

A regular meeting of the Mayor and City Council of the City of Columbus, Nebraska was convened in open and public session on October 21, 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 October 2, 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, John Lohr and Terry Reardon. Council Member Rich Jablonski 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, Police Chief William Gumm, Public Works Director Roger Buell, Fire Chief Dean Hefti and Transfer Station Supervisor Mike Shemek.

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 October 7, 2013, City Council meeting.
- B. Approval of application of Paul Wunderlich as manager of Oasis Bar and Package, 2010 23 Street, Columbus, Nebraska in conjunction with Class "C" Liquor License.
- C. Approval of October 7, 2013, Civil Service Commission minutes certifying list of Fire Fighter-EMT candidates as follows: Joshua Ballain, Tyler Strawn and Michael Horky.

- D. Approval of Resolution No. R13-117 authorizing payment of various improvement projects.
- E. Approval of payroll and bills on file. 10/25/2013 Payroll 479,904.07; A & J Guns – Supplies 447.95; Ace Hardware & Garden Center – Supplies 689.02; Donald D Adkisson – Pension 609.00; Advance Auto Parts – Supplies 80.02; Alamar Uniforms – Supplies 1,604.90; Alphacard – Supplies 242.70; American Association of Police Polygraphists – Membership 125.00; American Public Works Association – Membership 568.00; American Red Cross – Training 35.00; Anderson Auto Body – Service 51.00; ANSIR4U, Inc. – Service 95.00; Aqua-Chem, Inc. – Chemicals 1,064.40; Aqua-Pure, Inc. – Chemicals 14,376.75; AS Central Services – Service 704.00; AT&T – Utilities 11.91; Auto Quality Sales & Service – Service 77.10; Awards & Engraving – Supplies 24.50; B-D Construction, Inc. – Transfer Station Soil Surcharge 289,302.50; Wesley J Baxa – Pension 1,232.54; Beard-Warren Heating & Air Conditioning – Service/Supplies 708.20; Behlen Towing – Service 480.00; Benes Service – Supplies 355.89; Alfred Benesch & Company – Airport Land Acquisition 250.00; Best Disc Repair, Inc. – Supplies 149.99; Big Red Printing – Supplies 69.50; Big Red Sanitation – Service 275.00; Bill's Tire Outlet, Inc. – Service 1,355.00; Bissell Hose Company – Expenses 194.62; Carroll A Bisson – Pension 716.51; Black Hills Energy – Utilities 790.16; Frank J Blahak Jr – Pension 762.00; Bomgaars – Supplies 284.97; Barb Briggs – Expenses 22.74; Brodart Co. – Supplies 449.27; Bryan Health – Service 1,040.00; Bullseye Fire Sprinkler, Inc. – Service 1,918.12; Levi A Burlison – Refund 20.00; Business Telecommunication Systems, Inc. – Service 226.00; California Contractors Supply – Supplies 89.90; Carolina Software – Service 200.00; Cat's Pro Mow – Service 203.50; Catholic Charities-Columbus – Contract 10,000.00; Center Point Large Print – Supplies 119.15; Central Community College – Training 300.00; Central Parts & Machine – Supplies 1,279.66; Central Sand & Gravel Co. – Supplies 260.56; Central Valley Ag – Supplies 832.50; Century Link – Utilities 1,522.79; Jay Cerny Landscaping – Service 252.78; Jeffrey Chambers – Expenses 456.42; City Delivery & Moving, Inc. – Service 2,200.00; City of Columbus – Utilities 106.39; City of Norfolk – Expenses 97.04; City of Norfolk – SNARE 5,400.00; Civic Plus – Website Annual Fee 3,972.00; Club Prophet Systems – Service 979.00; Columbus Area Chamber of Commerce – Supplies 1,240.00; Columbus Bank and Trust Company – Grant 614.00; Columbus Community Hospital – Service/Supplies 622.00; Columbus Electronics, Inc. – Supplies 49.99; Columbus Family Resource Center – Lease Payment 6,666.66; Columbus Plumbing Co. – Supplies 35.96; Columbus Screen Printing – Supplies 482.00; Columbus Telegram – Publications 1,178.65; Columbus Tire & Service – Service 67.95; Columbus Tire & Service – Grant 4,425.00; Community Internet – Service 180.00; Connecting Point/Radio Shack – Supplies 225.91; Consolidated Management Co. – Meals 221.00; J P Cooke Company – Supplies 516.91; Cornhusker Public Power District – Utilities 891.56; Credit Bureau Services – Membership 5.00; Culligan of Columbus – Supplies 413.30; D & D Communications – Service 5,794.15; Danko Emergency Equipment – Supplies

