

A regular meeting of the Mayor and City Council of the City of Columbus, Nebraska was convened in open and public session on February 19, 2013 at 7 p.m. in the Council Chambers, 1369 25 Avenue, Columbus, Nebraska.

Notice of this meeting was given in advance thereof by publication in the Columbus Telegram on January 30, 2013, 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 Janelle Kline, City Attorney Mark Sipple, City Engineer David Goedeken, Finance Director Anne Kinnison, Public Property Director Doug Moore, Public Works Director Roger Buell, Police Chief William Gumm, Library Director Jill Owens and Fire Chief Dean Hefti.

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 February 4, 2013, City Council meeting.
- B. Approval of Resolution No. R13-08 authorizing payment of various improvement projects.
- C. Approval of Finance Department reports.
- D. Approval of payroll and bills on file. 3/1/2013 Payroll 480,858.06; A & J Guns – Supplies 288.74; A & S Detailing – Service 80.00; Ace Hardware & Garden

Center – Supplies 1,030.93; Donald D Adkisson – Pension 609.00; Alamar Uniforms – Supplies 2,047.08; Allegheny Shredders – Supplies 58.80; Altec Industries, Inc. – Service/Supplies 1,406.38; ANSIR4U, Inc. – Service 95.00; Aqua-Chem, Inc. – Supplies 85.13; Aqua-Pure, Inc. – Chemicals 7,012.89; Aquatic Technology – Supplies 360.47; AS Central Services – Service 704.00; AT&T – Utilities 11.26; AW Direct – Supplies 427.76; Barco Municipal Products – Supplies 599.55; Barone Security Systems – Service 437.04; Wesley J Baxa – Pension 1,232.54; Behlen Towing – Service 480.00; Marc T & Bonnie L Beller – Relocation Expenses 1,230.46; Alfred Benesch & Company – Electrical Vault & Homerun Upgrades 5,250.24; Big Red Sanitation – Service 275.00; Bill's Tire Outlet – Service/Supplies 1,067.00; Carroll A Bisson – Pension 716.51; Black Hills Energy – Utilities 5,838.33; Frank J Blahak Jr – Pension 762.00; Bob's U-Save Pharmacy – Supplies 25.18; Bomgaars – Supplies 502.70; Bound Tree Medical LLC – Supplies 98.04; Brodart Co. – Supplies 57.14; California Contractors – Supplies 99.00; Center Point Large Print – Supplies 43.74; Central Community College – Training 20.00; Central Parts & Machine – Supplies 1,327.59; Central Valley Ag – Supplies 79.00; Century Link – Utilities 1,517.11; Century Manufacturing Corp. – Supplies 66.36; City of Columbus – Utilities 91.04; Club Prophet Systems – Service 90.00; Columbus Area Chamber of Commerce – Supplies 1,180.00; Columbus Community Hospital – Service/Supplies 655.72; Columbus Community Hospital – Training 2,280.00; Columbus Plumbing Co. – Service/Supplies 138.90; Columbus Steel Supply – Supplies 40.00; Columbus Telegram – Publications 1,699.69; Columbus Tire & Service – Service 2,567.05; Commonwealth Electric Co., Columbus – Service 71.63; Commonwealth Electric Co., Omaha – Electrical Vault & Homerun Upgrades 164,099.46; Commonwealth Electric Co., Omaha – Service 1,157.72; Community Internet – Service 180.00; Connecting Point/Radio Shack – Supplies 85.26; Consolidated Management Co. – Meals 42.25; Consolidated Water Solutions – Chemicals 5,806.41; J P Cooke Company – Supplies 33.30; Cornhusker Public Power District – Utilities 886.86; CRA Payment Center – Supplies 82.95; Culligan of Columbus – Supplies 152.35; Danko Emergency Equipment – Supplies 3,306.93; Demco – Supplies 289.18; Dewine Mechanical Inc. – Transfer Station Floor Repair 14,550.00; DHHS – Training 200.00; Discover Your Mobility – Supplies 3,600.00; Ditch Witch of Omaha – Supplies 484.25; Doernemann Construction, Inc. – Contract 393.47; DPC Industries – Chemicals 956.18; Drain Surgeon – Service 195.00; Dugan Business Forms – Supplies 307.39; Douglas Dunbar – Contract 5,207.00; Douglas Dunbar – Commissions 702.03; Douglas Dunbar – Expenses 1,297.51; DXP Enterprises – Supplies 1,079.30; Eakes Office Plus – Supplies/Copier 5,052.24; Electric Pump, Inc. – Supplies 256.38; Electrical Engineering & Equipment Co. – Supplies 1,223.24; Eletech, Inc. – Service 540.00; Eller Heating Air Conditioning & Plumbing LLC – Service 211.10; Embassy Suites, Lincoln – Lodging 248.00; Enterprise Electric CO/CED – Supplies 211.92; Environmental Express – Supplies 76.99; Express Truck Center – Service 1,575.93; Extractor Corporation – Supplies 58.95; Fastenal Company – Supplies 377.79; First National Bank & Trust Company – Fees 237.56; First National Bank Omaha – Expenses 2,208.69; Fisher Scientific – Supplies 137.36; Frontier – Utilities 5,057.05; Frontier Communications – Utilities 246.33; Gaeth Pest Control Services, Inc. –

