

A regular meeting of the Mayor and City Council of the City of Columbus, Nebraska, was convened in open and public session on January 20, 2014 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 December 26, 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, Rich Jablonski, John Lohr, Terry Reardon, and Ron Schilling.

City staff members present included City Administrator Joseph Mangiamelli, City Clerk Janelle Kline, City Engineer David Goedeken, Finance Director Anne Kinnison, Police Chief William Gumm, Public Works Director Roger Buell, Library Director Jill Owens, Community Development Director Dan Curtis, Water Utility Supervisor Chuck Sliva, 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. Mayor Moser welcomed Boy Scout Troop 212 to this meeting.

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 January 6, 2014, City Council meeting.
- B. Approval of Resolution No. R14-05 authorizing payment of various improvement projects.
- C. Approval of Finance Department reports.

- D. Approval of payroll and bills on file. 1/31/14 Payroll \$371,616.49; A & J Guns – Supplies 3,744.75; Ace Hardware & Garden Center – Supplies 850.00; Donald D Adkisson – Pension 609.00; Advanced Consulting Engineering Services – Warning Beacons 1,000.00; Affiliated Computer Services – Service 110.00; Alamar Uniforms – Supplies 28.99; Alphacard – Supplies 300.00; Altec Industries, Inc. – Supplies 60.44; Ameritas Life Insurance Co. – Fees 700.00; AmSan – Supplies 124.64; ANSIR4U, Inc. – Service 95.00; Aqua-Chem, Inc. – Chemicals 1,202.98; Aqua-Pure, Inc. – Chemicals 12,916.88; AS Central Services – Service 704.00; AT&T – Utilities 30.36; Auto Quality Sales & Service – Service 44.73; Barco Municipal Products – Supplies 125.89; Wesley Baxa – Pension 1,232.54; Beard-Warren Heating & Air Conditioning – Service/Supplies 1,808.69; Behlen Towing – Service 1,131.00; Jan Beiermann – Expenses 85.11; Matthew Bender & Co., Inc. – Subscription 115.23; Alfred Benesch & Company – Electrical Vault & Homerun Upgrades 1,734.91; Big Red Printing – Supplies 73.50; Big Red Sanitation – Service 220.00; Bill's Tire Outlet – Service 1,495.50; Carroll A Bisson – Pension 716.51; Black Hills Energy – Utilities 6,874.47; Blackstrap, Inc. – Supplies 1,330.11; Frank J Blahak Jr – Pension 762.00; Blue Tarp Financial, Inc. – Supplies 79.40; Bomgaars – Supplies 1,139.43; Bound Tree Medical LLC – Supplies 1,259.30; Wm Roger Buell – Expenses 103.60; Business Telecommunication Systems, Inc. – Service 314.00; Butler County Landfill – Tire Recycling 51.12; California Contractors Supplies – Supplies 95.75; Carolina Software – Supplies 200.00; Catholic Charities-Columbus – Contract 10,000.00; Cavendish Square – Supplies 215.28; Center Point Large Print – Supplies 44.34; Central Parts & Machine – Supplies 2,862.06; Central Valley Ag – Supplies 79.00; Century Link – Utilities 1,521.91; City of Columbus – Utilities 101.98; Club Prophet Systems – Service 90.00; Marilyn Coates – Refund 298.00; Columbus Area Chamber of Commerce – Supplies 920.00; Columbus Community Hospital – Service/Supplies 2,959.48; Columbus Custom Embroidery – Service 227.00; Columbus Family Resource Center – Lease Payment 6,666.00; Columbus Family Resource Center – Senior Center Relocation 18,762.05; Columbus Telegram – Subscription 152.75; Columbus Telegram – Publications 1,587.62; Columbus Tire & Service – Service 1,101.08; Commonwealth Electric Co. – Service 3,339.43; Commonwealth Electric Co. – Electrical Vault & Homerun Upgrades 5,000.00; Community Internet – Service 30.00; Connecting Point/Radio Shack – Supplies 137.45; Continental Computers – Wireless Network 21,254.00; Cornhusker Public Power District – Utilities 882.46; CRA Payment Center – Supplies 1,966.42; Creative Products Sourcing – Supplies 85.50; Credit Bureau Services – Membership 5.00; Culligan of Columbus – Supplies 151.35; Cummins Central Power LLC – Supplies 614.64; D & D Communications – Service 916.80; Dakota Pump, Inc. – Supplies 1,835.63; Danko Emergency Equipment – Supplies 1,468.65; Dell Marketing L P – Supplies 1,480.62; Demco – Supplies 102.45; Tom Dinsdale Chevrolet, Cadillac GMC – Supplies 82.66; Ditch Witch of Omaha – Supplies 104.47; Doernemann Construction, Inc. – Service 1,411.11; Doernemann Farm Service, Inc. – Service 87.70; Drivers License Guide Company – Subscription 82.50; Douglas Dunbar – Contract 5,285.00; Douglas Dunbar – Commissions 284.87; Douglas Dunbar – Expenses 840.48; Dutton-Lainson Company – Supplies 164.00; DXP Enterprises – Supplies 284.29; Eagle Point Corporation – Subscription 1,150.00; Eakes

