, 3511, 3515, 3520, 3522 and 3602 16th Street; 3310, 3311, 3316, 3317, 3320,

3321, 3404, 3405, 3407, 3416, 3420, 3506, 3510, 3512, 3513, 3515, 3518, 3522, 3619, 3620, 3621, 3704, 3718 and 3722 17th Street; 3503, 3507, 3509, 3511 and 3721 18th Street; 1754 33rd Avenue; 1670 34th Avenue; 1570 and 1670 35th Avenue; and 1759 and 1763 38th Avenue. Moved by Bahr, seconded by Jablonski, this report be adopted. Council Member Bogus referred to the sidewalks in his neighborhood and said they are in good condition yet he has witnessed a number of pedestrians walking in the street. Bogus said he feels city staff and the City Council should exercise caution when selecting sidewalks that are in need of repair. Shawn Brock, representative of Columbus Christian School, distributed photographs of cracks in the sidewalks on the school property, pointed out that only six of the twelve sections that have been identified as needing repair are a current trip hazard and said the school board is proposing that only these six sections be ordered to be repaired at this time. In response to Mayor Moser, City Engineer Goedeken explained the city's criteria for determining whether a sidewalk should be repaired and said for efficiency, upon receiving a complaint of a hazardous sidewalk, all sidewalks in a one block radius are also examined. Council Member Bulkley said he feels that only sidewalks that are actually a trip hazard should be ordered to be repaired. Council Member Reardon said he feels criteria for determining a hazardous sidewalk should be specified in the City Code. City Attorney Hansen confirmed that specific criteria can be included in an ordinance and state law requires a city to maintain safe streets which includes passages for pedestrians. Following extensive discussion, Goedeken asked for direction from the City Council as to which property owners should receive letters and said May 31, 2013 or June 1, 2013 should be determined as the deadline for making the necessary repairs. Roll call on the motion to adopt the report and Council Members Bahr, Schilling, Jablonski and Reardon voted "Aye" and Bogus, Bulkley and Lohr voted "Nay." Council Member Augustine-Schulte was absent. Motion carried.

**PUBLIC PROPERTY, SAFETY AND WORKS COMMITTEE REPORT – DISCUSSION REGARDING HOW TO PROCEED ON SIDEWALK IMPROVEMENT DISTRICT NO. 15, AS NO BIDS WERE RECEIVED:**

The report of the Public Property, Safety and Works Committee was presented with the recommendation to include Sidewalk Improvement District No. 15 in the bidding process of a future improvement district. Moved by Bahr, seconded by Schilling, this report be adopted. City Engineer Goedeken explained that four properties were originally included in this district and two made repairs during the bidding process. Goedeken further explained that no bids were received due to the fact the project was not large enough to justify the bonding and insurance requirements of the bidding process. In response to Mayor Moser, City Attorney Hansen stated that the city could make the repairs and assess the property owners or the sidewalks listed could be included in the bidding process of a future sidewalk improvement district. 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 PROPERTY, SAFETY AND WORKS COMMITTEE REPORT – DISCUSSION AND RECOMMENDATION REGARDING AMENDMENTS TO CITY CODE 90.035 – DESTRUCTION OF PROPERTY BY ANIMALS TO INCLUDE COMPENSATION TO A VICTIM OF AN ANIMAL ATTACK:**

The report of the Public Property, Safety and Works Committee was presented with the recommendation to direct city staff to draft an ordinance to amend the City Code to provide for compensation of medical expenses to

a victim of an animal attack. Moved by Bahr, seconded by Bulkley, 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.

**PUBLIC PROPERTY, SAFETY AND WORKS COMMITTEE REPORT – DISCUSSION AND RECOMMENDATION REGARDING AMENDMENT TO CITY CODE 90.060 (B) PERMIT REQUIRED TO READ "THE EXOTIC ANIMAL PERMIT REVIEW COMMITTEE IS HEREBY CREATED AND SHALL CONSIST OF THE CITY ADMINISTRATOR AND THE CHIEF OF POLICE OR DESIGNEE":** The report of the Public Property, Safety and Works Committee was presented with the recommendation to direct city staff to draft an ordinance to amend the City Code to provide that the Exotic Animal Permit Review Committee shall consist of the City Administrator and the Chief of Police or designee. 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.