Service 245.00; Gale – Supplies 634.13; Gehring Construction & Ready-Mix Company – Supplies 117.00; Kris Gernstein – Expenses 20.01; John A & Katheryn R Gillett – Relocation Expenses 144.26; Gilmore & Associates – Discoverer Addition 25,000.00; Gilmore & Associates – Drainage Evaluation 4,000.00; David Goedeken – Expenses 73.45; Goodwin Tucker Group – Service 2,049.28; Great American Outdoor – Supplies 51.03; Thomas J Grubaugh CPA, PC – Service 130.00; Hach Company – Supplies 979.92; Hadley-Braithwait Company – Supplies 287.45; Hawkins, Inc. – Chemicals 8,295.75; HDR Engineering, Inc. – Viaducts 91,869.25; HDR Engineering, Inc. – New Transfer Station 7,475.23; Headsetters – Supplies 240.27; Heartland Natural Gas – Utilities 12,632.80; Dean Hefti – Expenses 54.15; HGM Associates, Inc. – Sanitary Sewer Feasibility Study 8,040.00; Hi-Lo Equipment Company – Service 157.45; Holiday Inn of Kearney – Lodging 159.90; Hometown Leasing – Supplies 177.12; Houchen Bindery LTD – Service 23.15; Mark S Howerter MD – Contract 514.00; Brad Hruska – Expenses 33.74; Hy-Vee, Inc. – Supplies 545.45; IAFC Membership – Dues 254.00; Imagetrend, Inc. – Supplies 1,250.00; Ingram Library Services, Inc. – Library Materials 2,279.55; Inland Truck Parts & Service – Supplies 527.09; Insurance Services of Columbus – Bond Renewal 40.00; International Code Council, Inc. – Membership 125.00; International Association of Chiefs of Police – Membership 120.00; Jackson Services, Inc. – Supplies 2,751.15; Jackson Services, Inc. – Rent 200.00; Janway Company USA, Inc. – Supplies 76.10; Bradley J & Amy C Jareske – Relocation Expenses 1,805.00; Bradley J & Amy C Jareske and First Nebraska Bank – Relocation Expenses 24,900.00; Jay's Body Shop – Supplies 340.00; JEO Consulting Group, Inc. – Loup River Levee Recertification 7,025.52; Johnson Controls – Service 795.00; K-C Auto Supply, Inc. – Supplies 21.19; Kelly Supply Company – Supplies 637.17; Kimball Midwest – Supplies 50.35; Michael Kratochvil – Expenses 33.91; Lakeview Small Engine, Inc. – Supplies 173.95; LaRue Distributing, Inc. – Supplies 149.36; League of Nebraska Municipalities – Training 738.00; Pete Lien & Sons, Inc. – Chemicals 4,840.00; Lifeguard Store, Inc. – Supplies 505.00; Logan Contractors Supply, Inc. – Sealant 13,978.69; Logan Contractors Supply, Inc. – Hot Tack Sprayer 13,492.00; John Lohr – Expenses 55.94; Loup Power District – Utilities 89,960.23; M & O Door Products – Supplies 64.00; Mail Prep, Etc. – Postage 177.39; The Mailbox – Postage 8.34; Joseph A Mangiamelli – Expenses 675.32; Marley's Electric, Inc. – Service 2,893.04; Matheson-Linweld – Supplies 118.58; Rachelle M McPhillips – Expenses 93.79; Menards – Supplies 1,691.75; Metron-Farnier, LLC – Supplies 1,710.52; Metron-Farnier LLC – AMR System 5,111.32; Mid Con Systems, Inc. – Supplies 202.07; Mid-American Research Chemical – Chemicals 1,920.00; Mid-Nebraska Communications, Inc. – VHF Mobile Radios 14,388.02; Midwest Glass Service, Inc. – Service 40.00; Midwest Laboratories, Inc. – Supplies 7.45; Midwest Machine & Tool, Inc. – Supplies 756.00; Midwest Service & Sales – Supplies 3,844.09; Midwest Tape LLC – Supplies 109.97; Mike's Towing – Service 1,571.64; Motion Industries, Inc. – Supplies 131.88; Mountain View LLC – Service 195.00; MTM Recognition – Supplies 271.71; Shane Mueller – Service 146.50; Municipal Pipe Tool Co LLC – Supplies 243.93; MWC Enterprises, Inc. – Dumpsters 9,150.00; Natara Corporation – Gutter Grate 3,892.06; Nebraska Code Officials Association – Membership 115.00; Nebraska Department of Economic Development – Grant

