

A regular meeting of the Mayor and City Council of the City of Columbus, Nebraska was convened in open and public session on May 20, 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 May 1, 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, Jim Bulkley, Ron Schilling, Rich Jablonski, John Lohr and Terry Reardon. Council Member Ron Bogus was absent and excused.

City staff members present included City Administrator Joseph Mangiamelli, City Clerk Janelle Kline, City Attorney Stephen Hansen, City Engineer David Goedeken, Finance Director Anne Kinnison, Public Property Director Doug Moore, Public Works Director Roger Buell, Police Chief William Gumm and Lead Animal Control Officer Donna Winig.

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 May 6, 2013, City Council meeting.
- B. Approval of award of lowest quote that meets specifications to Mid-Nebraska Repair and Construction in the amount of \$14,025 for concrete entrance road to concession/restroom area at Wilderness Park, as submitted by Public Property Director Moore.
- C. Approval of award of lowest bid that meets specifications to Barcel Landscape LLC in the amount of \$495 per hour for Large Wood Waste Grinding Program, as submitted by Public Works Director Buell.

- D. Approval of application of Roger J. Evans as manager of Columbian Club, dba Knights of Columbus, 3115 6 Street, Columbus, Nebraska in conjunction with Class "C" Liquor License.
- E. Approval of Resolution No. R13-45 approving Disadvantaged Business Enterprise Program for Columbus Municipal Airport.
- F. Approval of Resolution No. R13-46 approving Supplemental Agreement No. 1 with State of Nebraska Department of Roads for Federal Aid Surface Transportation Funding.
- G. Approval of Resolution No. R13-47 awarding a contract to Obrist & Co. in the amount of \$152,465, being the lowest responsible bid received, for the Water to Pawnee Park/Stires Lake Water Main Loop Project.
- H. Approval of Resolution No. R13-48 awarding a contract to Rutjens Construction, Inc. in the amount of \$209,544, being the lowest responsible bid received, for the Replace Water Mains Project 2013.
- I. Approval of Resolution No. R13-49 awarding a contract to KEA Constructors LLC in the amount of \$147,730, being the lowest responsible bid received, for the Christopher's Cove Bridge Project.
- J. Approval of Resolution No. R13-50 approving agreement with RVW, Inc., in an amount not to exceed \$21,128, for review of current telephone system configuration, creation of bid specifications and supervision of installation of new telephone system.
- K. Approval of Resolution No. R13-51 authorizing payment of various improvement projects.
- L. Approval of Finance Department reports.
- M. Approval of payroll and bills on file. 05/24/13 Payroll 490,219.02; A & S Detailing – Service 80.00; AAT (U.S.), Inc. – Chemicals 9,496.00; Ace Hardware & Garden Center – Supplies 1,526.42; Donald D Adkisson – Pension 609.00; Advance Auto Parts – Supplies 93.92; Alamar Uniforms – Supplies 1,568.54; Altec Industries, Inc. – Supplies 112.90; Amazing Arthur – Service 450.00; American Red Cross – Training 420.00; Anderson Ford Lincoln Mercury – Three Ford Explorers 84,030.00; ANSIR4U – Service 95.00; Aqua-Chem, Inc. – Chemicals 1,539.25; Aqua-Pure, Inc. – Chemicals 4,631.85; AS Central Services – Service 704.00; AT&T – Utilities 7.40; AW Direct – Supplies 330.03; Awards & Engraving – Supplies 36.25; Baker and Taylor – Supplies 77.89; Barone Security Systems – Service 20.00; Wesley Baxa – Pension 1,232.54; Brian Beck – Refund 29.97; Behlen Towing – Service 740.00; Alfred Benesch & Company – Electrical Vault 173.11; Best Disc Repair, Inc. – Supplies 149.99; Big Red Sanitation – Service 275.00; Bill's Tire Outlet – Service 105.00; Carroll A Bisson – Pension 716.51; Black Hills Energy – Utilities 3,639.71; Blackstrap, Inc. – Supplies 2,785.28;

Frank J Blahak Jr – Pension 762.00; Bomgaars – Supplies 636.99; Bookpage – Subscription 480.00; Bound Tree Medical LLC – Supplies 1,027.18; Brown Industries, Inc. – Supplies 44.50; Brown Traffic Products – Supplies 365.00; William Roger Buell – Expenses 84.75; California Contractors Supply – Supplies 119.90; Cat's Pro Mow – Service 50.00; Center Point Large Print – Supplies 44.34; Central Community College – Training 104.00; Central Parts & Machine – Supplies 1,332.83; Central Valley Ag – Supplies 299.50; Century Link – Utilities 1,517.03; Cerilliant – Supplies 348.34; City Directory, Inc. – Supplies 2,703.00; City of Columbus – Utilities 90.24; Civil Air Patrol Magazine – Advertising 95.00; Claritus – Supplies 153.70; Club Prophet Systems – Service 300.00; Columbus Area Chamber of Commerce – 2013 Assistance 8,000.00; Columbus Area Chamber of Commerce – Drive 4 Five 2,000.00; Columbus Area Chamber of Commerce – Supplies 1,340.00; Columbus Community Hospital – Service/Supplies 3,156.92; Columbus Custom Embroidery – Supplies 355.00; Columbus Plumbing Co. – Supplies 4.43; Columbus Telegram – Publications 1,679.44; Commonwealth Electric Co. – Electrical Vault & Homerun Upgrades 31,667.26; Community Internet – Service 180.00; Connecting Point/Radio Shack – Supplies 2,178.83; Consolidated Management Co. – Meals 96.50; Consolidated Water Solutions – Chemicals 5,809.42; Continental Research Corp. – Supplies 4,000.00; Control Logic – Service 360.00; Cornhusker Public Power District – Utilities 862.46; Credit Bureau Services – Membership 5.00; Culligan of Columbus – Supplies 217.44; D & K Products – Chemicals 5,873.00; Demco – Supplies 59.07; Diamond Vogel Paint Center – Supplies 2,518.00; Doernemann Construction, Inc. – Service 2,027.85; DPC Industries – Chemicals 956.18; Douglas Dunbar – Contract 5,207.00; Douglas Dunbar – Commissions 5,924.00; Douglas Dunbar – Expenses 4,109.75; Eakes Office Plus – Supplies 3,066.28; Marty Eaton – Expenses 300.89; Robin Efta – Expenses 91.31; Electrical Engineering & Equipment Co. – Supplies 283.12; Electronic Systems, Inc. – Service 45.00; Enterprise Electric CO/CED – Supplies 990.89; Ernst Auto Center – Service 37.83; Excel Commercial – Utilities 56.64; Express Truck Center – Service 5,946.03; Fastenal Company – Supplies 502.13; Ferrellgas – Supplies 48.90; Fire Protection Publications – Supplies 77.40; First National Bank & Trust Company – Service 173.70; First National Bank Omaha – Training 7,802.19; First National Bank Omaha – Computers 17,812.60; First National Bank Omaha – Supplies 3,263.63; S A Foster Lumber Company – Supplies 22.52; Frontier – Utilities 5,251.26; Frontier Communications – Utilities 260.87; G-O Rapid Lube and More LLC – Service 509.02; Gaeth Pest Control Services, Inc. – Service 245.00; Gale – Supplies 757.96; Galls – Supplies 326.16; GCSAA – Membership 365.00; Gehring Construction & Ready-Mix – Supplies 458.75; Gerhold Concrete Company – Supplies 2,408.65; Gilmore & Associates – Centennial 6th Addition 5,425.00; Gilmore & Associates – Drainage Evaluation 1,500.00; Gilmore & Associates – Service 276.00; Godfather's Pizza – Meals 72.50; David Goedeken – Expenses 331.86; Grainger – Supplies 930.06; Great Lakes Chapter AAAE - Training 450.00; Greenkeeper Co., Inc. – Supplies 2,715.00; Annette Griffith – Expenses 34.20; William Gumm – Expenses 100.00; Hach Company – Service/Supplies 6,435.06; Hadley-Braithwait Company – Supplies 965.30; Juana Hanson – Service 20.00; Hawkins, Inc. – Chemicals 3,849.35; HD Supply Waterworks Ltd – Supplies 247.60; HDR Engineering, Inc.