49.70; Demco – Supplies 683.80; Diamond Vogel Paint Center – Supplies 58.34; Jessica Dickes – Refund 100.00; Tom Dinsdale Chevrolet, Cadillac, GMC – Supplies 101.45; Ditch Witch of Omaha – Supplies 72.15; Doernemann Construction, Inc. – Contract 2,643.63; Doozy’s – Meals 87.90; Douglas Dunbar – Contract 5,207.00; Douglas Dunbar – Commissions 4,719.27; Douglas Dunbar – Expenses 1,529.10; DXP Enterprises – Supplies 510.25; Dymaxion Research LTD – Supplies 45.07; Eakes Office Plus – Supplies 5,184.65; Robin Efta – Expenses 101.14; Electrical Engineering & Equipment Co. – Supplies 402.75; Electronic Engineering – Service/Supplies 1,241.95; Electronic Systems, Inc. – Service 50.00; Eletch, Inc. – Service 540.00; Eller Heating Air Conditioning & Plumbing LLC – Service 444.89; Enterprise Electric CO/CED – Supplies 89.24; Ernst Auto Center – Supplies 193.18; ESRI – Service 4,500.00; Excel Commercial – Utilities 51.65; Expense Reduction Services - Service 3,920.51; Express Truck Center – Service 1,357.56; Fastenal Company – Supplies 94.14; Fireguard, Inc. – Supplies 581.67; First National Bank & Trust Company – Fees 167.72; First National Bank Omaha – Expenses 7,732.54; Loren Fraser – Refund 13.02; Frontier – Utilities 5,489.04; Frontier Communications – Utilities 254.29; Gaeth Pest Control Services, Inc. – Service 257.00; Gale – Supplies 521.80; Galls – Supplies 390.95; Gehring Construction & Ready-Mix Company – Supplies 91.25; Gehring Construction & Ready-Mix Company – Street Repair 2013 111,221.79; General Traffic Controls, Inc. – Supplies 106.90; Gerhold Concrete Company – Supplies 8,311.73; Gilmore & Associates – Centennial Park 6th Addition 2,500.00; Godfather’s Pizza – Meals 219.00; David Goedeken – Expenses 73.45; Great American Outdoor – Supplies 358.64; Greenkeeper Co., Inc. – Supplies 450.00; Ron Groene – Expenses 53.19; Hadley-Braithwait Company – Supplies 24.95; Whitney Hanner – Expenses 75.00; Susan Haskell – Expenses 234.58; Hawkins, Inc. – Chemicals 6,431.00; HD Supply Waterworks LTD – Supplies 1,983.42; HDR Engineering, Inc. – Viaducts 165,963.63; HDR Engineering, Inc. – New Transfer Station 42,200.87; Heartland Natural Gas – Utilities 1,011.67; Dean Hefti – Expenses 54.12; Hometown Leasing – Supplies 177.12; Mark S Howerter MD – Contract 514.00; Hutcheson Engineering Products, Inc. – Supplies 1,673.92; Hy-Vee, Inc. – Supplies 474.41; Hydro Tech, Inc. – Service 102.00; IBM Corporation – Service 960.75; Ingram Library Services, Inc. – Library Materials 3,477.14; Insurance Services of Columbus – Insurance 5,011.69; Jackson Services, Inc. – Supplies 2,295.85; Jackson Services, Inc. – Rent 200.00; Trent Jarecki – Refund 15.00; JES Sales Co, Inc. – Supplies 124.35; Jimmy John’s – Meals 79.63; John Deere Financial – Service/Supplies 2,134.30; Johnson Controls – Service 1,894.86; Dale Johnson Trucking – Supplies 313.50; Lori A Juhlin – Expenses 14.41; K-C Auto Supply, Inc. – Supplies 37.06; KEA Construction – Christopher Cove Bridge 6,602.23; Kelly Supply Company – Supplies 5,787.15; Kelli Keyes – Expenses 107.12; Kimball Midwest – Supplies 86.20; Anne Kinnison – Expenses 127.35; Michael Kratochvil – Expenses 42.52; Lake Stop LLC – Supplies 123.90; Lakeview Small Engine, Inc. – Service 153.32; Brandon Lammers – Expenses 555.60; LARM – Insurance 414,992.71; LaRue Distributing, Inc. – Supplies 77.98; League of Nebraska Municipalities – Membership 38,185.00; Pete Lien & Sons, Inc. –