Office Plus – Supplies 3,413.24; Ecolab – Supplies 370.59; Electrical Engineering & Equipment Co. – Supplies 592.24; Electrical Engineering & Equipment Co. – Breaker Repair 9,572.08; Electronic Engineering – Service 250.00; Electronic Engineering – EC911 Equipment 313,991.52; Eller Heating Air Conditioning & Plumbing LLC – Service 68.00; Elliott Equipment Co. – Supplies 260.07; Emergency Management – Service 250.00; Enterprise Electric CO/CED – Supplies 685.49; Ernst Auto Center - Supplies 50.47; Thelma L Evans – Refund 301.08; Expense Reduction Services – Service 2,480.89; Express Truck Center – Supplies 69.48; Fastenal Company – Supplies 144.12; Fire Protection Publications – Supplies 1,164.54; First National Bank & Trust Company – Service 186.42; First National Bank Omaha – Expenses 6,850.22; First National Bank Omaha – Computers 4,823.97; Foreman Supply – Supplies 1,029.00; Frontier – Utilities 5,347.16; Frontier Communications – Utilities 209.08; Gaeth Pest Control Services, Inc. – Service 257.00; Gale – Supplies 384.59; Galls – Supplies 1,206.83; Gaylord Brothers, Inc. – Supplies 368.00; Gehring Construction & Ready-Mix – Centennial Park 6th Addition 16,455.79; John A & Katheryn R Gillett – Relocation Expenses 498.64; Gilmore & Associates – Centennial Park 6th Addition 750.00; Gilmore & Associates – Service 250.00; Gilmore & Bell P C – Bond Issuance Services 7,125.00; Goc's Photography & Framing – Supplies 55.00; Great American Outdoor – Supplies 1,074.02; Thomas J. Grubaugh CPA, PC – Service 130.00; Hach Company – Supplies 1,019.96; Hadley-Braithwait Company – Supplies 333.15; Har-Mor Ag Air, Inc. – Utilities 1,106.47; Susan Haskell – Expenses 50.95; Hawkins, Inc. – Chemicals 3,641.09; HD Supply Waterworks Ltd – Supplies 2,294.63; HDR Engineering, Inc. – Viaducts 72,702.32; HDR Engineering, Inc. – Headworks 627.37; Heartland Natural Gas – Utilities 13,463.87; Dean Hefti – Expenses 54.09; Hi-Lo Equipment Company – Supplies 34.10; Hobby Lobby – Supplies 35.95; Hometown Leasing – Supplies 177.12; Mark S Howerter MD – Contract 514.00; Hy-Vee, Inc. – Supplies 421.41; IAFC Membership – Dues 259.00; IBM Corporation – Service 960.75; Impact Telecom – Utilities 51.65; Ingram Library Services, Inc. – Supplies 7,747.61; Interactivegis, Inc. – Software 3,199.00; International Code Council, Inc. – Membership 125.00; Jackson Services, Inc. – Supplies 2,572.00; Jackson Services, Inc. – Rent 200.00; Jacobson Satchell Consultants – Columbus Landfill 5,500.00; Bradley J & Amy C Jareske – Relocation Expenses 1,201.00; JEO Consulting Group, Inc. – Aquatic Center UV Filter Lamp 190.25; JEO Consulting Group, Inc. – Loup River Levee Recertification 40,002.75; Lori A Juhlin – Expenses 6.33; K-C Auto Supply, Inc. – Supplies 14.46; Kelly Supply Company – Supplies 1,196.72; Kimball Midwest – Supplies 50.00; Brian Kozak – Grant 350.00; Michael Kratochvil – Expenses 19.78; Kyle Kronberg – Expenses 100.00; Kudron Siding & Gutters – Service 125.00; LaRue Distributing, Inc. – Supplies 40.75; League of Nebraska Municipalities – Training 339.00; Pete Lien & Sons, Inc. – Chemicals 8,663.79; Logan Contractors Supply, Inc. – Supplies 4,939.32; John F Lohr – Expenses 84.62; Loup Power District – Utilities 96,517.26; Mail Prep, Etc. – Postage 297.81; The Mailbox – Postage 55.26; MailFinance – Lease 585.63; Marley's Electric, Inc. – Service 2,117.87; Matheson-Linweld – Supplies 296.26; McCrometer, Inc. – Supplies 1,449.39; McDonalds – Meals 33.68; Carroll & Doris Melliger – Easement 125.00; Menards – Supplies 909.72; Mid Con Systems, Inc.

