

A regular meeting of the Mayor and City Council of the City of Columbus, Nebraska, was convened in open and public session on August 18, 2014, at 7 p.m. in the Council Chambers, 1369 25 Avenue, Columbus, Nebraska. It was noted that this meeting convened following a recess of the August 18, 2014, Community Development Agency meeting.

Notice of this meeting was given in advance thereof by publication in the Columbus Telegram on July 31, 2014, 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, and Ron Schilling. Council Member Terry Reardon was absent and excused. City staff members present included City Administrator Joseph Mangiamelli, City Clerk Janelle Kline, City Attorney Mark Sipple, City Engineer Rick Bogus, Finance Director Anne Kinnison, Police Chief William Gumm, Public Property Director Doug Moore, Public Works Director Roger Buell, and Community Development Director Dan Curtis.

PRAYER: Council President Schilling led in prayer.

NATIONAL ANTHEM AND PLEDGE OF ALLEGIANCE: Mayor Moser asked all to join him in the National Anthem and Pledge of Allegiance.

Mayor Moser welcomed Boy Scout Troop 276 to the 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 August 4, 2014, City Council meeting.
- B. Approval of plans, specifications, and estimate of cost in the amount of \$100,000 for East Pawnee Park Restrooms and authorizing city staff to advertise for bids. (Plans and specifications are on file in the City Clerk's office.)

- C. Approval of Resolution No. R14-81 continuing Columbus/Platte County Enhanced 911 service surcharge of \$1 per month on each local exchange access line physically terminating in the City of Columbus, Nebraska 911 service area.
- D. Approval of Resolution No. R14-82 authorizing payment of various improvement projects.
- E. Approval of Finance Department reports.
- F. Approval of payroll and bills on file. 08/29/14 Payroll 413,193.28; A & J Guns – Supplies 240.13; Ace Hardware & Garden Center – Supplies 1,209.82; Donald D Adkisson – Pension 609.00; Alamar Uniforms – Supplies 560.47; ALM Painting – Grant 4,965.00; Altec Industries, Inc. – Service 318.48; AmSan – Supplies 571.79; Anderson Auto Body and Sales – Service 9,143.88; ANSIR4U, Inc. – Service 95.00; Aqua-Chem, Inc. – Chemicals 1,786.60; Aqua-Pure, Inc. – Chemicals 10,063.99; AS Central Services – Service 704.00; AT&T – Utilities 30.55; Auto Quality Sales & Service – Service 38.92; Awards & Engraving – Service 20.10; B-D Construction, Inc. – New Transfer Station 427,815.00; B-D Construction, Inc. – 2014 Street Construction 19,071.02; B-D Construction, Inc. – Service 600.00; Barcel Landscape Products, Inc. – Wood Waste Contract 7,920.00; Beard-Warren Heating & Air Conditioning – Service 236.80; Behlen Towing – Service 1,269.00; Louis Benda Jr – Expenses 7.63; Best Disc Repair, Inc. – Supplies 103.96; Better Containers Mfg. Co., Inc. – Supplies 1,353.40; Bierman Contracting, Inc. – Library Font Window Repair 27,253.00; Big Red Printing – Supplies 10.00; Big Red Sanitation – Service 220.00; Carroll A Bisson – Pension 716.51; Black Hills Energy – Utilities 1,460.26; Frank J Blahak Jr – Pension 762.00; Richard Bogus – Expenses 152.32; BOK Financial – Bond Interest 25,649.29; Bomgaars – Supplies 738.45; Bound Tree Medical LLC – Supplies 69.32; Brodart Co. – Supplies 37.23; Business Telecommunication Systems, Inc. – Service 45.00; C & S Electronics, Inc. – Service 20.00; Cat's Pro Mow – Service 203.50; Center Point Large Print – Supplies 44.34; Central Community College – Training 39.00; Central Parts & Machine – Supplies 577.96; Central Sand & Gravel Co. – Supplies 626.02; Central Valley Ag – Supplies 274.91; Century Link – Utilities 1,524.99; Jay Cerny Landscaping – Service 152.78; Cinco Books – Supplies 165.50; City of Columbus – Utilities 104.54; Club Prophet Systems – Service 90.00; Columbus Area Chamber of Commerce – Supplies 1,300.00; Columbus Community Hospital – Service/Supplies 2,556.74; Columbus Custom Embroidery – Supplies 308.50; Columbus Electronics, Inc. – Supplies 59.45; Columbus Family Resource Center – Lease Payment 6,666.66; Columbus Telegram – Publications 2,742.76; Columbus Tire & Service – Service 1,802.57; Commonwealth Electric Company – Service 272.03; Community Internet – Service 30.00; Connecting Point/Radio Shack - Supplies 112.98; Karen Connell – Expenses 14.00; Consolidated Management Co. – Meals 50.75; Cornhusker Public Power District – Utilities 855.46; Credit Bureau Services – Membership 5.00; Creston Fertilizer Co., Inc. – Supplies 1,227.90; Culligan of Columbus – Supplies 270.14; Danko Emergency Equipment – Supplies 297.12; Demco – Supplies 95.00; DHHS – Pawnee