– Headworks 9,410.55; HDR Engineering, Inc. – Transfer Station Design 15,210.82; HDR Engineering, Inc. – Viaducts 287,648.92; Heartland Natural Gas – Utilities 8,248.92; Dean Hefti – Expenses 54.11; HGM Associates, Inc. – Sewer Feasibility Study 2,680.00; Holiday Inn Express Kearney – Lodging 169.90; Hometown Leasing – Supplies 177.12; Mark S Howerter MD – Contract 514.00; HR Direct – Supplies 54.84; Hy-Vee, Inc. – Supplies 386.59; Hydro Tech, Inc. – Service 459.00; IBM Corporation – Service 960.75; ILH Construction LLC – Supplies 280.15; Bryan Imus – Expenses 134.74; Ingram Library Services, Inc. – Supplies 2,819.52; Jack’s Uniforms & Equipment – Supplies 584.98; Jackson Services, Inc. – Supplies 2,567.84; Jackson Services, Inc. – Rent/Electricity 1,658.89; Michael Jarvis – Expenses 29.71; Jimmy John’s – Meals 50.93; John Deere Financial – Service/Supplies 9,697.05; Dale Johnson Trucking – Supplies 399.00; Kelly Supply Company – Supplies 870.26; Kimball Midwest – Supplies 167.37; Kiplinger Letter – Supplies 67.00; Michael Kratochvil – Expenses 28.25; Lake Stop LLC – Supplies 324.50; Lakeview Small Engine – Supplies 446.21; LARM – Insurance 302.00; Larue Distributing, Inc. – Supplies 70.50; Library Ideas LLC – Subscription 5,950.00; Pete Lien & Sons, Inc. – Chemicals 9,017.60; John F Lohr – Expenses 176.96; Loup Power District – Utilities 83,286.62; Mildred Ludden – Payment 42.11; M & O Door Products – Service 782.00; Magical Paradise Exotic Farm, Inc. – Service 150.00; Mail Prep Etc. – Postage 837.09; The Mailbox – Postage 31.80; Marley’s Electric, Inc. – Service 559.58; Matheson-Linweld – Supplies 408.36; Mayhew Signs, Inc. – Supplies 4,836.50; McChristy Jewelers – Grant 3,242.00; Mead Lumber Co. – Supplies 103.49; Menards – Supplies 1,471.85; Mettler-Toledo, Inc. – Service 562.40; Mid Con Systems, Inc. – Supplies 261.67; Mid-American Research Chemical – Supplies 2,993.10; Mid-Nebr. Repair & Construction – Bradshaw Park Storage Building 18,362.50; Michael Middendorf – Expenses 90.00; Midwest Laboratories, Inc. – Service 258.22; Midwest Service & Sales Co. – Supplies 4,644.01; Midwest Tape LLC – Supplies 205.93; Midwest Turf & Irrigation – Supplies 1,470.81; Mike’s Towing – Service 1,393.55; Patrick L Miller – Expenses 15.00; Ginger Moon & Associates – Bond Renewal 125.00; Motion Industries, Inc. – Supplies 1,073.25; Mountain View LLC – Supplies 545.00; MTM Recognition – Supplies 132.87; Shane Mueller – Service 146.50; National Animal Control Association – Training 285.00; NCS Equipment Rental – Supplies 313.60; Nebraska Chapter of the American Payroll Association – Membership 25.00; Nebraska Custom Cover – Service 1,106.00; Nebraska Department of Economic Development – Grant 923.16; Nebraska Emergency Service Communications Assoc. – Training 65.00; Nebraska Environmental Products – Supplies 288.03; Nebraska Golf Course Superintendent’s Assoc. – Advertising 25.00; Nebraska Harvestore Systems – Supplies 714.84; Nebraska Law Enforcement Training Center – Training 338.00; Nebraska Library Commission – Training 10.00; Nebraska Public Health Environmental Laboratory – Service 1,576.00; Nebraska Rural Water Association – Training 900.00; Nebraska Sports – Supplies 39.98; Nebraska-Iowa Industrial Fasteners Corp. – Supplies 203.52; Neighborworks Northeast Nebraska – Grant 65,200.00; Marvin O Nelson – Pension 502.50; Niemann’s Port-A-Pot – Service 307.72; Northeast Nebraska Area Agency on Aging – Annual Fee 9,584.00; Northeast Nebraska Economic Development District – Administrative Fee 45.00; Northeast Nebraska Economic