Chemicals 4,500.80; Lifeguard Store, Inc. – Supplies 400.62; Lincoln Winwater Works – Supplies 7,112.60; Loup Power District – Utilities 106,045.74; Lucy, Inc. – Software License 14,900.00; M & O Door Products – Service 201.00; Mail Prep, Etc. – Postage 365.08; The Mailbox – Postage 127.92; Mailfinance – Postage Meter Lease 585.63; Joseph A Mangiamelli – Expenses 360.49; Mango Languages – Subscription 2,895.00; Matheson-Linweld – Supplies 381.12; Mc2, Inc. – Supplies 2,600.06; Mead Lumber Co. – Supplies 6.30; Mechanical Sales, Inc. – Supplies 635.50; Menards – Supplies 1,474.19; Metron-Farnier LLC – Supplies 699.38; Mid Con Systems, Inc. – Supplies 323.97; Mid-American Research Chemical – Supplies 204.00; Mid-State Engineering & Testing, Inc. – Service 2,201.00; Michael Middendorf – Expenses 104.35; Midwest Laboratories, Inc. – Service 319.70; Midwest Ready Mix – Supplies 45.98; Midwest Service & Sales – Supplies 1,963.50; Midwest Tape LLC – Supplies 1,197.72; Midwest Turf & Irrigation – Supplies 1,723.75; Mike's Towing – Service 2,977.99; Miller & Sons – Golf Cart Rental 7,150.00; Miracle Recreation Equipment – Supplies 833.43; Betty J Moore – Cemetery Spaces 400.00; Motion Industries, Inc. – Supplies 527.29; MPH Industries, Inc. – Supplies 147.84; Shane Mueller – Service 146.50; Mueller Sprinklers – Supplies 1,328.02; Naughton Industrial Services – Supplies 385.65; NE Municipal Clerk's Association – Dues 70.00; Nebraska Department of Economic Development – Grant 923.16; Nebraska Department of Environmental Quality – Training 300.00; Nebraska Emergency Service Communications Association – Training 30.00; Nebraska Environmental Products – Supplies 2,439.44; Nebraska Harvestore Systems – Supplies 60.46; Nebraska Library Commission – Service 3,223.70; Nebraska Public Health Environmental Laboratory – Service 1,566.00; Nebraska Rural Water Association – Training 1,560.00; Nebraska Section AWWA – Training 45.00; Nebraska U C Fund – Payment 219.24; Nebraska Floodplain and Stormwater Managers Association – Training 125.00; Marvin O Nelson – Pension 502.50; Newman Traffic Signs – Supplies 428.09; Niemann's Port-A-Pot LLC – Service 592.00; Northeast Nebraska Economic Development District – Grant 1,924.00; Northeast Nebraska Economic Development District – Administrative Fee 42.00; Northeast Nebraska Solid Waste Coalition – Landfill Disposal 43,266.16; Northwest Electric LLC – Supplies 261.32; Novicki Fire Prevention Service Co. – Service 20.00; O'Reilly Automotive, Inc. – Supplies 278.41; Obrist & Co., Inc. – Water Main to Pawnee Park 7,715.00; Occupational Health Services – Service 808.00; OCLC, Inc. – Service 677.20; Odeys, Inc. – Pawnee Park Warning Track Mix 14,058.00; Officenet – Supplies 149.00; Mike Oglevie – Expenses 113.10; Omaha Tractor, Inc. – Supplies 55.18; OMB Guns – Supplies 2,025.00; One Call Concepts, Inc. – Service 182.15; Overhead Door Company – Service 368.84; Jill Owens – Expenses 173.76; Paragon Consulting Services – Service 18,140.00; The Parts Bin – Supplies 164.28; Jon Paul – Expenses 115.36; Peerless Wiping Cloth – Supplies 334.90; Pet Care Specialists – Service 668.84; Petty Cash – Expenses 144.06; Platte County – Contract 2,791.00; Platte Valley Humane Society – Quarterly Payment 12,988.50; Pollardwater.com-east – Supplies 1,335.01; Presto-X-Company – Service 204.40; Quality Inn & Suites – Lodging 204.00; Quill Corporation – Supplies 655.85; James Rawhouser Jr – Expenses 57.47;