923.16; Nebraska Department of Environmental Quality – Dues 300.00; Nebraska Environmental Products – Supplies 619.05; Nebraska Law Enforcement Training Center – Training 192.00; Nebraska Library Commission – Training 10.00; Nebraska Notary Association – Notary 254.75; Nebraska Public Health Environmental Laboratory – Service 1,961.00; Nebraska Sports – Supplies 125.00; Nebraska-Iowa Industrial Fasteners Corp. – Supplies 90.90; Marvin O Nelson – Pension 502.50; NFPA – Subscription 1,165.50; Niemann's Port-A-Pot LLC – Service 40.00; Northeast Library System – Training 40.00; Northeast Nebraska Solid Waste Coalition – Landfill Disposal 36,772.58; Novicki Fire Prevention Service Co. – Service 156.00; O'Reilly Automotive, Inc. – Supplies 424.14; Obrist & Co., Inc. – Service 1,240.00; Occupational Health Services – Service 70.00; OCLC, Inc. – Service 1,302.17; Officenet – Supplies 347.13; One Call Concepts, Inc. – Service 52.15; Overhead Door Company – Service 735.00; Jill Owens – Expenses 10.00; Paragon Consulting Services – Service 230.00; The Parts Bin – Supplies 68.06; Pet Care Specialists – Service 67.50; Petty Cash – Expenses 212.15; Pioneer Hook & Ladder Co. – Meals 112.50; Pizza Ranch – Meals 174.94; Platte County – Contract 2,750.00; Platte County Election Commissioner – General Election 2,015.00; PR Diamond Products – Supplies 240.00; Presto-X-Company – Service 128.08; Promotional Capital LLC – Supplies 1,184.00; Quill Corporation – Supplies 264.87; Recorded Books LLC – Supplies 3,232.91; Rembolt Ludtke LLP – Service 64.50; Margaret E Reynoldson – Relocation Expenses 1,742.70; RR Donnelley – Supplies 160.86; Rutjens Construction – Water Main Replacement 130,118.36; Sahling Kenworth, Inc. – Service/Supplies 4,166.82; Sapp Bros Columbus, Inc. – Fuel 9,968.27; Sapp Bros Petroleum, Inc. – Fuel 16,221.86; Schaben Industries – Supplies 219.16; Schneider's O K Tire Company – Lease Payment 30.00; Seacrest & Kalkowski PC LLC – Service 330.00; Charles Seedschlag – Service 454.41; Servicemaster By Shevlin – Service 1,644.00; Shevlin Supply – Supplies 80.88; Sipple, Hansen, Emerson & Schumacher – Service 1,845.29; Sirius Computer Solutions, Inc. – Computer Network Upgrade 69,090.58; Skillpath Seminars - Training 59.00; Chuck Sliva – Expenses 16.58; Speece Lewis Engineers – Christopher's Cove Bridge 6,937.28; State of Nebraska Department of Revenue – Sales Tax 26,765.58; Gene Steffy Ford – Service 358.79; Stericycle, Inc. – Supplies 255.46; Tucker Stockwell – Expenses 18.29; Super Saver – Supplies 70.48; Sysco Lincoln – Supplies 3,469.78; T & L Services – Service 525.00; T-Bone Fuel Delivery – Fuel 7,316.38; Technology Associates – GIS System 1,805.85; Three Eagles Communications – Advertising 865.00; Tighton Fastener & Supply, Inc. – Supplies 323.29; Time Warner Cable – Service 359.70; TM Cleaning – Service 200.00; Totalfunds by Hasler – Postage 1,000.00; Tractor Supply Credit Plan – Supplies 157.21; Tri-County Truck Repair – Service 1,587.72; Turfwerks – Supplies 219.56; Typhoon Wash – Service 42.00; U & I Sanitation – Service 83.00; U S Bank – Expenses 1,228.27; Ultra Graphics – Supplies 399.08; United States Post Office – Postage 2,366.87; United State Post Office – P.O. Box Fee 268.00; USA Blue Book – Supplies 119.73; Utilities Section League of Nebraska Municipalities – Training 35.00; Verizon Wireless – Utilities 1,972.27; Volunteer Fire Department – Dues 40.00; Volunteer Fire Department – Meals 311.07; Jacob Wacha – Expenses 21.78; Walman Optical Company – Supplies 84.00; Walmart Community – Supplies