Development District – Grant 8,966.00; Northeast Nebraska Solid Waste Coalition – Landfill Disposal 44,019.87; NoSwett Fencing & Decks – Backstop Netting 23,400.00; Novicki Fire Prevention Services – Service 684.75; NWEA – Training 525.00; NWOD – Membership 20.00; O’Reilly Automotive, Inc. – Supplies 149.34; Occupational Health Services – Service 1,037.00; OCLC, Inc. – Service 1,353.80; Officenet – Supplies 130.37; Mike Oglevie – Expenses 92.66; One Call Concepts, Inc. – Service 207.15; One Source – Service 1,319.20; Overhead Door Company – Service/Supplies 1,487.93; Overturf Electric Motors – Service/Supplies 504.00; The Parts Bin – Supplies 161.35; Lynn Peavy Co. – Supplies 399.00; Pet Care Specialists – Service 102.40; Petty Cash – Expenses 78.59; Pioneer Hook & Ladder Co. – Expenses 90.00; Platte County – Contract 2,832.00; Platte Valley Literacy Association – Accelerated Reader Subscription 2,055.50; Preferred Plumbing & Heating, Inc. – Supplies 24.60; Presto-X-Company – Service 198.03; Pumping Solutions – Supplies 2,369.23; Quill Corporation – Supplies 241.58; Jeff Quinn – Service 225.00; Recorded Books LLC – Supplies 733.60; Reis Environmental – Supplies 473.89; Rosenbauer South Dakota LLC – Pumper Apparatus Unit 665,435.00; Rutjens Construction – Water Main Replacement 6,848.34; Sackett Electric – Service 1,894.70; Sahling Kenworth, Inc. – Supplies 30.38; Sapp Bros Columbus, Inc. – Fuel 9,676.42; Sapp Bros Petroleum, Inc. – Fuel 25,230.20; Schiefer Signs, Inc. – Supplies 255.00; Schneider’s O K Tire Company – Lease Payment 30.00; Schneider’s O K Tire Co. – Supplies 410.50; Seacrest & Kalkowski – Service 486.00; Servicemaster By Shevlin – Service 1,644.00; Mike Shemek – Expenses 365.56; Charles Sherer – Expenses 61.91; Shevlin Supply – Supplies 719.41; Sipple, Hansen, Emerson & Schumacher – Service 3,213.72; Sirius Computer Solutions, Inc. – Software/Support 1,580.00; Sirsidynix – Software Maintenance 9,787.65; Solid Waste Association of North America – Membership 240.00; Matt Soukup – Expenses 94.36; Speece Lewis Engineers – Christopher’s Cove Bridge 3,078.79; Gene Steffy Ford – Service 38.67; Stericycle, Inc. – Service 305.33; Super Saver – Supplies 13.85; Superior Lamp, Inc. – Supplies 258.42; Swisher Hygiene Franchisee Trust – Supplies 172.22; Swissphone LLC – Supplies 58.89; Sysco Lincoln – Supplies 3,062.34; T & L Services – Service 525.00; J C Taylor AAA, Inc. – Insurance 245.00; Telephone Systems of Nebraska, Inc. – Service 2,454.40; Telvent DTN LLC – Service 646.50; Three Eagles Communications – Advertising 865.00; Tighton Fastener & Supply, Inc. – Supplies 957.10; TM Cleaning – Service 200.00; Totalfunds by Hasler – Postage 1,000.00; Tractor Supply Credit Plan – Supplies 801.92; Tri-County Truck Repair – Service 159.67; Triple S Construction – Service 200.00; Trittech Forensics – Supplies 285.84; Turfwerks – Supplies 153.84; Tworek Welding & Repair – Service 216.00; Typhoon Wash – Service 48.00; U & I Sanitation – Service 83.00; U S Bank – Expenses 585.51; Ultra Graphics – Supplies 119.00; Underwriters Laboratories, Inc. – Service 2,630.00; United States Post Office – Postage 2,024.10; UPS Store – Postage 46.65; Upstart – Supplies 2,163.31; USA Blue Book – Supplies 948.06; Utility Service Co., Inc. – Tank Maintenance 22,344.48; Verizon Wireless – Utilities 2,929.90; Village Cobbler – Service 10.00; Volunteer Fire Department – Expenses 60.00; Vulcan Industries, Inc. – Supplies 3,940.00; Walmart Community – Supplies 1,836.82; Waste Connections of Nebraska – Service 288.43; Water Environment Federation – Membership 55.00; Wells Fargo Bank –

Bond Payment 378,146.88; Wemhoff Refrigeration, Inc. – Service/Supplies 480.39; West Payment Center – Subscription 511.00; West Point Implement of Columbus – Supplies 664.22; Wingate Inn – Lodging 179.90; Wunderlich's Catering – Meals 569.50; Yard Art – Service 400.00; Zee Medical Service – Supplies 105.90; Zeger Automotive – Service 136.23; Zep Sales & Service – Supplies 87.97; The 5th Season, Inc. – Service 459.04. TOTAL 2,611,035.69.

Council President Schilling requested Item E, approval of Resolution No. R13-45 approving Disadvantaged Business Enterprise Program for Columbus Municipal Airport be removed from consent status and considered in its normal sequence on the agenda under Item 14, Resolutions. Council Member Reardon requested Item J, approval of Resolution No. R13-50 approving agreement with RVW, Inc., in an amount not to exceed \$21,128, for review of current telephone system configuration, creation of bid specifications and supervision of installation of new telephone system be removed from consent status and considered in its normal sequence on the agenda under Item 14, Resolutions. Moved by Schilling, seconded by Augustine-Schulte, the items on the consent agenda, with the exception of Items E and J, being routine in nature, be approved as presented. Roll call and Council Members Augustine-Schulte, Bahr, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Bogus was absent. Motion carried.

PUBLIC HEARING – APPLICATION OF HABITAT FOR HUMANITY OF COLUMBUS FOR FINAL PLAT AND SUBDIVISION AGREEMENT OF NEW HOPE ADDITION (15 STREET AND 45 AVENUE):

The Affidavit of Publication and Notice of Hearing were presented on the application of Habitat for Humanity of Columbus for the final plat and subdivision agreement of New Hope Addition located in the West 1/2 of the North 1/2 of the Northeast 1/4 of the Southwest 1/4, Section 24, Township 17 North, Range 1 West of the 6th P.M., Platte County, Nebraska (15 Street and 45 Avenue). A memorandum was also presented from City Engineer Goedeken submitting detailed information and a staff recommendation to approve the final plat. The Planning Commission recommended approval. Richard Snyder, design engineer for the project, described the location for the New Hope Addition and said the plans include extension of 45th Avenue to provide good traffic flow through the area. No one appeared in opposition. Moved by Bulkley, seconded by Bahr, the public hearing be closed. Roll call and Council Members Augustine-Schulte, Bahr, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Bogus was absent. Motion carried.

RESOLUTION NO. R13-52 WAS INTRODUCED BY COUNCIL MEMBER LOHR.