Recorded Books LLC – Supplies 280.20; Recreation Supply Company – Supplies 899.72; Rutjens Construction – Water Main Replacement 105,048.83; RVW, Inc. – Telecommunication System 508.00; Sackett Electric – Telecommunication System 3,900.61; Sackett Electric – Service 167.50; Sahling Kenworth, Inc. – Service 788.26; Sapp Bros Columbus, Inc. – Fuel 9,468.24; Sapp Bros Petroleum, Inc. – Fuel 26,976.30; Schaben Industries – Supplies 5.00; Schieffer Signs, Inc. – Service 245.00; Schneider's O K Tire Company – Lease Payment 30.00; Schneider's O K Tire Company – Service 48.00; John W Schultz Jr – Cemetery Spaces 1,800.00; Seacrest & Kalkowski PC LLC – Service 2,597.60; Security Equipment, Inc. – Service 840.00; Theresa Seiler – Grant 911.00; Servicemaster By Shevlin – Service 1,969.76; Mike Shemek – Expenses 108.24; Sherwin-Williams Co. – Supplies 8.83; Shevlin Supply – Supplies 462.85; Silver Pressure Service LLC – Supplies 70.00; Sipple, Hansen, Emerson & Schumacher – Service 3,682.67; Sirius Computer Solutions, Inc. – Computer Network Upgrade 27,175.66; Skillpath Seminars – Training 158.00; Snap-on Tools – Supplies 234.41; Matt Soukup – Expenses 33.38; Kay Sprunk – Expenses 6.24; Stanley Petroleum Maintenance, Inc. – Service 339.13; State of Nebraska HHS Finance & Support – Refund 200.00; State Treasurer of Nebraska – License 3,137.95; Gene Steffy Ford – Service 1,334.84; Dan Steiner – Refund 15.04; Stericycle, Inc. – Supplies 426.71; Chad Stuart – Expenses 160.49; Subsurface Instruments, Inc. – Supplies 650.00; Sunshine Filters of Pinellas, Inc. – Supplies 799.17; Super Saver – Supplies 62.46; Barbara Swedenburg – Expenses 21.19; Swisher Hygiene Franchisee Trust – Supplies 126.90; Sysco Lincoln – Supplies 2,307.32; T & L Services – Service 525.00; Telvent DTN LLC – Service 675.00; Todd Thalken – Expenses 258.56; Thomson Reuters-West – Subscription 331.00; Three Eagles Communications – Advertising 666.00; Tighton Fastener & Supply, Inc. – Supplies 307.60; TM Cleaning – Service 200.00; Trent Tobiason – Expenses 31.00; Total Backflow Resources, Inc. – Training 135.00; Totalfunds by Hasler – Postage 1,000.00; TPrint, Inc. – Supplies 400.16; Tractor Supply Credit Plan – Supplies 157.37; Treasurers – Grant 609.00; Turfwerks – Supplies 514.44; Tweet's Sport Shop – Supplies 119.98; Tworek Welding & Repair – Service 302.00; Typhoon Wash – Service 79.85; U & I Sanitation – Service 83.00; U S Bank – Expenses 444.61; Jeff Uhl – Expenses 33.66; Ultra Graphics – Supplies 594.40; Ultramax – Supplies 1,792.00; United States Post Office – Postage 2,063.72; USA Blue Book – Supplies 2,239.85; Utilities Section League of Nebraska Municipalities – Membership 2,977.00; Utility Service Co., Inc. – Tank Maintenance 22,344.48; Verizon Wireless – Utilities 2,622.10; Jacob Wacha – Expenses 37.24; Wahoo Heritage Inn – Lodging 110.00; Walmart Community – Supplies 727.90; Waste Connections of Nebraska – Service 288.43; Water's Edge Aquatic Design LLC – Pawnee Plunge Expansion 50,281.66; Emmet P Wegener – Refund 20.00; Wemhoff Refrigeration, Inc. – Service 162.70; West Point Implement of Columbus – Supplies 294.22; Wilke Landscape Center – Trees 5,074.49; Donna Winig – Expenses 22.45; Wise-Mack, Inc. – Supplies 841.21; Zee Medical Service – Supplies 611.50; Zep Sales & Service – Supplies 563.46; Wayne Zysset – Grant 5,132.00; 3M – Service 1,844.00. TOTAL 2,323,109.71.