Plunge Expansion 7,600.00; Diamond Vogel Paint Center – Supplies 206.37; Thomas Dicostanzo – Refund 40.20; Dugan Business Forms – Supplies 331.27; Dultmeier Sales LLC – Salt Brine Equipment 3,824.00; Douglas Dunbar – Contract 5,285.00; Douglas Dunbar – Commissions 11,038.23; Douglas Dunbar – Expenses 1,356.16; DXP Enterprises – Supplies 791.04; Eakes Office Plus – Supplies 4,182.55; El Tapatio Mexican Restaurant – Meals 595.00; Electric Pump, Inc. – Supplies 2,736.97; Electrical Engineering & Equipment Co. – Supplies 762.33; Electronic Engineering – Service/Supplies 1,520.13; Eletech, Inc. – Service 550.90; Eller Heating Air Conditioning & Plumbing LLC – Service 68.00; Engine Company #1 – Expenses 22.37; Enterprise Electric CO/CED – Supplies 523.05; Fairfield Inn & Suites – Lodging 199.90; Jon Faltys – Aquatic Center Lobby & Restroom Floors 6,200.00; Fastenal Company – Supplies 671.59; Ferrellgas – Supplies 217.97; Fire Facilities – Supplies 2,374.57; Fireguard, Inc. – Supplies 360.51; First Franchise Capital – Grant 6,200.00; First National Bank & Trust Company – Fees 202.98; First National Bank Omaha – Expenses 5,946.98; S A Foster Lumber Company – Supplies 82.00; Ashley Franzen – Expenses 6.41; Frontier – Utilities 5,533.30; Frontier Communications – Utilities 237.88; Gaeth Pest Control Services, Inc. – Service 257.00; Gale – Supplies 255.13; Galls – Supplies 1,358.01; Tom Gassen – Refund 76.34; Gaver Tire & Auto Center, Inc. – Service 3.00; Gaylord Brothers, Inc. – Supplies 108.40; Gehring Construction & Ready-Mix Company – Discoverer Addition Infrastructure 52,613.64; Gehring Construction & Ready-Mix Company – Supplies 1,011.68; Gerhold Concrete Company – Supplies 4,633.90; Gilmore & Associates – Discoverer Addition 20,500.00; Glock Professional, Inc. – Training 390.00; Goc's Photography & Framing – Supplies 152.50; Godfather's Pizza – Meals 196.42; Grainger – Supplies 252.05; Graphic Screen Printing – Supplies 52.00; Great American Outdoor – Supplies 166.39; Greenkeeper Co., Inc. – Supplies 5,258.50; Fran Groteluschen – Refund 54.27; Hadley-Braithwait Company – Supplies 1,140.30; Karen Hake – Expenses 392.88; Brad Hansen – Expenses 4.35; Hawkins, Inc. – Chemicals 5,953.61; HDR Engineering, Inc. – New Transfer Station 23,113.46; HDR Engineering, Inc. – Wastewater Treatment Facility Improvements 46,508.85; Heartland Communications – Phone System 21,014.00; Heartland Natural Gas – Utilities 3,362.89; Dean Hefti – Expenses 54.09; Hi-Lo Equipment Company – Supplies 44.95; HOA Solutions, Inc. – Supplies 3,761.85; Hometown Leasing – Supplies 450.14; Mark S Howerter MD – Contract 514.00; Huffy's Airport Windsock – Supplies 452.80; Hy-Vee, Inc. – Supplies 454.57; Hydro Tech, Inc. – Service 153.00; IAEI – Membership 102.00; Identi-Kit Solutions – Supplies 204.00; Image Tech & Printing – Supplies 146.50; Impact Telecom – Utilities 51.62; Ingram Library Services, Inc. – Library Materials 8,503.68; J & L Automotive, Inc. – Service 315.00; Jack's Uniforms & Equipment – Supplies 4,081.12; Jackson Services, Inc. – Supplies 2,862.97; Jackson Services, Inc. – Rent 200.00; Jenner & Block LLP – Service 2,303.75; JEO Consulting Group, Inc. – Aquatic Center Bulkhead 638.77; Johnson Appraisal LLC – Loup River Levee Recertification 6,000.00; Johnson Controls – Service 4,346.28; Kansas Polygraph Association – Training 150.00; Kelly Supply Company – Supplies 2,725.00; Michael Kratochvil – Expenses 56.00; Lcal Equipment, Inc. – Supplies 1,730.12; Lakeview Small Engine, Inc. – Supplies 1,775.98; LaRue Distributing, Inc. – Supplies 80.94; Layne Christensen Co. –