– Supplies 203.28; Mid-American Research Chemical – Supplies/Chemicals 3,654.25; Mid-State Organized Crime Information Center – Membership 200.00; Midwest Glass Service, Inc. – Service/Supplies 1,045.00; Midwest Laboratories, Inc. – Service 394.35; Midwest Service & Sales Co. – Supplies 723.25; Midwest Service & Sales Co. – Road Maintainer 12,500.00; Mike’s Towing – Service 3,311.79; Mohrmann Tool, Inc. – Service 250.00; Motion Industries, Inc. – Supplies 98.13; Scott Mueller – Grant 41,175.00; Shane Mueller – Service 146.50; Municipal Analysis Service, Inc. – Supplies 150.00; Municipal Pipe Tool Co., Inc. – Supplies 834.39; NCMA – Membership 444.48; NCS Equipment Rental – Supplies 146.10; Nebraska Association of Airport Officials – Membership 250.00; Nebraska Department of Economic Development – Grant 923.16; Nebraska Department of Environmental Quality – Training 550.00; Nebraska Department of Health and Human Services – New Transfer Station 1,100.50; Nebraska Department of Roads – Bus 9,723.00; Nebraska Environmental Products – Supplies 608.73; Nebraska Golf Course Superintendent Association – Membership 125.00; Nebraska Library Commission – Subscription 480.00; Nebraska Public Health Environmental Laboratory – Service 2,067.00; Nebraska Rural Water Association – Training 200.00; Nebraska Rural Water Association – Membership 275.00; Nebraska Supreme Court – Supplies 180.00; Nebraska U C Fund – Payment 1,812.00; Nebraska-Iowa Industrial Fasteners Corp. – Supplies 100.58; Neighborworks Northeast Nebraska – Grant 32,600.00; Marvin O Nelson – Pension 502.50; Newman Traffic Signs – Supplies 909.80; Niemann’s Port-A-Pot – Service 40.00; Northeast Nebraska Economic Development District – Grant 3,330.60; Northeast Nebraska Solid Waste Coalition – Landfill Disposal 40,846.43; NoSwett Fencing, Inc. – Refund 25.00; Novicki Fire Prevention Services – Service 79.00; NWEA – Training 1,000.00; O’Reilly Automotive, Inc. – Supplies 638.83; Occupational Health Services – Service 593.00; OCLC, Inc. – Service 687.94; Mike Oglevie – Expenses 10.49; One Call Concepts, Inc. – Service 66.80; Otte Electric – Service 476.31; Overhead Door Company – Service 63.50; Overturf Electric Motors Services, Inc. – Service/Supplies 669.00; Jill Owens – Expenses 20.00; The Parts Bin – Supplies 102.96; Peerless Wiping Cloth – Supplies 283.85; Pet Care Specialists – Service 217.05; Petty Cash – Expenses 66.35; Pizza Ranch – Meals 142.54; Platte County – Contract 2,791.00; Platte Valley Communications – Service 3,500.00; Platte Valley Humane Society – Payment 13,132.25; Preferred Plumbing & Heating, Inc. – Service 250.00; Presto-X-Company – Service 52.72; Quill Corporation – Supplies 280.45; R & R Products – Supplies 2,229.60; Railroad Management Co. III LLC – License Fee 146.16; Recorded Books LLC – Supplies 298.23; Reis Environmental – Supplies 330.00; Margaret E Reynoldson – Relocation Expenses 1,679.44; RR Donnelley – Supplies 437.26; RVW, Inc. – Telecommunication System 1,905.00; Sackett Electric – Service 447.30; Sahling Kenworth, Inc. – Service/Supplies 313.36; Sapp Bros Columbus, Inc. – Fuel 10,228.22; Sapp Bros Petroleum, Inc. – Fuel 27,969.85; Schneider’s O K Tire Company – Lease Payment 30.00; Ed Scriven – Supplies 30.00; Seacrest & Kalkowski PC LLC – Service 2,188.12; Security Equipment, Inc. – Security Equipment 13,982.00; Sepe, Inc. – Service 881.25; Servicemaster By Kudron – Supplies 263.35; Servicemaster By Shevlin – Service 1,709.76; Settje Plumbing – Service 194.80; Mike Shemek – Expenses 55.37; Sherwin-