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

SPECIAL PRESENTATION – PROCLAMATION DECLARING OCTOBER 27 THROUGH NOVEMBER 3, 2013 AS "WHITE RIBBON AGAINST PORNOGRAPHY WEEK":

Mayor Moser proclaimed October 27 through November 3, 2013 as "White Ribbon Against Pornography Week" (WRAP). Jo Sokol, 3706 21 Street, explained that she works with wrapfamily.com, a project of Court Little Flower of Catholic Daughters of the Americas, and she thanked Mayor Moser for signing the proclamation. Sokol noted that the proclamation will be published in the Columbus Telegram on Sunday, October 27th and she reported that pornography issues have increased over the years due to technology. Sokol commended Police Sergeant Bret Strecker and Police Officer Jodi Hefti for their involvement with youth in the community.

PUBLIC HEARING – NEBRASKA DEPARTMENT OF ECONOMIC DEVELOPMENT COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT 10-CR-006:

The Affidavit of Publication and Notice of Hearing were presented on Nebraska Department of Economic Development Community Development Block Grant Project 10-CR-006 to obtain citizen input, comments or opinions with regard to the program or project performance. No one spoke regarding this issue and no one appeared in opposition. Moved by Bulkley, seconded by Bahr, the public hearing be closed. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Schilling, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Jablonski was absent. Motion carried.

PUBLIC HEARING – NEBRASKA DEPARTMENT OF ECONOMIC DEVELOPMENT COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT 11-ED-002:

The Affidavit of Publication and Notice of Hearing were presented on Nebraska Department of Economic Development Community Development Block Grant Project 11-ED-002 to obtain citizen input, comments or opinions with regard to the program or project performance. No one spoke regarding this issue and no one appeared in opposition. Moved by Bulkley, seconded by Schilling, the public hearing be closed. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Schilling, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Jablonski was absent. Motion carried.

PUBLIC HEARING – NEBRASKA DEPARTMENT OF ECONOMIC DEVELOPMENT BUDGET AMENDMENT FOR PROJECT 12-TFHP-5051 (NEW NEIGHBORHOOD INITIATIVE PHASE II):

The Affidavit of Publication and Notice of Hearing were presented on the Nebraska Department of Economic Development budget amendment for Project 12-TFHP-5051 (New Neighborhood Initiative Phase II) funded through Nebraska Affordable Housing Trust Funds. It was noted that the total project cost has increased from \$723,000 to \$769,091, which includes matching funds provided by the Columbus Public School District and the Loan Pool. City Administrator Mangiamelli

stated that this project is for Centennial Park 6th Addition located west of 3rd Avenue. No one spoke regarding this issue and no one appeared in opposition. Moved by Bulkley, seconded by Bahr, the public hearing be closed. In response to Council Member Lohr, Alyssa Silhacek, Community Planner for Northeast Nebraska Economic Development District, explained that this public hearing was held to receive comments with regard to amendments to the budget that change the activity code from 'Acquisition of Property' to 'Direct Homebuyer Assistance' as well as the number of LMI houses from nine to ten in order to comply with the grant requirements. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Schilling, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Jablonski was absent. Motion carried.

PUBLIC HEARING - APPLICATION OF RANDALL AND HARRIET BERLIN TO REZONE TWO PARCELS OF LAND AT 563 12 AVENUE AND VACANT LOT TO THE EAST FROM "R-2" (URBAN-FAMILY RESIDENTIAL DISTRICT) TO "R-3" (MULTIPLE-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 Randall and Harriet Berlin to rezone two parcels of land in Section 29, Township 17 North, Range 1 East of the 6th P.M., Platte County, Nebraska (563 12 Avenue and vacant lot to the east) from "R-2" (Urban-Family Residential District) to "R-3" (Multiple-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 to amend the Future Land Use Map of the Comprehensive Plan to reflect the same change in zoning. The Planning Commission recommended approval with final review of the site plan to be had by the city. Tom Maul, on behalf of the applicant, explained the plan to construct a multiple family building on the site and said the size will be determined by the zoning regulations. Maul referred to the Planning Commission's recommendation that a site plan be submitted and confirmed that would not be an issue. No one appeared in opposition. Moved by Augustine-Schulte, seconded by Reardon, the public hearing be closed. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Schilling, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Jablonski was absent. Motion carried.