1,357.37; Waste Connections of Nebraska – Service 288.43; Watchguard Video – Supplies 135.00; Watkins Products, Inc. – Jet A Filter 5,951.12; Wellness Council of America – Supplies 15.20; Wemhoff Refrigeration, Inc. – Service 359.49; West Point Implement of Columbus – Supplies 28.46; Wingate Inn – Lodging 308.00; Wunderlich's Catering – Meals 307.25; Zee Medical Service – Supplies 267.45; Zep Sales & Service – Supplies 241.40. TOTAL 1,491,723.67.

Moved by Schilling, seconded by Jablonski, 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.

PUBLIC HEARING – APPLICATION OF RMH FRANCHISE CORPORATION, DBA APPLEBEE'S NEIGHBORHOOD GRILL AND BAR, FOR RETAIL CLASS "I" BEER, WINE & DISTILLED SPIRITS ON SALE ONLY LIQUOR LICENSE AT 328 E. 23 STREET:

The Affidavit of Publication and Notice of Hearing were presented on the application of RMH Franchise Corporation, d.b.a. Applebee's Neighborhood Grill and Bar, for a Retail Class "I" Beer, Wine & Distilled Spirits On Sale Only Liquor License at 328 E. 23 Street, Columbus, Nebraska. The following exhibits were also presented: Exhibit "A" - Application; Exhibit "B" - Notice of Hearing; Exhibit "C" - Letter to Applicant; Exhibit "D" - Police Chief's Report; Exhibit "E" - City Engineer's Report; Exhibit "F" - List of Current Liquor License Holders; and Exhibit "G" - Criteria for approval/denial of License. A memorandum was included from the City Clerk's office regarding Nebraska Liquor Control Commission requirements. A communication was also included from Police Chief Gumm making no recommendation regarding this application. No one appeared in opposition and no one spoke regarding this issue. Moved by Bulkley, seconded by Schilling, the public hearing be closed, the application be approved and a letter be sent to the Nebraska Liquor Control Commission notifying them of the Council's action. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Motion carried.

APPLICATION OF JOHN C. GABEL AS MANAGER OF APPLEBEE'S NEIGHBORHOOD GRILL AND BAR IN CONJUNCTION WITH CLASS "I" LIQUOR LICENSE:

The application of John C. Gabel as manager of Applebee's Neighborhood Grill and Bar, 328 E. 23 Street, in conjunction with their Class "I" Liquor License was presented. A memorandum was also presented from the City Clerk's office regarding Nebraska Liquor Control Commission requirements. Moved by Bulkley, seconded by Schilling, the manager application be approved and a letter be sent to the Nebraska Liquor Control Commission notifying them of the Council's action. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Motion carried.

PUBLIC HEARING – ONE AND SIX YEAR STREET PLAN: The Affidavit of Publication, Posting and Notice of Hearing were presented on the public hearing held for the purpose of hearing testimony in favor of, opposition to, and to answer questions in relation to the proposed One and Six Year Street Plan for the City of Columbus, Nebraska. A memorandum was also presented from City Engineer Goedeken

submitting detailed information and a staff recommendation to approve the One and Six Year Street Plan. City Engineer Goedeken cited the following projects that are included in the One Year Plan for 2013: 1) Discoverer Addition-41 Avenue from 38 Street to Lost Creek Parkway; 2) Build left turn lane on Lost Creek Parkway at proposed 41 Avenue; 3) Quail Landing 2nd Subdivision-Quail Landing Place from South 5 Street and 560 feet north; 4) Refurbish aging traffic signals and controllers at 27 Avenue and 13 Street, 26 Avenue and 13 Street, 25 Avenue and 13 Street, 23 Avenue and 13 Street, 23 Avenue and 11 Street, 23 Avenue and 14 Street, 26 Avenue and 14 Street; 5) Advance warning lights at Lost Creek Parkway and Wilderness Road; 6) Riverside Addition-18 Street and 49 Avenue .15 mile west of 48 Avenue; 7) Centennial Park 6th Addition Street from 3 Avenue to 5 Avenue from Centennial Park 5th to Prairie Home Addition; 8) 31 Street from Park Place 5th Addition to 48 Avenue Park Place 6th Addition; 9) Refurbish and redeck Christopher's Cove bridge; and 10) Meadow Ridge 2nd Subdivision-41 Avenue and 42 Street from Tallgrass 2nd Addition 700 feet west. No one spoke regarding this issue and no one appeared in opposition. Moved by Schilling, seconded by Augustine-Schulte, the public hearing be closed. 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. R13-09 WAS INTRODUCED BY COUNCIL MEMBER BULKLEY.