Williams Co. – Supplies 317.86; Shevlin Supply – Supplies 39.69; Silver Pressure Service LLC – Service/Supplies 435.00; Siouxland Turf Product, Inc. – Supplies 3,604.00; Sipple, Hansen, Emerson & Schumacher – Service 2,932.35; Sirius Computer Solutions, Inc. – Security System 5,948.07; Matt Soukup – Expenses 85.88; Phil Spady – Refund 16.74; Staffco, Inc. – Service 1,972.00; Stanley Petroleum Maintenance, Inc. – Supplies 52.52; Gene Steffy Ford – Service 298.21; Stericycle, Inc. – Service 371.54; Barbara Swedenburg – Expenses 50.40; Sysco Lincoln – Supplies 537.57; T & L Services – Service 525.00; Technology Association – GIS System 722.34; Telvent DTN LLC – Service 675.00; Three Eagles Communications – Advertising 666.00; Tighton Fastener & Supply, Inc. – Supplies 49.85; Time Warner Cable – Service 359.70; TM Cleaning – Service 200.00; Totalfunds by Hasler – Postage 1,000.00; Tractor Supply Credit Plan – Supplies 418.94; Turfwerks – Supplies 3,739.06; Typhoon Wash – Service 56.51; U & I Sanitation – Service 91.25; U S Bank – Expenses 95.99; Ultra Graphics – Supplies 79.41; United States Post Office – P.O. Box Fee 268.00; United States Post Office – Postage 2,043.91; University of Nebraska Lincoln – Training 121.00; University of Nebraska Omaha – Training 786.00; USA Blue Book – Supplies 215.37; Utility Service Co., Inc. – Tank Maintenance 22,344.48; Gregory Vacha – Expenses 230.00; Scott Van Keppel LLC – Supplies 392.04; Verizon Wireless – Utilities 2,056.57; Vermeer High Plains – Supplies 141.04; Walmart Community – Supplies 1,656.02; Waste Connections of Nebraska – Service 288.43; Watchguard Video – Supplies 83.00; Water's Edge Aquatic Design LLC – Pawnee Plunge Expansion 8,176.00; West Point Implement of Columbus – Supplies 1.44; Zee Medical Service – Supplies 112.05; Zep Sales & Service – Supplies 337.95; 4 Jokers Bar – Grant 2,940.00. TOTAL \$1,489,093.13.

Moved by Schilling, seconded by Augustine-Schulte, the items on the consent agenda, being routine in nature, be approved as presented. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Jablonski, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay." Motion carried.

PRESENTATION – "STATE OF THE CITY" ADDRESS BY MAYOR MOSER: Mayor Moser read his 2014 State of the City Address to review accomplishments in 2013 and he noted that construction of the Loup River Levee upgrade, 3rd Avenue viaduct and 18th Avenue pedestrian overpass are scheduled to begin in 2014. He pointed out that the city is in good financial health with the general fund balance up approximately eight percent and he reported that the large projects slated for 2014 can be built within the current property tax levy. Mayor Moser encouraged residents to get involved in city government by volunteering, running for an office, or serving on one of the city boards. He invited citizens to contact him or council members at 402-562-4232 or by accessing emails through the City's website www.columbusne.us to address any questions they may have.