ORDINANCE NO. 13-23 WAS INTRODUCED BY COUNCIL MEMBER AUGUSTINE-SCHULTE.

ORDINANCE NO. 13-23

ADOPTED: OCTOBER 21, 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: THE SOUTH 106.43' OF NORTH 225.6' OF WEST 147.4' OUTLOT 35, COLUMBUS OUTLOTS, COLUMBUS, PLATTE COUNTY, NEBRASKA; AND, A TRACT IN COLUMBUS OUTLOT 35 FURTHER DESCRIBED AS: COMMENCING AT A POINT ON THE WEST LINE OF THE SE 1/4 NE 1/4 NW 1/4 OF SECTION 29, TOWNSHIP 17, NORTH, RANGE 1, EAST OF THE 6TH P.M., PLATTE COUNTY, NEBRASKA, AND 119.17 FEET SOUTH OF THE NW CORNER OF THE SAID SE 1/4 NE 1/4 NW 1/4; THENCE 147.48 FEET EAST ALONG THE SOUTH LINE OF HOERLE SUBDIVISION OF OUTLOT NO. 35 TO THE CITY OF COLUMBUS, NEBRASKA; THENCE 107.43 FEET SOUTH PARALLEL TO THE WEST LINE OF SAID SE 1/4 NE 1/4 NW 1/4 TO A POINT; THENCE 185.00 FEET EAST PARALLEL TO THE SOUTH LINE OF SAID OUTLOT NO. 35 TO A POINT; THENCE 107.43 FEET NORTH PARALLEL TO THE WEST LINE OF SAID SE 1/4 NE 1/4 NW 1/4 TO A POINT; THENCE 185.00 FEET WEST ALONG THE SOUTH LINE OF SAID HOERLE SUBDIVISION TO THE POINT OF BEGINNING, ALL LOCATED IN OUTLOT NO. 35 TO THE CITY OF COLUMBUS, PLATTE COUNTY, NEBRASKA; FROM THE PRESENT ZONING CLASSIFICATION OF "R-2" (URBAN FAMILY RESIDENTIAL DISTRICT) TO "R-3" (MULTIPLE-FAMILY RESIDENTIAL DISTRICT), TO AMEND 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; TO PROVIDE FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM AND TO PROVIDE FOR THE EFFECTIVE DATE.

Moved by Augustine-Schulte, seconded by Reardon, the rules be suspended and Ordinance No. 13-23 be read by number only at this meeting. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Schilling, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Jablonski was absent. Motion carried and Ordinance No. 13-23 was read by number only at this meeting.

Moved by Augustine-Schulte, seconded by Reardon, Ordinance No. 13-23 be passed and adopted.

Mayor Moser put the question, "Shall Ordinance No. 13-23 be passed and adopted?" Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Schilling, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Jablonski was absent. Motion carried.

Mayor Moser declared, "By your action, you have passed Ordinance No. 13-23," and it was duly signed.

PUBLIC HEARING - APPLICATION OF WEST WOOD ADDITION, LLC TO REZONE LOTS IN THE VICINITY WEST OF 48 AVENUE BETWEEN 18 AND 19 STREETS FROM "R-2" (URBAN-FAMILY RESIDENTIAL DISTRICT) TO "R-1" (SINGLE-FAMILY RESIDENTIAL DISTRICT) AND TO AMEND THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN TO REFLECT THE SAME CHANGE IN ZONING.

The Affidavit of Publication and Notice of Hearing were presented on the application of West Wood Addition, LLC to rezone Lots 6, 7, 8, 11, 12 and 13, Riverside Addition to the City of Columbus, Platte County, Nebraska (in the vicinity west of 48 Avenue between 18 and 19 Streets) from "R-2" (Urban-Family Residential District) to "R-1" (Single-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 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 spoke regarding this issue and no one appeared in opposition. Moved by Bogus, seconded by Bulkley, the public hearing be closed. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Schilling, Lohr and Reardon voted "Aye" and None voted "Nay." Council Member Jablonski was absent. Motion carried.