RESOLUTION NO. R13-52
ADOPTED: MAY 20, 2013

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, ACCEPTING THE DEED OF DEDICATION TO A PARCEL OF LAND SITUATED WITHIN THE W1/2 OF THE N1/2 OF THE NE1/4 OF THE SW1/4, SECTION 24, TOWNSHIP 17 NORTH, RANGE 1 WEST OF THE 6TH P.M., PLATTE

COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF LOT 1, BLOCK B, SOLAR GATE SUBDIVISION TO THE CITY OF COLUMBUS; THENCE N 00°08'24" W (ALL BEARINGS ARE REFERENCED FROM TRUE NORTH OBSERVED AT THE NORTHEAST CORNER SECTION 36, TOWNSHIP 17 NORTH, RANGE 1 WEST), 527.19 FT. ON THE EAST RIGHT-OF-WAY LINE OF UNION PACIFIC RAILROAD TO THE SOUTHWEST CORNER OF LOT 1, BLOCK A, SUNSET 4TH ADDITION TO THE CITY OF COLUMBUS; THENCE N 89°55'20" E, 262.04 FT. ON THE SOUTH LINE OF SAID SUNSET 4TH ADDITION; THENCE S 00°08'51" E, 527.28 FT. TO THE NORTHEAST CORNER OF LOT 17, BLOCK A, OF SAID SOLAR GATE SUBDIVISION; THENCE S 89°56'32" W, 262.11 FT. ON THE NORTH LINE OF SAID SOLAR GATE SUBDIVISION TO THE POINT OF BEGINNING, CONTAINING 3.17 ACRES MORE OR LESS, HEREINAFTER TO BE KNOWN AS "NEW HOPE ADDITION TO THE CITY OF COLUMBUS, NEBRASKA"; APPROVING THE PLAT THEREOF, AND APPROVING AND ACCEPTING THE NEW HOPE ADDITION SUBDIVISION AGREEMENT BY AND BETWEEN THE CITY OF COLUMBUS, NEBRASKA, A MUNICIPAL CORPORATION, AND SCHOLL RENTALS, LLC, A NEBRASKA LIMITED LIABILITY COMPANY WHICH SETS FORTH THE AGREEMENT BETWEEN THE PARTIES INCLUDING THE DUTIES AND RESPONSIBILITIES OF THE SUBDIVIDER AND THE LOT OWNERS WITH RESPECT TO SAID ADDITION; AND AUTHORIZING THE MAYOR TO SIGN THE NEW HOPE ADDITION SUBDIVISION AGREEMENT PROVIDING FOR PUBLIC IMPROVEMENTS TO SERVE THIS ADDITION.

Moved by Lohr, seconded by Schilling, Resolution No. R13-52 be passed and adopted. Roll call and Council Members Augustine-Schulte, Bahr, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Bogus was absent. Motion carried.

PUBLIC HEARING – APPLICATION OF HABITAT FOR HUMANITY OF COLUMBUS TO REZONE 1371 44 AVE FROM "R-1" (SINGLE-FAMILY RESIDENTIAL DISTRICT) TO "R-2" (URBAN-FAMILY RESIDENTIAL DISTRICT): The Affidavit of Publication and Notice of Hearing were presented on the application of Habitat for Humanity of Columbus to rezone a tract of land located in the W 1/2 of the N 1/2 of the NE 1/4 of the SW 1/4, Section 24, Township 17 North, Range 1 West of the 6th P.M., to the City of Columbus, Platte County, Nebraska (1371 44 Avenue) from "R-1" (Single-Family Residential District) to "R-2" (Urban-Family Residential District). 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. The Planning Commission recommended approval. Jason Mielak, 3919 25 Street, on behalf of the applicant, explained that the rezoning application is for Lot 8, Block A and Lot 8 Block B of the New Hope Addition. No one appeared in opposition. Moved by Bulkley, seconded by Schilling, the public hearing be closed. Roll call and Council Members Augustine-Schulte, Bahr, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Bogus was absent. Motion carried.

ORDINANCE NO. 13-09 WAS INTRODUCED BY COUNCIL MEMBER JABLONSKI.

ORDINANCE NO. 13-09
ADOPTED: MAY 20, 2013

AN ORDINANCE OF THE CITY OF COLUMBUS, NEBRASKA TO AMEND THE CITY OF COLUMBUS LAND DEVELOPMENT ORDINANCE OF 1996, ZONING CHAPTER, DATED MARCH 18, 1996, UNDER ORDINANCE 96-08, AS AMENDED, AND ADOPTED AUGUST 4, 1997 AS THE ZONING CODE FOR THE CITY OF COLUMBUS, NEBRASKA BY ORDINANCE NO. 97-17, TO REZONE AND RECLASSIFY THE FOLLOWING DESCRIBED REAL ESTATE, TO-WIT: A TRACT OF LAND LOCATED IN THE W1/2 OF THE N1/2 OF THE NE1/4 OF THE SW1/4, SECTION 24, T17N, R1W OF THE 6TH P.M., PLATTE COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF LOT 1, BLOCK B, SOLAR GATE SUBDIVISION TO THE CITY OF COLUMBUS; THENCE N 00°08'24" W (ALL BEARINGS ARE REFERENCED FROM TRUE NORTH OBSERVED AT THE NORTHEAST CORNER SECTION 36, T17N, R1W), 85.10 FT. ON THE EAST RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD; THENCE N 89°56'32" E, 99.91 FT.; THENCE S 00°08'51" E, 85.11 FT. TO THE NORTHEAST CORNER OF SAID LOT 1; THENCE S 89°56'32" W, 99.92 FT. ON THE NORTH LINE OF SAID LOT 1 TO THE POINT OF BEGINNING, CONTAINING 0.20 ACRES MORE OR LESS, AND A TRACT OF LAND LOCATED IN THE W1/2 OF THE N1/2 OF THE NE1/4 OF THE SW1/4, SECTION 24, T17N, R1W OF THE 6TH P.M., PLATTE COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF LOT 17, BLOCK A, SOLAR GATE SUBDIVISION TO THE CITY OF COLUMBUS; THENCE N 00°08'51" W (ALL BEARINGS ARE REFERENCED FROM TRUE NORTH OBSERVED AT THE NORTHEAST CORNER SECTION 36, T17N, R1W), 85.00 FT.; THENCE N 89°56'32" E, 102.19 FT.; THENCE S 00°08'51" E, 85.00 FT. TO THE NORTHEAST CORNER OF SAID LOT 17; THENCE S 89°56'32" W, 102.19 FT. ON THE NORTH LINE OF SAID LOT 17 TO THE POINT OF BEGINNING, CONTAINING 0.20 ACRES MORE OR LESS, FROM THE PRESENT ZONING CLASSIFICATION OF "R-1" (SINGLE-FAMILY RESIDENTIAL DISTRICT) TO "R-2" (URBAN-FAMILY RESIDENTIAL DISTRICT); TO AMEND THE ZONING MAP WHICH HAS BEEN ADOPTED AND MADE A PART OF SAID CITY OF COLUMBUS, NEBRASKA LAND DEVELOPMENT ORDINANCE OF 1996 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 Jablonski, seconded by Bahr, the rules be suspended and Ordinance No. 13-09 be read by number only at this meeting. Roll call and Council Members Augustine-Schulte, Bahr, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Bogus was absent. Motion carried and Ordinance No. 13-09 was read by number only at this meeting.