PRESENTATION – DRIVE FOR FIVE ACCOMPLISHMENTS: K.C. Belitz, on behalf of Drive for Five, an initiative under the direction of the Columbus Area Chamber of Commerce, thanked the Mayor and City Council for their service in partnering with the Chamber of Commerce to address city needs this past year. Belitz reported on the

unemployment rate in Platte County and noted there is still a need for the Drive for Five initiative to continue with job recruitment efforts. Dee Hanson, Drive for Five Coordinator, gave a summary of the 2013 recruitment activities and said they will continue with these efforts focusing on recruitment, development, and retention.

PUBLIC HEARING – CITIZENS ADVISORY REVIEW COMMITTEE REPORT: The Affidavit of Publication and Notice of Hearing were presented on the public hearing held for the purpose of receiving comments from the Citizen's Advisory Review Committee (CARC) and the report of activities presented in accord with the Columbus Economic Development Plan. A memorandum was also presented from City Administrator Mangiamelli, CARC Co-Administrator, noting that CARC met on October 31, 2013, they have two items under review pending additional information and are requesting this public hearing be continued to the February 18, 2014 meeting. Moved by Bogus, seconded by Bahr, this public hearing be continued to February 18, 2014 at 7 p.m. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Jablonski, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay." Motion carried.

PUBLIC HEARING – APPLICATION OF EL REY LLC, DBA EL MEZCAL, FOR RETAIL CLASS "C" BEER, WINE AND DISTILLED SPIRITS ON AND OFF SALE LIQUOR LICENSE AT 1012 EAST 23 STREET, SUITE 300: The Affidavit of Publication and Notice of Hearing were presented on the application of El Rey LLC, dba El Mezcal, for a Retail Class "C" Beer, Wine and Distilled Spirits On and Off Sale Liquor License at 1012 East 23 Street, Suite 300. 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. No one appeared in opposition and no one spoke regarding this issue. Moved by Bulkley, seconded by Schilling, the public hearing be closed, the application be approved and a letter be sent to the Nebraska Liquor Control Commission notifying them of the Council's action. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Jablonski, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay." Motion carried.

APPLICATION OF ARTURO DELAPAZ AS MANAGER OF EL MEZCAL IN CONJUNCTION WITH CLASS "C" LIQUOR LICENSE: The application of Arturo DeLaPaz as manager of El Mezcal, 1012 East 23 Street, Suite 300, 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, Bogus, Bulkley, Jablonski, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay." Motion carried.

PUBLIC HEARING – APPLICATION OF 4-N CORPORATION FOR FINAL PLAT AND SUBDIVISION AGREEMENT OF WHITETAIL LAKE 6TH SUBDIVISION (32 AVENUE AND WHITETAIL DRIVE) AND REQUEST FOR WAIVERS: The Affidavit of

Publication and Notice of Hearing were presented on the application of 4-N Corporation for the final plat and subdivision agreement of Whitetail Lake 6th Subdivision, located in part of the Southwest 1/4 of Section 30 and in part of the Northwest 1/4 of Section 31, Township 17 North, Range 1 East of the 6th P.M., Platte County, Nebraska (32 Avenue and Whitetail Drive) and request for the following waivers: 1) to allow the street width to be less than the standard 33 feet; 2) to allow the cul-de-sac to have a length that exceeds 350 feet; and 3) to allow non-standard street naming. A memorandum was presented from City Engineer Goedeken submitting detailed information and a staff recommendation to approve the final plat and subdivision agreement with the following stipulations: 1) Waiver of subdivision regulations to decrease roadway width; 2) Waiver of subdivision regulations to exceed the maximum length of a cul-de-sac; 3) Non-standard street naming to conform with existing street names in the area; 4) Proposed storm sewer system for newly paved streets will discharge into perimeter property rather than into lake; and 6) Applicant needs approval from Corps of Engineers or FEMA prior to building roadway on the levee system. The Planning Commission recommended approval with the contingency that Sanitary and Improvement District No. 7 be included as a party in the subdivision agreement. No one spoke regarding this issue and no one appeared in opposition. Moved by Bogus, seconded by Bulkley, the public hearing be closed. City Administrator Mangiamelli explained that the subdivision agreement and resolution have not been drafted at this time and the public hearing could either be closed at this meeting with appropriate documents presented at a future meeting or it could be continued in order to allow questions or comments from the public once the appropriate documents are available. Council Member Bogus, with consent of his second, amended his motion and restated that this public hearing be continued to February 18, 2014 at 7 p.m. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Jablonski, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay." Motion carried.