ORDINANCE NO. 13-24 WAS INTRODUCED BY COUNCIL MEMBER BOGUS.

ORDINANCE NO. 13-24

ADOPTED: OCTOBER 21, 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 6, 7, 8, 11, 12 AND 13, RIVERSIDE ADDITION TO THE CITY OF COLUMBUS, PLATTE COUNTY, NEBRASKA; FROM THE PRESENT ZONING CLASSIFICATION OF "R-2" (URBAN-FAMILY RESIDENTIAL DISTRICT) TO R-1" (SINGLE-FAMILY RESIDENTIAL DISTRICT); 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 Bogus, seconded by Schilling, the rules be suspended and Ordinance No. 13-24 be read by number only at this meeting. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Schilling, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Jablonski was absent. Motion carried and Ordinance No. 13-24 was read by number only at this meeting.

Moved by Bogus, seconded by Schilling, Ordinance No. 13-24 be passed and adopted.

Mayor Moser put the question, "Shall Ordinance No. 13-24 be passed and adopted?" Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Schilling, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Jablonski was absent. Motion carried.

Mayor Moser declared, "By your action, you have passed Ordinance No. 13-24," and it was duly signed.

PUBLIC HEARING - APPLICATION OF RICHARD AND BARBARA AVERETT FOR SPECIAL USE PERMIT TO ALLOW CONVENIENCE STORAGE IN A "B-2" (GENERAL COMMERCIAL DISTRICT) ZONE AT 2625 38 STREET: The Affidavit of Publication and Notice of Hearing were presented on the application of Richard and Barbara Averett for a special use permit to allow for convenience storage in a "B-2" (General Commercial District) zone in the Northwest 1/4 of Section 18, Township 17 North, Range 1 East of the 6th P.M., Platte County, Nebraska (2625 38 Street). The Affidavit of Posting and Mailing Notices was presented. A memorandum was presented from City Administrator Mangiamelli submitting detailed information and a staff recommendation to continue this hearing until sufficient information has been provided to city staff. It was noted that this hearing was continued from the September 16, 2013 meeting. The Planning Commission continued the public hearing to November 19, 2013 at 7 p.m. Moved by Bulkley, seconded by Schilling, to continue the public hearing until December 2, 2013 at 7 p.m. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Schilling, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Jablonski was absent. Motion carried.

PUBLIC PROPERTY, SAFETY AND WORKS COMMITTEE REPORT – MINUTES OF TRAFFIC CONTROL DEVICE COMMITTEE MEETING HELD OCTOBER 7, 2013: The report of the Public Property, Safety and Works Committee was presented with the recommendation to accept the minutes of the October 7, 2013 Traffic Control Device Committee meeting as presented. Don Heimes, representing the Family Resource Center, referred to the report of the Traffic Control Device Committee that approved the installation of 'No Parking' signs on the south side of 19 Street between 31 and 32 Avenues and he requested that the report be amended to install 'No Parking' signs on two parking spaces as opposed to the whole block. Heimes explained that he feels having only two 'No Parking' spaces would provide sufficient visual clearance and he pointed out that the additional parking spaces are essential for tenants of the Family Resource Center. Heimes noted that the tenants would be asked to not park along the street during snow storms. City Engineer Goedeken explained that the original request to the Traffic Control Device Committee was to install 'No Parking' signs on two to four parking spaces; however, following discussion at the Committee meeting, it was determined that restricted parking along the south side of 19 Street would provide better clearance for snow removal. Following further discussion, it was moved by Bahr, seconded by Augustine-Schulte, this report be adopted with a revision to limit the 'No Parking' signs to two parking spaces. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Schilling, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Jablonski was absent. Motion carried.

APPOINTMENT OF LORI NEID TO PUBLIC LIBRARY BOARD: A memorandum was presented from Mayor Moser submitting the name of Lori Neid for appointment to the Public Library Board for a four-year term. Council President Schilling read a brief resume and it was moved by Schilling, seconded by Bahr, to approve the Mayor's appointment. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Schilling, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Jablonski was absent. Motion carried.