Moved by Jablonski, seconded by Bahr, Ordinance No. 13-09 be passed and adopted.

Mayor Moser put the question, "Shall Ordinance No. 13-09 be passed and adopted?" Roll call and Council Members Augustine-Schulte, Bahr, Bulkley, Schilling, Jablonski,

Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Bogus was absent. Motion carried.

Mayor Moser declared, "By your action, you have passed Ordinance No. 13-09," and it was duly signed.

PUBLIC HEARING – APPLICATION OF MEADOW RIDGE PROPERTIES LLC, TO REZONE A TRACT OF LAND AT 5200 BLOCK OF 41 STREET 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 Meadow Ridge Properties LLC to rezone Lots 1, 8, 9, 10, 11, 14, 15, and 16 from "RR" (Rural Residential District) to "R-1" (Single-Family Residential District) and Lots 2, 3, 4, 5, 6, 7, 12, 13, 17 and 18 from "RR" (Rural Residential District) to "R-2" (Urban-Family Residential District) all in Meadow Ridge Second Addition to the City of Columbus, Platte County, Nebraska (5200 block of 41 Street) 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 to 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 Bulkley, seconded by Bahr, the public hearing be closed. Roll call and Council Members Augustine-Schulte, Bahr, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Bogus was absent. Motion carried.

ORDINANCE NO. 13-10 WAS INTRODUCED BY COUNCIL MEMBER LOHR.

ORDINANCE NO. 13-10

ADOPTED: MAY 20, 2013

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, 13, 14, 15, 16, 17 AND 18, MEADOW RIDGE SECOND 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, 8-11 AND 14-16, AND "R-2" (URBAN-FAMILY RESIDENTIAL DISTRICT) FOR LOTS 2-7, 12-13 AND 17-18; 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 Lohr, seconded by Schilling, the rules be suspended and Ordinance No. 13-10 be read by number only at this meeting. Roll call and Council Members Augustine-Schulte, Bahr, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Bogus was absent. Motion carried and Ordinance No. 13-10 was read by number only at this meeting.

Moved by Lohr, seconded by Schilling, Ordinance No. 13-10 be passed and adopted.

Mayor Moser put the question, "Shall Ordinance No. 13-10 be passed and adopted?" Roll call and Council Members Augustine-Schulte, Bahr, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Bogus was absent. Motion carried.

Mayor Moser declared, "By your action, you have passed Ordinance No. 13-10," and it was duly signed.

PUBLIC HEARING – APPLICATION OF DONALD R. & CAROL J. WELLS AND KONLEY R. PERRY TO REZONE A TRACT OF LAND AT 10 STREET AND 24 AVENUE FROM "ML/C-1" (LIGHT INDUSTRIAL 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 Publication and Notice of Hearing were presented on the application of Donald R. & Carol J. Wells and Konley R. Perry to rezone the south 44 feet of Lot 8, Block 117, Original City to the City of Columbus, Platte County, Nebraska (10 Street and 24 Avenue) from "ML/C-1" (Light Industrial 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 Bulkley, seconded by Bahr, the public hearing be closed. Roll call and Council Members Augustine-Schulte, Bahr, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Bogus was absent. Motion carried.

ORDINANCE NO. 13-11 WAS INTRODUCED BY COUNCIL MEMBER BAHR.

ORDINANCE NO. 13-11
ADOPTED: MAY 20, 2013

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, DATED MARCH 18, 1996 UNDER ORDINANCE NO. 96-08, AS AMENDED, AND ADOPTED AUGUST 4, 1997, AS THE

OFFICIAL ZONING CODE FOR THE CITY OF COLUMBUS BY ORDINANCE NO. 97-17, TO REZONE AND RECLASSIFY THE FOLLOWING DESCRIBED REAL ESTATE, TO WIT: THE SOUTH 44 FEET OF LOT 8, BLOCK 117 AND THE NORTH 44 FEET OF LOT 8, BLOCK 117, ORIGINAL CITY TO THE CITY OF COLUMBUS, PLATTE COUNTY, NEBRASKA FROM THE PRESENT ZONING CLASSIFICATION OF "ML/C-1" (LIGHT INDUSTRIAL DISTRICT) TO "R-2" (URBAN-FAMILY RESIDENTIAL DISTRICT); TO AMEND THE FUTURE LAND USE MAP AS WELL AS THE ZONING MAP WHICH IS ATTACHED TO AND MADE A PART OF SAID CITY OF COLUMBUS LAND DEVELOPMENT ORDINANCE OF 1996 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 Bahr, seconded by Bulkley, the rules be suspended and Ordinance No. 13-11 be read by number only at this meeting. Roll call and Council Members Augustine-Schulte, Bahr, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Bogus was absent. Motion carried and Ordinance No. 13-11 was read by number only at this meeting.

Moved by Bahr, seconded by Bulkley, Ordinance No. 13-11 be passed and adopted.

Mayor Moser put the question, "Shall Ordinance No. 13-11 be passed and adopted?" Roll call and Council Members Augustine-Schulte, Bahr, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Bogus was absent. Motion carried.

Mayor Moser declared, "By your action, you have passed Ordinance No. 13-11," and it was duly signed.

PUBLIC HEARING – APPLICATION OF NBC CAPITAL LLC, DBA NEW WORLD INN, FOR RETAIL CLASS "C" BEER, WINE & DISTILLED SPIRITS ON AND OFF SALE LIQUOR LICENSE AT 265 33 AVENUE: The Affidavit of Publication and Notice of Hearing were presented on the application of NBC Capital LLC, d.b.a. New World Inn, for a Retail Class "C" Beer, Wine & Distilled Spirits On and Off Sale Liquor License at 265 33 Avenue, 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. Council Member Jablonski requested to be excused from discussion and abstain from voting on this public hearing, the following manager application in conjunction with the liquor license as well as the following public hearing regarding the blight and substandard study due to a conflict of interest. Moved by Schilling, seconded by Augustine-Schulte, Council Member Jablonski be excused from discussion and allowed to abstain from voting on these agenda items. Roll call and Council Members Augustine-Schulte, Bahr, Bulkley, Schilling, Lohr and Reardon voted "Aye" and none voted "Nay." Council

Member Jablonski abstained from voting. Council Member Bogus was absent. Motion carried. Council Member Jablonski excused himself and left the room. No one appeared in opposition and no one spoke regarding this issue. Moved by Bulkley, seconded by Bahr, 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, Bulkley, Schilling, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Jablonski abstained from voting. Council Member Bogus was absent. Motion carried.