RESOLUTION NO. R13-09

ADOPTED: FEBRUARY 19, 2013

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, TO ADOPT A ONE AND SIX YEAR STREET PLAN FOR THE CITY OF COLUMBUS, NEBRASKA.

Moved by Bulkley, seconded by Bahr, Resolution No. R13-09 be passed and adopted. In response to Mayor Moser, City Engineer Goedeken said the warning lights on Lost Creek Parkway are included in this plan and an engineer has been selected for the project. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Motion carried.

PUBLIC FINANCE, JUDICIARY AND PERSONNEL COMMITTEE REPORT – FINANCIAL AND COMPLIANCE AUDIT FOR YEAR ENDED SEPTEMBER 30, 2012:

The report of the Public Finance, Judiciary and Personnel Committee was presented with the recommendation to accept the financial and compliance audit from McDermott and Miller, P.C. for the year ended September 30, 2012 as presented. Moved by Bogus, seconded by Bahr, 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.

PUBLIC FINANCE, JUDICIARY AND PERSONNEL COMMITTEE REPORT – DISCUSSION AND RECOMMENDATION REGARDING LIBRARY PATRONS WHO WORK OR ATTEND SCHOOL IN PLATTE COUNTY BE ALLOWED TO OBTAIN A LIBRARY CARD WITHOUT PAYING THE OUT-OF-COUNTY FEE: The report of the

Public Finance, Judiciary and Personnel Committee was presented with the recommendation to allow out-of-county patrons who work or attend school in Platte County to obtain a library card free of charge. Moved by Schilling, seconded by Bogus, 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.

PUBLIC FINANCE, JUDICIARY AND PERSONNEL COMMITTEE REPORT – FINES AND FEES FOR COLUMBUS PUBLIC LIBRARY PATRONS RELATING TO THE

NEW E-READER LENDING POLICY: The report of the Public Finance, Judiciary and Personnel Committee was presented with the recommendation to approve the fines and fees for e-readers as set in the E-Reader Lending Policy. Moved by Augustine-Schulte, seconded by Bogus, this report be adopted. Council Member Jablonski commended Library Director Owens and the Library Board for establishing a formal policy for e-readers. 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 – 23 STREET AND 33 AVENUE REHABILITATION PROJECT:

City Administrator Mangiamelli explained that the Nebraska Department of Roads (NDOR) informational open house meeting for the public that was scheduled for Thursday, February 21, 2013, in the Council Chambers has been postponed until Tuesday, February 26, 2013, 4 p.m. to 6 p.m., due to predicted severe winter storms for the area. Mangiamelli reported that there was no recommendation from the Committee of the Whole regarding the 23 Street and 33 Avenue Rehabilitation Project. Moved by Reardon, seconded by Schilling, the City Council go on record and recommend to the Nebraska Department of Roads that the medians on 33 Avenue from 21 Street to 15 Street be removed as part of the 2014 Rehabilitation Project to improve commerce along the highway within the city limits. Council Member Bulkley suggested that the city request the NDOR study the need for the medians and possibly eliminate or reduce the number. Council Member Augustine-Schulte stated that she does not feel comfortable with the motion and would prefer each Council Member address the state individually with their issues. Following discussion, Council Member Reardon, with consent of his second, amended the motion to recommend to the Nebraska Department of Roads to investigate the possibility of removing the medians on 33 Avenue from 21 Street to 15 Street as part of the 2014 Rehabilitation Project to improve commerce along the highway within the city limits. 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 – DISCUSSION AND ACTION REGARDING NUMBER OF LIBRARY BOARD MEMBERS AND AMENDING SECTION 32.066 OF CHAPTER 32 OF TITLE III OF ORDINANCE NO. 05-47 (COLUMBUS CITY CODE) TO PROVIDE FOR AN INCREASED MEMBERSHIP FOR COLUMBUS LIBRARY BOARD:

An oral report of the Committee of the Whole was presented with the recommendation to direct city staff to draft an ordinance to amend City Code to state that the Library Board shall have at least five members. Moved by Bahr, seconded by Lohr, 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 REPORT – WASTEWATER TREATMENT FACILITY IMPROVEMENTS AND EXPANSION:

City Administrator Mangiamelli reported that there was no recommendation from the Committee of the Whole regarding wastewater treatment facility improvements and expansion. Mangiamelli noted that a resolution amending the agreement with HDR Engineering, Inc. to provide an additional assessment for improvements and expansion is included on this agenda.