PUBLIC HEARING - APPLICATION OF WEST WOOD ADDITION, LLC TO REZONE A TRACT OF LAND IN THE VICINITY OF 48 AVENUE AND FUTURE 18 STREET ON WEST SIDE FROM "RR" (RURAL 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 a tract of land located in the Southeast 1/4 of the Northeast 1/4 of Section 23, Township 17 North, Range 1 West of the 6th P.M., Platte County, Nebraska (vicinity of 48 Avenue and future 18 Street on west side) from "RR" (Rural 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 presented from Community Development Director Curtis submitting detailed information and a staff recommendation to approve the rezoning request. The Planning Commission recommended approval. No one spoke regarding this issue and no one appeared in opposition. Moved by Schilling, seconded by Bahr, the public hearing be closed. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Jablonski, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay." Motion carried.

ORDINANCE NO. 14-01 WAS INTRODUCED BY COUNCIL MEMBER LOHR.**ORDINANCE NO. 14-01****ADOPTED: JANUARY 20, 2014**

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: A TRACT OF LAND LOCATED IN THE SE1/4NE1/4 OF SECTION 23, TOWNSHIP 17 NORTH, RANGE 1 WEST OF THE 6TH P.M., PLATTE COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF THE SE1/4NE1/4 OF SECTION 23, TOWNSHIP 17 NORTH, RANGE 1 WEST OF THE 6TH P.M., PLATTE COUNTY, NEBRASKA; THENCE S88°11'02"W ON AN ASSUMED BEARING ON THE NORTH LINE OF THE SE1/4 OF SAID NE1/4, 33.00 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF "48TH AVENUE" TO THE CITY OF COLUMBUS, PLATTE COUNTY, NEBRASKA; THENCE S01°46'24"E ON SAID WEST RIGHT-OF-WAY LINE, 529.01 FEET TO THE SOUTHEAST CORNER OF RIVERSIDE ADDITION, SAID POINT BEING THE POINT OF BEGINNING; THENCE S88°08'31"W ON THE SOUTH LINE OF RIVERSIDE ADDITION, 210.53 FEET; THENCE N01°47'14"W, 66.87 FEET TO THE SOUTHEAST CORNER OF LOT 9, RIVERSIDE ADDITION; THENCE S88°08'31"W ON THE SOUTH LINE OF RIVERSIDE ADDITION, 506.00 FEET TO THE SOUTHWEST CORNER OF LOT 13, RIVERSIDE ADDITION; THENCE S01°47'14"E, 354.00 FEET; THENCE N88°08'31"E, 506.00 FEET, THENCE S01°47'14"E, 30.87 FEET; THENCE N88°08'31"E, 210.46 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF "48TH AVENUE"; THENCE N01°46'24"W ON SAID WEST RIGHT-OF-WAY LINE OF "48TH AVENUE", 318.00 FEET TO THE POINT OF BEGINNING, CONTAINING 5.65 ACRES, MORE OR LESS, FROM THE PRESENT ZONING CLASSIFICATION OF "RR" (RURAL 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; TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM; AND TO PROVIDE FOR THE EFFECTIVE DATE.

Moved by Lohr, seconded by Augustine-Schulte, the rules be suspended and Ordinance No. 14-01 be read by number only at this meeting. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Jablonski, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay." Motion carried and Ordinance No. 14-01 was read by number only at this meeting.

Moved by Lohr, seconded by Schilling, Ordinance No. 14-01 be passed and adopted.

Mayor Moser put the question, "Shall Ordinance No. 14-01 be passed and adopted?" Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Jablonski, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay." Motion carried.