APPLICATION OF SCOTT A. MUELLER AS MANAGER OF NEW WORLD INN IN CONJUNCTION WITH CLASS "C" LIQUOR LICENSE: The application of Scott A. Mueller as manager of New World Inn, 265 33 Avenue, in conjunction with their Class "C" 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, Bulkley, Schilling, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Jablonski abstained from voting. Council Member Bogus was absent. Motion carried.

CONSIDERATION OF SOUTH HIGHWAYS 81-30 CORRIDOR BLIGHTED AND SUBSTANDARD AREA DETERMINATION ANALYSIS COLUMBUS, NEBRASKA, AND TO DETERMINE WHETHER A TRACT OF LAND IS BLIGHTED AND SUBSTANDARD: A memorandum was presented from City Administrator Mangiamelli submitting detailed information with regard to the process for determining a blighted and substandard designation. It was noted that the South Highways 81-30 Corridor Analysis Area, Columbus, Nebraska, dated May 2013, prepared by Stahr & Associates, Inc., covers a tract of land bounded by the following traffic thoroughfares: North – south line of Union Pacific Railroad Company right-of-way; South – south line of New World Inn property; East – west line of 30th Avenue from 11th Street south to the alley south of 10th Street, from said alley to a line 200+/- feet west of 30th Avenue to the north line of Lots 1, 2 and 3, Rickly's Subdivision to the west line of Lot 3, Rickly's Subdivision south to 8th Street, west line of 31st Avenue extended from 8th Street south to 6th Street, vacated 31st Avenue south of 6th Street south to south line of New World Inn property; and West – 33rd Avenue. The Planning Commission recommended the area be declared blighted and substandard and in need of redevelopment pursuant to the Community Development Law. Orville Stahr, President of Stahr & Associates, Inc., explained the criteria for determining an area to be blighted and substandard and said the process provides property owners the opportunity to utilize Tax Increment Financing (TIF) for redevelopment. Stahr stated that the blighted and substandard designation does not have a negative effect on property values and has the potential to increase values as the use of TIF encourages redevelopment. No one appeared in opposition. Moved by Bulkley, seconded by Augustine-Schulte, the public hearing be closed. Roll call and Council Members Augustine-Schulte, Bahr, Bulkley, Schilling, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Jablonski abstained from voting. Council Member Bogus was absent. Motion carried.

RESOLUTION NO. R13-53 WAS INTRODUCED BY COUNCIL MEMBER AUGUSTINE-SCHULTE.

**RESOLUTION NO. R13-53
ADOPTED: MAY 20, 2013**

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA DECLARING A CERTAIN AREA OF THE CITY TO BE BLIGHTED AND SUBSTANDARD AND IN NEED OF REDEVELOPMENT PURSUANT TO THE COMMUNITY DEVELOPMENT LAW, CHAPTER 18, ARTICLE 21, REISSUE REVISED STATUTES OF NEBRASKA, AS AMENDED.

Moved by Augustine-Schulte, seconded by Schilling, Resolution No. R13-53 be passed and adopted. Roll call and Council Members Augustine-Schulte, Bahr, Bulkley, Schilling, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Jablonski abstained from voting. Council Member Bogus was absent. Motion carried. Council Member Jablonski returned to the room and was seated.

PUBLIC PROPERTY, SAFETY AND WORKS COMMITTEE – SIDEWALK REPAIR AT THE FOLLOWING LOCATIONS: 9TH STREET-1207, 1217, 1303, 1309, 1315 AND 1319; 8TH STREET-1204, 1215, 1218, 1221, 1222, 1304, 1310, 1319 AND 1322; 7TH STREET-1317; 13TH AVENUE-672, 753 AND 869-71; 12TH AVENUE-753, 755 AND 758: 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 prior to September 1, 2013 in accordance with City Code: 9th Street-1207, 1217, 1303, 1309, 1315 and 1319; 8th Street-1204, 1215, 1218, 1221, 1222, 1304, 1310, 1319 and 1322; 7th Street-1317; 13th Avenue-672, 753 and 869-71; 12th Avenue-753, 755 and 758. Moved by Bahr, seconded by Reardon, this report be adopted. Roll call and Council Members Augustine-Schulte, Bahr, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Bogus was absent. Motion carried.

PUBLIC PROPERTY, SAFETY AND WORKS COMMITTEE – MINUTES OF THE TRAFFIC CONTROL DEVICE COMMITTEE OF MARCH 5, 2013 AND DRAFT MINUTES OF THE MAY 6, 2013 MEETING: The report of the Public Property, Safety and Works Committee was presented with the recommendation to accept the minutes as presented. Moved by Bahr, seconded by Bulkley, this report be adopted. Roll call and Council Members Augustine-Schulte, Bahr, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Bogus was absent. Motion carried.

PUBLIC PROPERTY, SAFETY AND WORKS COMMITTEE – DISCUSSION AND RECOMMENDATION ON REVISED DANGEROUS DOG ORDINANCE: The report of the Public Property, Safety and Works Committee was presented with the recommendation to present the revised dangerous dog ordinance at the May 20, 2013 City Council meeting for a second reading. Moved by Bahr, seconded by Bulkley, this report be adopted. Roll call and Council Members Augustine-Schulte, Bahr, Bulkley,

Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Bogus was absent. Motion carried.

APPLICATION OF BANK OF THE VALLEY FOR PRELIMINARY PLAT OF JIM HELLBUSCH SUBDIVISION (33 AVENUE AND 47 STREET): An application was presented from Bank of the Valley for the preliminary plat of Jim Hellbusch Subdivision, a tract of land located in the Northwest 1/4 of Section 7, Township 17 North, Range 1 East of the 6th P.M., Platte County, Nebraska (33 Avenue and 47 Street). A memorandum was presented from City Engineer Goedecken submitting detailed information and a staff recommendation to approve the preliminary plat. The Planning Commission recommended approval. Moved by Bulkley, seconded by Schilling, the preliminary plat be approved. Roll call and Council Members Augustine-Schulte, Bahr, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Bogus was absent. Motion carried.

APPLICATION OF FARM CREDIT SERVICES OF AMERICA FOR PRELIMINARY PLAT OF FARM CREDIT SERVICES OF AMERICA SUBDIVISION (4865 OLD MONASTERY ROAD): An application was presented from Farm Credit Services of America for the preliminary plat of Farm Credit Services of America Subdivision, a tract of land located in the South 1/2 of the Northwest 1/4, Section 8, Township 17 North, Range 1 East of the 6th P.M., Platte County, Nebraska (4865 Old Monastery Road). A memorandum was presented from City Engineer Goedecken submitting detailed information and a staff recommendation to approve the preliminary plat with a contingency regarding improvements to the roadway from Lost Creek Parkway to the southern edge of the Lost Creek bridge. The Planning Commission recommended approval. Moved by Schilling, seconded by Augustine-Schulte, the preliminary plat be approved. In response to Council Member Lohr, Goedecken explained that a study is currently being conducted to identify the needs as well as the options for funding a sewer system in the area. Roll call and Council Members Augustine-Schulte, Bahr, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Bogus was absent. Motion carried.