APPLICATION OF FERGUSON PROPERTIES, INC. FOR PRELIMINARY PLAT OF PARK PLACE 6TH ADDITION (31 STREET FROM 48 AVENUE EAST 840 FEET):

An application was presented from Ferguson Properties, Inc. for the preliminary plat of Park Place 6th Addition, a tract of land located in the SW 1/4 of Section 13, T17N, R1W of the 6th P.M., Platte County, Nebraska (31 Street from 48 Avenue east 840 feet). A memorandum was also presented from City Engineer Goedeken submitting detailed information and a staff recommendation to approve the preliminary plat. The Planning Commission recommended approval. Moved by Bogus, seconded by Jablonski, the preliminary plat be approved. In response to Council Member Jablonski, City Administrator Mangiamelli said a subdivision agreement will be presented with the final plat. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Motion carried.

PURCHASE 2006 KENWORTH TS 300 CHASSIS FROM SAHLING KENWORTH, INC. IN THE AMOUNT OF \$30,000 FOR TOWING HAZMAT TRAILER:

A memorandum was presented from Fire Chief Hefti submitting detailed information and a staff recommendation to approve the purchase of a 2006 Kenworth TS 300 Chassis from Sahling Kenworth, Inc. in the amount of \$30,000 for towing the HazMat trailer. It was noted that \$25,000 has been included in the 2012-2013 Budget to purchase a truck and it is estimated that the current Suburban and trailer could be sold for approximately \$4,000 to \$5,000. Moved by Bogus, seconded by Bahr, to approve the purchase of the 2006 Kenworth TS 300 Chassis. Hefti explained that the axles on the current Suburban and trailer are not sufficient for towing the HazMat trailer and said the generator and all equipment on the current trailer will be mounted on the requested chassis. Hefti further explained that it is crucial to have a dependable vehicle for towing the HazMat trailer as Columbus is one of ten cities selected by Governor Heineman subject to be called to go anywhere in Nebraska to support the Nebraska Hazardous Incident Team of the State Patrol and Fire Marshalls. In response to Council Member Bulkley, Hefti explained that the state will reimburse the city for expenses incurred during an event where the team is called by the governor and volunteer technicians will be reimbursed for their time subject to an adopted resolution being in place. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Motion carried.

COMMENTS FROM MAYOR AND CITY COUNCIL MEMBERS: Council Member Augustine-Schulte noted that she has received a number of compliments on the library improvements that have been made in recent years and commended Library Director Jill Owens for her efforts. Council Member Bulkley said he continually receives

complaints from citizens on issues with railroad crossings as well as Time Warner Cable service and would like to refer these items to the appropriate committee. Mayor Moser pointed out that he recently visited third graders at West Park Elementary School to discuss city government, said he will be visiting third graders at St. Bonaventure School on March 5th and invited any Council Member to join him. Mayor Moser announced that there will be a Mayor's Round Table discussion on Tuesday, February 26, 2013 at 7 p.m. and said a representative of Columbus Community Hospital will be available to discuss their latest plans.

RESOLUTION NO. R13-10 WAS INTRODUCED BY COUNCIL MEMBER AUGUSTINE-SCHULTE.

RESOLUTION NO. R13-10
ADOPTED: FEBRUARY 19, 2013

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA TO AUTHORIZE THE E911 TECHNICAL COMMITTEE TO CONTINUE TO IDENTIFY COSTS AND RELATED ISSUES INVOLVED IN THE CONSOLIDATION OF CITY AND COUNTY E911 SERVICE RESPONSE SYSTEMS IN AN EFFORT TO PROVIDE IMPROVED EMERGENCY COMMUNICATIONS.

Moved by Augustine-Schulte, seconded by Bahr, Resolution No. R13-10 be passed and adopted. Council Member Bogus expressed concerns with verbiage in the resolution that authorizes the E911 Technical Committee to continue to pursue and to identify costs regarding the possible consolidation as he feels the words "to pursue" may be misleading. In response to Mayor Moser, Police Chief Gumm explained that Police Department staff would still be needed to assist with walk-ins, radio traffic and general activities at the front desk. Council Member Bahr pointed out that the current communication equipment is aging and this resolution will provide authority to continue to study options for consolidation prior to replacement of the equipment. Following extensive discussion, Council Member Augustine-Schulte, with consent of her second, amended the motion to pass and adopt Resolution No. R13-10 with the words "to pursue" removed. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Schilling, Jablonski and Lohr voted "Aye" and Bulkley and Reardon voted "Nay." Motion carried.