Mayor Moser declared, "By your action, you have passed Ordinance No. 14-01," and it was duly signed.

PUBLIC PROPERTY, SAFETY AND WORKS COMMITTEE REPORT – DISCUSSION AND APPROVAL OF MINUTES OF TRAFFIC CONTROL DEVICE COMMITTEE MEETINGS HELD DECEMBER 9, 2013 AND JANUARY 6, 2014:

The report of the Public Property, Safety and Works Committee was presented with the recommendation to accept the minutes of the December 9, 2013, and January 6, 2014, Traffic Control Device Committee meetings as presented. Moved by Bahr, seconded by Bulkley, this report be adopted. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Jablonski, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay." Motion carried.

COMMITTEE OF THE WHOLE REPORT – REVIEW/ORIENTATION OF LEVY OF SPECIAL ASSESSMENTS:

City Administrator Mangiamelli reported that the Committee of the Whole met to review procedures for levying special assessments and no action was taken at the meeting.

APPOINTMENT OF PATRICK L. POPE TO COLUMBUS BOARD OF AIRPORT COMMISSIONERS:

A memorandum was presented from Mayor Moser submitting the name of Patrick L. Pope for appointment to the Columbus Board of Airport Commissioners for a three-year term. Council President Schilling read a brief resume and it was moved by Schilling, seconded by Bogus, to approve the Mayor's appointment. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Jablonski, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay." Motion carried.

APPLICATION OF WEST WOOD ADDITION, LLC FOR PRELIMINARY PLAT OF RIVERSIDE SECOND ADDITION (17 STREET AND 48 AVENUE):

An application was presented from West Wood Addition, LLC for the preliminary plat of Riverside Second Addition, located in the Southeast 1/4 of the Northeast 1/4 of Section 23, Township 17 North, Range 1 West of the 6th P.M., Platte County, Nebraska (17 Street and 48 Avenue). A memorandum was presented from City Engineer Goedeken submitting detailed information and a staff recommendation to approve the preliminary plat with the following stipulations: 1) Placement of a cleanout at the end of the east/west street with the understanding a manhole will be installed once the street is extended west; and 2) Temporary turnaround at the end of the east/west street. The Planning Commission recommended approval with the contingencies as listed in the City Engineer's memorandum. Moved by Bulkley, seconded by Schilling, the preliminary plat be approved with contingencies. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Jablonski, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay." Motion carried.

COMMENTS FROM MAYOR AND CITY COUNCIL MEMBERS: Council Member Bogus referred to the State of Nebraska's Officer of the Year award recently presented to Police Sergeant Bret Strecker and Police Chief Gumm explained that Sergeant Strecker has completed extensive training and is now a certified computer forensics examiner. Gumm pointed out that Sergeant Strecker will also be considered for an award by the National Committee at their convention this summer.

RESOLUTION NO. R14-03 WAS INTRODUCED BY COUNCIL MEMBER BULKLEY.

RESOLUTION NO. R14-03
ADOPTED: JANUARY 20, 2014

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, REJECTING ALL BIDS RECEIVED ON DECEMBER 18, 2013, FOR CONSTRUCTION OF THE NEW TRANSFER STATION, RETURNING ALL BID BONDS AND DIRECTING CITY STAFF TO RE-ADVERTISE THE PROJECT FOR BIDS AND THAT ALL PREVIOUS AND ANY NEW BIDDERS PROPOSAL BE CONSIDERED FOR AWARD.

City Administrator Mangiamelli, on behalf of City Attorney Stephen Hansen who was unable to attend this meeting, referred to action taken at the last City Council meeting with regard to the bids received for construction of the new transfer station and reiterated that City Attorney Hansen feels that the best and fairest option would be to reject the bids and re-advertise. Moved by Bulkley, seconded by Schilling, Resolution No. R14-03 be passed and adopted. Public Works Director Buell explained that city staff is recommending the project be re-advertised for bids due to the anomalies during the bidding process. Mangiamelli stated that re-bidding the project would eliminate issues that confounded the original process and would follow the Council's past directives regarding cost constraints as re-bidding could potentially save a significant amount on the total cost of the project. John Bierman, of Bierman Contracting, Inc., expressed opposition to this resolution as he feels three of the four bids received were responsive bids. Jeff Keating, of Bierman Contracting, Inc., said he feels Resolution No. R14-04, awarding the bid to Bierman Contracting, Inc., should be adopted as the contract amount is only \$16,510 above the engineer's estimate. Richard Nosal, 1818 27 Street, expressed opposition to re-bidding the project. Council Member Bogus pointed out that he has a responsibility to the citizens to seek the lowest possible bid on this project and re-bidding the project could be an opportunity for additional bidders to submit bids. Following extensive discussion, roll call on the motion to pass and adopt Resolution No. R14-03 and Council Members Bahr, Bogus, Bulkley, Lohr, and Schilling voted "Aye" and Augustine-Schulte, Reardon, and Jablonski voted "Nay." Motion carried.