APPLICATION OF COLUMBUS PUBLIC SCHOOLS FOR PRELIMINARY PLAT OF DISCOVERER SECOND SUBDIVISION (38 STREET AND 33 AVENUE): An application was presented from Columbus Public Schools for the preliminary plat of Discoverer Second Subdivision, a replat of part of Lot 1, Block A, Discoverer Addition and a replat of Discoverer First Subdivision except for Lot 2, Block A, all to the City of Columbus, Platte County, Nebraska (38 Street and 33 Avenue). A memorandum was presented from City Engineer Goedecken submitting detailed information and a staff recommendation to approve the preliminary plat with the following contingencies: 1) Sanitary sewer mains be built to minimum slopes as recommended by the "10 States Standards"; 2) Final utility easements shown on final plat; 3) Designation of flood plain, Zone AO 2; and 4) Final street designs following completion of traffic study. The Planning Commission recommended approval with the contingencies as listed in the staff recommendation. Moved by Augustine-Schulte, seconded by Reardon, the preliminary plat be approved. Roll call and Council Members Augustine-Schulte, Bahr, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Bogus was absent. Motion carried.

AWARD OF QUOTE TO GEHRING CONSTRUCTION & READY MIX COMPANY, INC. FOR CONSTRUCTION OF CONCRETE SLAB AT AIR VISTA PARK:

A memorandum was presented from Public Property Director Moore submitting detailed information and a staff recommendation to award the low quote to Gehring Construction & Ready Mix Company, Inc. for construction of a concrete slab at Air Vista Park to be used as a basketball/soccer court in the amount of \$16,250. It was noted that \$40,000 has been included in the budget for improvements to this park with \$24,228 being spent on playground equipment and a \$5,000 donation from Columbus Youth Council. Moved by Augustine-Schulte, seconded by Schilling, the low quote for construction of a concrete slab at Air Vista Park be awarded to Gehring Construction & Ready Mix Company, Inc. in the amount of \$16,250. Mike Fleming, on behalf of the Columbus Youth Council, explained that members of this year's Youth Council, in an effort to continue with the former year's Youth Council plans for improvements to Air Vista Park whose plans were delayed due to a vandalism incident, worked with city staff to initiate plans for construction of a basketball court as well as fencing for a soccer area. Fleming introduced Gerrardo Soto of Columbus as well as Luis Hernandez and Kenneth Olea of Schuyler, three of the Youth Council members who were involved with this project. Olea described his experience with the project and said it was very rewarding. Hernandez thanked the following for their support of the project: Susan Uhl, Ron Schilling and Wilma Arp of T4C; City Administrator Mangiamelli; Public Property Director Moore; Steve Kohl, Chair of the Board of Park Commissioners; Police Chief Gumm; Police Officers Trevino and Magdeleno; and Council Member Lohr. Hernandez also thanked the following for their financial support: Pat Heimes, on behalf of United Way, for contributing \$5,000; T4C for contributing \$1,000; Rick Chochon and K.C. Belitz, on behalf of Columbus Community Foundation, for contributing \$1,000; and Greg Sealock, on behalf of Columbus Fraternal Order of Police, for contributing \$500. Hernandez explained the events that have transpired to date, said a neighborhood survey was conducted to select the projects and he presented the city with a check in the amount of \$7,500 to apply toward the projects. Fleming pointed out that the Youth Council took on a leadership role in cooperation with various organizations to complete the project and Council Members Augustine-Schulte and Reardon commended them for their efforts. Roll call and Council Members Augustine-Schulte, Bahr, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Bogus was absent. Motion carried.

COMMENTS FROM MAYOR AND CITY COUNCIL MEMBERS: Council Member Bulkley conveyed a message from Council Member Bogus thanking everyone for their thoughts and prayers as he recovers from a ruptured aortic aneurysm. Mayor Moser invited the public to an informational meeting at 6 p.m. on Wednesday, May 22, 2013 to provide input on concepts for the Pawnee Plunge expansion project. Mayor Moser referred to the award of a contract for the Water Mains Replacement Project for 2013 and pointed out that the city had traffic flow issues on a previous project with the contractor. City Engineer Goedeken explained that plans for traffic flow will be discussed at the preconstruction meeting.

RESOLUTION NO. R13-54 WAS INTRODUCED BY COUNCIL MEMBER BULKLEY.**RESOLUTION NO. R13-54**

ADOPTED: MAY 20, 2013

A RESOLUTION OF THE MAYOR AND COUNCIL AFFIRMING SUPPORT FOR LB357 LEGISLATION PASSED IN 2012 PROVIDING FOR THE OPPORTUNITY TO IMPOSE AN ADDITIONAL ONE HALF CENT SALES TAX WITHIN THE CITY LIMITS OF COLUMBUS FOR A PROJECT OR PROJECTS SUPPORTED BY THE CITIZENS WITH THE AFFIRMATIVE VOTE OF THE ELECTORATE.

Moved by Bulkley, seconded by Schilling, Resolution No. R13-54 be passed and adopted. City Administrator Mangiamelli reported that a second vote to kill LB357 failed and Resolution No. R13-54 will be sent to Senator Paul Schumacher expressing the city's support of the bill in order to have a financial option available in the future for potential projects. Roll call and Council Members Augustine-Schulte, Bahr, Bulkley, Schilling, Jablonski and Lohr voted "Aye" and Reardon voted "Nay." Council Member Bogus was absent. Motion carried.

RESOLUTION NO. R13-45 WAS INTRODUCED BY COUNCIL MEMBER SCHILLING.**RESOLUTION NO. R13-45**
ADOPTED: MAY 20, 2013

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, APPROVING THE DISADVANTAGED BUSINESS ENTERPRISE PROGRAM PREPARED BY THE NEBRASKA DEPARTMENT OF AERONAUTICS FOR PROJECTS PROPOSED FOR FEDERAL ASSISTANCE AT THE COLUMBUS MUNICIPAL AIRPORT, A COPY OF WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE; TO AUTHORIZE THE MAYOR TO EXECUTE THE SAME; AND TO REPEAL ALL RESOLUTIONS IN CONFLICT HERewith.

In response to Council President Schilling, City Administrator Mangiamelli explained that the Disadvantaged Business Enterprise Program ensures nondiscrimination in the award and administration of U.S. Department of Transportation assisted contracts and is a requirement to receive federal funding for the airport. Moved by Schilling, seconded by Bulkley, Resolution No. R13-45 be passed and adopted. Roll call and Council Members Augustine-Schulte, Bahr, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Bogus was absent. Motion carried.