**PUBLIC FINANCE, JUDICIARY AND PERSONNEL COMMITTEE REPORT - ELECT CHAIR AND VICE CHAIR:** The report of the Public Finance, Judiciary and Personnel Committee was presented stating that the Committee elected Council Member Lohr to serve as Chair and Council Member Augustine-Schulte to serve as Vice Chair of the Public Finance, Judiciary and Personnel Committee. City Administrator Mangiamelli announced that in accordance with the City Council Rules, no further action is required.

**PUBLIC FINANCE, JUDICIARY AND PERSONNEL COMMITTEE REPORT – BACKGROUND CHECKS FOR VOLUNTEERS FROM ORGANIZATIONS, GROUPS AND INDIVIDUALS USING CITY-OWNED FACILITIES:** The report of the Public Finance, Judiciary and Personnel Committee was presented with the recommendation that background checks for volunteers of organizations, groups and individuals working with youth, seniors or the handicapped using city-owned facilities be required. Moved by Lohr, 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.

**PUBLIC FINANCE, JUDICIARY AND PERSONNEL COMMITTEE REPORT – COMPUTER NETWORK SYSTEM AND WIRELESS UPGRADE PROJECT FOR CITY HALL, LIBRARY AND POLICE DEPARTMENT:** The report of the Public Finance, Judiciary and Personnel Committee was presented with the recommendation that Phase I of the computer network and wireless system upgrades be approved. Moved by Lohr, 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.

**APPLICATION OF GRANVILLE HOMES FOR PRELIMINARY PLAT OF REPLAT OF WEST ELKS SUBDIVISION (68TH STREET AND 56TH AVENUE PLACE):** The Affidavit of Publication and Notice of Hearing were presented on the application of Granville Custom Homes, Inc. for the preliminary plat of the Replat of West Elks Subdivision, a tract of land located in the Northwest 1/4 of Section 2, T17N, R1W of the

6th P.M., Platte County, Nebraska (68th Street and 56th Avenue Place). A memorandum was presented from City Engineer Goedeken submitting detailed information and a staff recommendation to approve the preliminary plat. Planning Commission recommended approval with all conditions and waivers that were previously approved for the plat of West Elks Subdivision. Moved by Schilling, seconded by Bahr, the preliminary plat be approved. In response to Mayor Moser, Goedeken explained that the perimeter of this plat has not changed from the original West Elks Subdivision; however, the lot lines have been adjusted to provide for two additional lots. In response to City Attorney Hansen, Council President Schilling, with consent of his second, amended the motion that the preliminary plat be approved with all conditions and waivers that were previously approved for the plat of West Elks Subdivision. 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.

**AWARD OF QUOTE FROM SIRIUS COMPUTER SOLUTIONS FOR EQUIPMENT UPGRADES AND ACCEPTANCE OF STATEMENT OF WORK PROVIDING LABOR FOR INSTALLATION IN THE TOTAL AMOUNT OF \$81,778.38:**

A memorandum was presented from Finance Director Kinnison submitting detailed information and a staff recommendation that the quote from Sirius Computer Solutions for equipment upgrades and the acceptance of statement of work providing labor for installation in the total amount of \$81,778.38 be approved. Moved by Schilling, seconded by Bulkley, the quote and statement of work be approved. 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.

**COMMENTS FROM MAYOR AND CITY COUNCIL MEMBERS:** Mayor Moser and Council Member Lohr wished everyone a Merry Christmas. Council Member Bulkley referred to the installation of a flashing yellow light at 18th Avenue on the Lost Creek Parkway and City Engineer Goedeken explained the steps that have been taken to initiate this project and said installation is scheduled for late winter/early spring. Council President Schilling invited everyone to attend the Community Cantata at 2 p.m. on Sunday, December 23rd at Columbus High School. Mayor Moser cautioned everyone to drive defensively during the holiday season and announced that there will be special law enforcement monitoring traffic for violations December 14th through January 1st.