RESOLUTION NO. R14-04
REMOVED FROM AGENDA

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, PROVIDING FOR WITHDRAWAL OF THE APPARENT LOW BID FOR CONSTRUCTION OF A NEW TRANSFER STATION DUE TO AN ERROR IN

CALCULATING THE BID PROPOSAL AND AWARDING A CONTRACT TO BIERMAN CONTRACTING, INC., INCLUDING ONLY BID ITEMS 1, 2 AND 3, IN THE AMOUNT OF \$3,694,050 FOR CONSTRUCTION OF A NEW TRANSFER STATION.

Moved by Bogus, seconded by Schilling, Resolution No. R14-04 be removed from the agenda. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Jablonski, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay." Motion carried.

RESOLUTION NO. R14-06 WAS INTRODUCED BY COUNCIL MEMBER JABLONSKI.

RESOLUTION NO. R14-06

ADOPTED: JANUARY 20, 2014

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, APPROVING THE REVISED FEE SCHEDULE AGREEMENT WITH MIDWEST RIGHT OF WAY SERVICES, INC., IN AN AMOUNT NOT TO EXCEED \$192,680, THEREBY AMENDING THE FEE SCHEDULE APPROVED BY RESOLUTION NO. R13-28, THIS REVISED FEE SCHEDULE FOR RIGHT OF WAY SERVICES RELATES TO THE COLUMBUS VIADUCTS PROJECTS, 3RD AVENUE VIADUCT AND 18TH AVENUE OVERPASS, A COPY OF WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN BY THIS REFERENCE; TO AUTHORIZE THE MAYOR TO EXECUTE THE SAME; AND TO REPEAL ALL RESOLUTIONS IN CONFLICT HEREWITH.

Moved by Jablonski, seconded by Bahr, Resolution No. R14-06 be passed and adopted. In response to Mayor Moser, City Administrator Mangiamelli explained that this amendment is to provide for additional property acquisitions for the viaduct/overpass projects. Discussion followed with regard to the increase in fees and it was noted that the fees are established by the Nebraska Department of Roads. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Jablonski, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay." Motion carried.

CONSIDERATION OF PAYROLL AND BILLS ON FILE: ARL Credit Services – Service 891.24; Reardon Lawn & Garden, Inc. – Service 294.67. TOTAL \$1,185.91. Council Member Jablonski requested to be excused from discussion on this agenda item because he is an owner of ARL Credit Services and therefore has a conflict of interest. Council Member Reardon requested to be excused from discussion on this agenda item because he is an owner of Reardon Lawn & Garden, Inc. and therefore has a conflict of interest. Moved by Schilling, seconded by Lohr, Council Members Jablonski and Reardon be allowed to abstain from voting on this agenda item and to suspend the City Council rules requiring them to leave the Council Chambers during discussion and vote on this agenda item. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Lohr, and Schilling voted "Aye" and none voted "Nay." Council Members Jablonski and Reardon abstained from voting. Motion carried. Moved by Schilling, seconded by Bahr, to approve the bills on file. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Lohr, and Schilling voted "Aye" and

none voted "Nay." Council Members Jablonski and Reardon abstained from voting. Motion carried.

Moved by Bulkley, seconded by Schilling, the meeting be adjourned. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Jablonski, Lohr, Reardon and Schilling voted "Aye" and none voted "Nay." Motion carried and the meeting was adjourned at 8:18 p.m.

Presented and approved this 3rd day of February, 2014.

MAYOR

ATTEST:

CITY CLERK