RESOLUTION NO. R13-50 WAS INTRODUCED BY COUNCIL MEMBER SCHILLING.**RESOLUTION NO. R13-50**
ADOPTED: MAY 20, 2013

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA TO ADOPT AN AGREEMENT WITH RVW, INC., TO REVIEW THE CURRENT TELEPHONE SYSTEM CONFIGURATION, CREATE BID SPECIFICATION AND SUPERVISE THE INSTALLATION OF A NEW TELEPHONE SYSTEM FOR AN

AMOUNT NOT TO EXCEED \$21,128, A COPY OF WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN BY THIS REFERENCE; TO AUTHORIZE THE MAYOR AND CITY CLERK TO EXECUTE THE SAME ON BEHALF OF THE CITY OF COLUMBUS, NEBRASKA; AND TO REPEAL ALL RESOLUTIONS OR PORTIONS THEREOF IN CONFLICT HEREWITH.

In response to Council Member Reardon, Finance Director Kinnison explained that the city's phone system is becoming obsolete and technical expertise is needed due to the complexities of the project. Moved by Schilling, seconded by Reardon, Resolution No. R13-50 be passed and adopted. Roll call and Council Members Augustine-Schulte, Bahr, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Bogus was absent. Motion carried.

ORDINANCE NO. 13-07
SECOND READING

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA TO AMEND SECTION 90.034 OF CHAPTER 90 OF TITLE IX OF ORDINANCE NO. 05-47 (COLUMBUS CITY CODE) TO PROVIDE FOR THE ADMINISTRATIVE AND CRIMINAL PROCEDURES FOR OWNERS OF DANGEROUS AND POTENTIALLY DANGEROUS DOGS; TO REPEAL ALL ORDINANCES OR PORTIONS THEREOF IN CONFLICT HEREWITH AND TO PROVIDE FOR AN OPERATIVE DATE AS PROVIDED BY LAW.

On its second reading, Ordinance No. 13-07 was read by title only at this meeting. It was noted that this ordinance will be advanced to the June 3, 2013 City Council meeting for final reading. A memorandum was presented from City Administrator Mangiamelli explaining the revisions that have been made to the ordinance as a result of the Public Property, Safety and Works Committee meeting. A memorandum was also presented from City Attorney Stan Emerson stating that should the Council desire the general penalty provisions in the City Code be increased, he would recommend that they be increased to a maximum of \$1,000. It was noted that this ordinance was drafted as the result of a local judge making a determination that it is unconstitutional to declare a dog dangerous and hold the owner responsible without having a provision for the right to appeal. Terry Hollman, 2171 31 Avenue, referred to the fact that his dog was declared dangerous due to an incident that happened on his property in a fenced area when his dog was a puppy and inquired whether he could utilize the appeal process once this ordinance is adopted. John McPhail, 2108 Oak Park Place, said he feels the ordinance should contain harsher punishment for owners of dogs that have caused injury or harm. Connie Hughes, 2912 32 Street, inquired about the following terms included in the ordinance: 1) killing of dangerous or potentially dangerous dogs running at large or acting in a threatening manner; 2) determining whether a dog is dangerous; 3) transportation of a dangerous dog; and 4) confinement of a dangerous dog. In response to Deb Potter, 2816 Husker Lane, City Attorney Hansen explained that the appeal process provides for the owner of a dog that has been deemed dangerous to state their case. Potter referred to the regulation requiring dangerous dogs to be implanted with a microchip identification number by a licensed veterinarian and noted that the Erna Badstieber Paws and Claws Adoption Center has the ability to implant

microchips. In response to Jan Berry, Manager of Paws and Claws, City Attorney Hansen stated that an owner of a dog that has been declared dangerous who wishes to file an appeal must submit a request within 48 hours of receiving notification. Mayor Moser said additional comments or suggested amendments can be submitted to city staff for review and possibly included in the ordinance that will be presented on its third reading on June 3rd.

ORDINANCE NO. 13-08
SECOND READING

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA TO AMEND CHAPTER 110 OF TITLE XI OF ORDINANCE NO. 05-47 (COLUMBUS CITY CODE) BY ADDING SECTIONS 110.60 THROUGH 110.101, INCLUSIVE, WHICH SHALL PROVIDE FOR THE PROCESS FOR A NON-EXCLUSIVE CABLE TELEVISION FRANCHISE; ESTABLISH REGULATIONS AND STANDARDS FOR THE OPERATION OF FRANCHISED CABLE TELEVISION SYSTEMS; ESTABLISH THE PROCEDURES FOR AWARD, RENEWAL AND REVOCATION OF CABLE TELEVISION FRANCHISES, AND PROVIDE FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

On its second reading, Ordinance No. 13-08 was read by title only at this meeting. It was noted that this ordinance will be advanced to the June 3, 2013 City Council meeting for a final reading. City Administrator Mangiamelli explained that a resolution adopting a contract to define the terms will be presented at a future City Council meeting.

CONSIDERATION OF PAYROLL AND BILLS ON FILE: ARL Credit Services – Service 1,290.99; Reardon Lawn & Garden, Inc. – Service 431.87. TOTAL \$1,722.86. 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 Augustine-Schulte, Council Member Jablonski be allowed to abstain from voting on this agenda item and to suspend the City Council rules requiring him to leave the Council Chambers during discussion and vote on this agenda item. Roll call and Council Members Augustine-Schulte, Bahr, Bulkley, Schilling, Lohr and Reardon voted “Aye” and none voted “Nay.” Council Member Jablonski abstained from voting. Council Member Bogus was absent. Motion carried. Moved by Schilling, seconded by Augustine-Schulte, Council Member Reardon be allowed to abstain from voting on this agenda item and to suspend the City Council rules requiring him to leave the Council Chambers during discussion and vote on this agenda item. Roll call and Council Members Augustine-Schulte, Bahr, Bulkley, Schilling, Jablonski and Lohr voted “Aye” and none voted “Nay.” Council Member Reardon abstained from voting. Council Member Bogus was absent. Motion carried. Moved by Schilling, seconded by Augustine-Schulte, to approve the bills on file. Roll call and Council Members Augustine-Schulte, Bahr, Bulkley, Schilling and Lohr voted “Aye” and none voted “Nay.” Council Members Jablonski and Reardon abstained from voting. Council Member Bogus was absent. Motion carried.

Moved by Bulkley, seconded by Augustine-Schulte, the meeting be adjourned. Roll call and Council Members Augustine-Schulte, Bahr, Bulkley, Schilling, Jablonski, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Bogus was absent. Motion carried and the meeting was adjourned at 9:08 p.m.

Presented and approved this 3rd day of June, 2013.

MAYOR

ATTEST:

CITY CLERK