RESOLUTION NO. R13-11 WAS INTRODUCED BY COUNCIL MEMBER BOGUS.

RESOLUTION NO. R13-11
ADOPTED: FEBRUARY 19, 2013

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, EXPRESSING OPPOSITION TO LEGISLATIVE BILL 531 INTRODUCED BY SENATOR CONRAD IN THE 2013 LEGISLATIVE SESSION THAT WOULD REPEAL THE "BUILD NEBRASKA ACT" PASSED BY THE 2011 LEGISLATURE THAT CREATED A FUND TO PROVIDE FOR NECESSARY EXPRESSWAY IMPROVEMENT PROJECTS ACROSS THE STATE, INCLUDING HIGHWAY 30 BETWEEN SCHUYLER AND FREMONT.

Moved by Bogus, seconded by Schilling, Resolution No. R13-11 be passed and adopted. City Administrator Mangiamelli explained that a Legislative Bill that would repeal the Build Nebraska Act will be heard at a public hearing before the Transportation Committee on February 27th and if repealed, all progress made to improve highways across the state would cease. Mangiamelli requested support of the City Council to express the city's opposition to this bill and said a petition from business leaders in the community will also be presented at the public hearing. 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. R13-12 WAS INTRODUCED BY COUNCIL MEMBER JABLONSKI.

RESOLUTION NO. R13-12

ADOPTED: FEBRUARY 19, 2013

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, APPROVING AMENDMENT NO. 2 TO THE AGREEMENT FOR PROFESSIONAL SERVICES WITH HDR ENGINEERING, INC., IN THE AMOUNT OF \$42,737, FOR ADDITIONAL ENGINEERING ASSESSMENTS AND RESEARCH INTO THE POTENTIAL IMPROVEMENTS NECESSARY TO RELOCATE THE HEADWORKS AND TO EXPAND THE CAPACITY OF THE WASTEWATER TREATMENT FACILITY.

Moved by Jablonski, seconded by Bulkley, Resolution No. R13-12 be passed and adopted. Council Member Augustine-Schulte referred to the time and expense of conducting an additional assessment and said she feels the city should proceed with the project without the study. Mayor Moser stated that the additional assessment would provide supporting data to assist with making the best decisions. Daryl Kottwitz, Project Manager of HDR Engineering, pointed out that the assessment would also provide the public with justification for the decisions made. Discussion followed with regard to the scope of the project and the amount of unanswered questions at this time. 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. R13-13 WAS INTRODUCED BY COUNCIL MEMBER REARDON.

RESOLUTION NO. R13-13

ADOPTED: FEBRUARY 19, 2013

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, ACTING AS THE COMMUNITY DEVELOPMENT AGENCY (THE "CITY") AMENDING RESOLUTION NO. R11-30 TO AUTHORIZE AND APPROVE AN AMENDED AND RESTATED REDEVELOPMENT AGREEMENT BETWEEN THE CITY AND COLUMBUS-WESTGATE II, LLC (THE "REDEVELOPER") WITH RESPECT TO THE WESTGATE CENTER REDEVELOPMENT PROJECT IN AN AREA LOCATED IN THE VICINITY OF 33RD AVENUE AND U.S. HIGHWAY 30 IN THE CITY OF

COLUMBUS; AND PROVIDING FOR THE TIME WHEN THIS RESOLUTION SHALL TAKE EFFECT.

City Administrator Mangiamelli explained that this resolution amends the original redevelopment agreement with Columbus-Westgate II, LLC to remove Outlot 1. Mangiamelli further explained that Columbus-Westgate II, LLC intends to sell the old HyVee building for the development of a Slumberland retail store. Moved by Reardon, seconded by Schilling, Resolution No. R13-13 be passed and adopted. In response to Council Member Jablonski, Mangiamelli pointed out that a court order to refill the hole on Outlot 1 has been issued to the owner. Finance Director Kinnison explained the process for Tax Increment Financing (TIF) as well as the amortization schedule, prepared by Phil Lorenzen, D.A. Davidson & Co. and Bond Underwriter for the City of Columbus, and said Slumberland intends to utilize TIF funds for a new roof and HVAC system for the building. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Motion carried.

ORDINANCE NO. 13-03 WAS INTRODUCED BY COUNCIL MEMBER LOHR.