**APPROVAL OF AWARD OF LOWEST BIDS THAT MEET SPECIFICATIONS FOR EQUIPMENT FOR VARIOUS DEPARTMENTS:**

A memorandum was presented from City Engineer Goedeken submitting the results of the bid opening held December 5, 2012 at 2 p.m., as well as detailed information and a staff recommendation to award the lowest bids that meet specifications for equipment as follows: Golf Department – Award to TurfWerks for 11 foot Rotary Mower in the amount of \$46,460 and Fairway Mower in the amount of \$39,210; Street Department – Award to NE Harvestore for Skid Steer Loader in the amount of 26,439, award to Murphy Tractor & Equipment for Motor Grader in the amount of \$180,173, award to West Point Implement for Tractor in the amount of \$30,000; and Sanitary Sewer Department – Award to Elliot Equipment for High Pressure Sewer Cleaner in the amount of \$168,635. Council Member Reardon referred to a local bid that was received for the Skid Steer Loader that was less than \$6,000 lower than the recommended bid; however, did not quite meet specifications and



he questioned the process for determining specifications. Steve Vrba, on behalf of West Point Implement, referred to 2013 regulations for the agricultural industry regarding emissions and said the standards for net horsepower have been lowered. Street Superintendent Nickolite explained that the specifications were determined by need and based on past experience with the same type of equipment. In response to Mayor Moser, Nickolite said the bid from West Point Implement did not have the gauges or horsepower required in the specifications. Following discussion, City Administrator Mangiamelli pointed out that two bids meeting specifications were received and the lowest bid was selected. In response to Council Member Lohr, Vrba confirmed that West Point Implement does have a skid loader that has the requested horsepower; however, they chose not to submit a bid for it. Mangiamelli explained the bid process and pointed out that the specifications were not written for a specific model or vendor. City Attorney Hansen explained that there is some discretion allowed to select a bid where there are minor variations from the specifications; however, he cautioned exercising this practice. In response to Mayor Moser, Nickolite said the specifications also included a requirement that the skid loader be adaptable for Bobcat attachments. Moved by Schilling, seconded by Bulkley, the lowest bids that meet specifications for equipment for various departments be awarded. 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. R12-116 WAS INTRODUCED BY COUNCIL MEMBER BULKLEY.**

**RESOLUTION NO. R12-116**  
**ADOPTED: DECEMBER 17, 2012**

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, APPROVING UTILIZATION OF THE CONSTRUCTION MANAGEMENT AT RISK METHOD FOR DEVELOPING THE PLANS, SPECIFICATIONS AND CONTRACT PRICING FOR CONSTRUCTION OF PAWNEE PLUNGE EXPANSION PROJECT.

Moved by Bulkley, seconded by Bahr, Resolution No. R12-116 be passed and adopted. In response to Mayor Moser, City Administrator Mangiamelli explained the additional options allowed for the bidding process and said the **selection committee** unanimously voted that the Construction Management at Risk method will provide the best options for expansion of Pawnee Plunge at the lowest cost. 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 \$877.83; Reardon Lawn & Garden, Inc. – Service \$147.89. TOTAL \$1,025.72. 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 Schilling, seconded by Bulkley, 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 Members Jablonski and Reardon abstained from voting. Council Member Augustine-Schulte was absent. Motion carried. Moved by Bulkley, seconded by Bahr, to approve the bills on file. Roll call and Council Members Bahr, Bogus, Bulkley, Schilling and Lohr voted "Aye" and none voted "Nay." Council Members Jablonski and Reardon abstained from voting. Council Member Augustine-Schulte was absent. 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 8:26 p.m.

Presented and approved this 7th day of January, 2013.

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MAYOR

ATTEST:

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CITY CLERK