APPOINTMENT OF JOSHUA BALLAIN AS FIRE FIGHTER-EMT FOR COLUMBUS FIRE DEPARTMENT: A memorandum was presented from Mayor Moser submitting the name of Joshua Ballain as Fire Fighter-EMT for the Columbus Fire Department. Council President Schilling read a brief resume and it was moved by Schilling, seconded by Lohr, to approve the Mayor's appointment. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Schilling, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Jablonski was absent. Motion carried.

AWARD OF QUOTE FOR MOWER FOR TRANSFER STATION: A memorandum was presented from Public Works Director Buell recommending the quote for a mower for the Transfer Station be awarded to Reigle Implement in the amount of \$15,969.80. Moved by Bulkley, seconded by Schilling, the quote be awarded. In response to Council Member Augustine-Schulte, Buell described the large area to be maintained and said the mower also has multiple function capabilities. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Schilling, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Jablonski was absent. Motion carried.

APPLICATION OF FERGUSON PROPERTIES, INC. FOR PRELIMINARY PLAT OF DEERFIELD PARK SECOND ADDITION (23 AVENUE NORTH OF DEERMONT PLACE): An application was presented from Ferguson Properties, Inc. for the preliminary plat of Deerfield Park Second Addition located in the Southeast 1/4 of Section 7, Township 17 North, Range 1 East of the 6th P.M., Platte County, Nebraska (23 Avenue north of Deermont Place). A memorandum was presented from City Engineer Goedeken submitting detailed information and a staff recommendation to approve the preliminary plat with the following contingencies: 1) Sanitary sewer and water mains to be built to the "10 States Standards" with long range planning being crucial to the overlay layout of the area; 2) Correct discrepancy between storm drainage calculations and what is shown on preliminary plat; 3) Provide as-built plans for Phase 1 of the development to city staff for review; 4) Concerns of water pressure where "dead-end" water main to serve the development and possible need for a looped system; 5) Final utility easements to be shown on final plat; 6) Removal of AO 2 flood plain zone by letter of map revision; 7) Recommended name of "40 Street Place" for cul-de-sac; and 8) Submit a subdivision agreement. The Planning Commission recommended approval with the contingencies as listed in the City Engineer's memo. Moved by Bulkley, seconded by Schilling, the preliminary plat be approved with the contingencies as listed in the City Engineer's memo. Roll call and Council Members Augustine-Schulte, Bahr,

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

COMMENTS FROM MAYOR AND CITY COUNCIL MEMBERS: There were no comments from the Mayor and City Council members.

City Administrator Mangiamelli reported that Item 14A of the agenda erroneously stated that the contract with the International Association of Fire Fighters, Local No. 1575 is effective October 1, 2013 to September 30, 2017, as opposed to September 30, 2016. Mangiamelli pointed out that Resolution No. R13-118 and the actual contract reflect the correct date.

RESOLUTION NO. R13-118 WAS INTRODUCED BY COUNCIL MEMBER BULKLEY.

RESOLUTION NO. R13-118
ADOPTED: OCTOBER 21, 2013

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA APPROVING A CONTRACT WITH THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, LOCAL NO. 1575, EFFECTIVE OCTOBER 1, 2013 TO SEPTEMBER 30, 2016, 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.

Moved by Bulkley, seconded by Schilling, Resolution No. R13-118 be passed and adopted. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Schilling, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Jablonski was absent. Motion carried.

CONSIDERATION OF PAYROLL AND BILLS ON FILE: ARL Credit Services – Service 124.44; Reardon Lawn & Garden, Inc. – Service 861.55. TOTAL \$985.99. 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 Bahr, 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, Bogus, Bulkley, Schilling and Lohr voted "Aye" and none voted "Nay." Council Member Jablonski was absent. Council Member 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 Member Jablonski was absent. Council Member Reardon abstained from voting. Motion carried.

Moved by Bulkley, seconded by Augustine-Schulte, the meeting be adjourned. Roll call

and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Schilling, Lohr and Reardon voted "Aye" and none voted "Nay." Council Member Jablonski was absent. Motion carried and the meeting was adjourned at 7:45 p.m.

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

MAYOR

ATTEST:

CITY CLERK