ORDINANCE NO. 13-03

ADOPTED: FEBRUARY 19, 2013

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF A CITY OF COLUMBUS, NEBRASKA TAX ALLOCATION BOND, NOTE OR OTHER OBLIGATION, IN A PRINCIPAL AMOUNT NOT TO EXCEED \$368,694 FOR THE PURPOSE OF (1) PAYING THE COSTS OF ACQUIRING, PURCHASING, CONSTRUCTING, RECONSTRUCTING, IMPROVING, EXTENDING, REHABILITATING, INSTALLING, EQUIPPING, FURNISHING AND COMPLETING CERTAIN IMPROVEMENTS WITHIN THE CITY'S WESTGATE CENTER REDEVELOPMENT PROJECT AREA, INCLUDING REHABILITATING AND REPAIRING A BUILDING EXTERIOR AND INTERIOR, PARKING AND PUBLIC DRIVE LANES, LANDSCAPING IMPROVEMENTS, AND IMPROVEMENTS TO THE PUBLIC UTILITIES SERVING THE PROJECT AREA AND RELATED COSTS, AND (2) PAYING THE COSTS OF ISSUANCE THEREOF; PRESCRIBING THE FORM AND CERTAIN DETAILS OF THE BOND, NOTE OR OTHER OBLIGATION; PLEDGING CERTAIN TAX REVENUE AND OTHER REVENUE TO THE PAYMENT OF THE PRINCIPAL OF THE BOND, NOTE OR OTHER OBLIGATION AS THE SAME BECOME DUE; LIMITING PAYMENT OF THE BOND, NOTE OR OTHER OBLIGATION TO SUCH TAX REVENUES; CREATING AND ESTABLISHING FUNDS AND ACCOUNTS; DELEGATING, AUTHORIZING AND DIRECTING THE FINANCE DIRECTOR TO EXERCISE HER INDEPENDENT DISCRETION AND JUDGMENT IN DETERMINING AND FINALIZING CERTAIN TERMS AND PROVISIONS OF THE BOND, NOTE OR OTHER OBLIGATION NOT SPECIFIED HEREIN; TAKING OTHER ACTIONS AND MAKING OTHER COVENANTS AND AGREEMENTS IN CONNECTION WITH THE FOREGOING; PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM; AND RELATED MATTERS.

Moved by Lohr, seconded by Schilling, the rules be suspended and Ordinance No. 13-03 be read by number only at this meeting. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Motion carried and Ordinance No. 13-03 was read by number only at this meeting.

Moved by Lohr, seconded by Schilling, Ordinance No. 13-03 be passed and adopted.

Mayor Moser put the question, "Shall Ordinance No. 13-03 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. 13-03," and it was duly signed.

ORDINANCE NO. 13-01
SECOND READING

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA TO AMEND SECTION 90.035 OF CHAPTER 90 OF TITLE IX OF ORDINANCE NO. 05-47 (COLUMBUS CITY CODE) TO PROVIDE FOR COMPENSATION OF MEDICAL EXPENSES TO A VICTIM OF AN ANIMAL ATTACK.

On its second reading, Ordinance No. 13-01 was read by title only at this meeting. It was noted that this ordinance will be advanced to the March 4, 2013 City Council meeting for final reading.

ORDINANCE NO. 13-02
SECOND READING

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA TO AMEND SECTION 90.060(B) OF CHAPTER 90 OF TITLE IX OF ORDINANCE NO. 05-47 (COLUMBUS CITY CODE) TO PROVIDE FOR A DESIGNEE FOR THE CHIEF OF POLICE AS PART OF THE EXOTIC ANIMAL PERMIT REVIEW COMMITTEE.

On its second reading, Ordinance No. 13-02 was read by title only at this meeting. It was noted that this ordinance will be advanced to the March 4, 2013 City Council meeting for final reading.

CONSIDERATION OF PAYROLL AND BILLS ON FILE: ARL Credit Services – Service 1,222.78; Reardon Lawn & Garden, Inc. – Service 168.98. TOTAL \$1,391.76. 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 Lohr, 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 Augustine-Schulte, Bahr, Bogus, Bulkley, Schilling and Lohr voted "Aye" and none voted "Nay." Council Members Jablonski and Reardon abstained from voting. Motion carried. Moved by Schilling, seconded by Lohr, to approve the bills on file. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Schilling and Lohr voted "Aye" and none voted "Nay." Council Members Jablonski and Reardon abstained from voting. Motion carried.

Moved by Bulkley, seconded by Bahr, 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 8:32 p.m.

Presented and approved this 4th day of March, 2013.

MAYOR

ATTEST:

CITY CLERK