Well Maintenance 7,323.74; Library Ideas LLC – Subscription 1,234.00; Pete Lien & Sons, Inc. – Chemicals 4,567.26; Lincoln Journal Star – Advertising 622.92; Logan Contractors Supply, Inc. – Supplies 414.56; John F Lohr – Expenses 80.44; Loup Power District – Utilities 115,996.82; M & L, Inc. – Contract 5,198.19; M & O Door Products – Service 626.00; Mail Prep, Etc. – Postage 259.10; The Mailbox – Postage 79.46; Becky Massman – Supplies 15.00; Matheson-Linweld – Supplies 90.33; Cal McClurg – Expenses 5.21; Mead Lumber Co. – Supplies 39.88; Mechanical Sales, Inc. – Service/Supplies 3,545.63; Menards – Supplies 2,582.81; Metron-Farnier LLC – Meter & Radio Supplies 8,360.20; Mettler-Toledo, Inc. – Service 2,675.00; Mid Con Systems, Inc. – Supplies 105.01; Mid-American Research Chemical – Supplies 103.00; Mid-Plains Industries – Supplies 98.80; Midwest Glass Service, Inc. – Supplies 30.00; Midwest Laboratories, Inc. – Service 405.45; Midwest Mini Melts – Supplies 1,029.25; Midwest Right of Way Services – Viaducts 22,090.00; Midwest Service & Sales Co. – Supplies 162.92; Midwest Tape LLC – Supplies 470.85; Midwest Turf & Irrigation – Supplies 361.22; Mike's Towing – Service 1,586.55; MOPS – Advertising 150.00; Motion Industries, Inc. – Supplies 169.57; Mountain View LLC – Service 328.00; Shane Mueller – Service 146.50; Natara Corporation – Aquatic Center Bulkhead 34,500.00; Nebraska Code Officials Association – Membership 115.00; Nebraska Crime Commission – Supplies 60.00; Nebraska Department of Economic Development – Grant 898.05; Nebraska Department of Environmental Quality – Dues 150.00; Nebraska Golf & Turf, Inc. – Golf Cart Rentals 2,860.00; Nebraska Notary Association – Notary 196.50; Nebraska Public Health Environmental Laboratory – Service 735.00; Nebraska Safety Council – Supplies 6.68; Nebraska Treeworks & Sawmilling LLC – Pawnee Plunge Expansion 15,000.00; Nebraska Floodplain and Stormwater Managers Association – Training 180.00; Nebraska Floodplain and Stormwater Managers Association – Dues 70.00; Marvin O Nelson – Pension 502.50; Newsbank, Inc. – Subscription 1,505.00; NFPA – Supplies 504.63; Niemann's Port-A-Pot LLC – Service 316.00; Northeast Nebraska Solid Waste Coalition – Landfill Disposal 50,407.22; NoSwett Fencing, Inc. – Service 1,070.00; Novicki Fire Prevention Services – Service 237.75; O'Reilly Automotive, Inc. – Supplies 415.62; Oberg Locksmith & Security – Service 425.00; Obrist & Co., Inc. – Discoverer Addition Infrastructure 91,962.65; Occupational Health Services – Service 93.00; OCLC, Inc. – Service 1,402.73; Officenet – Supplies 87.03; Omaha World Herald – Advertising 645.18; One Call Concepts, Inc. – Service 225.80; One Source – Service 205.00; Otte Electric – Service/Supplies 2,026.56; Overturf Electric Motors – Service 1,431.00; Paraclete Press, Inc. – Supplies 126.44; Paragon Consulting Services – Service 115.00; The Parts Bin – Supplies 145.48; Peerless Wiping Cloth – Supplies 334.90; Rachel Pensick – Expenses 500.00; Pepsi Bottling Group – Supplies 250.90; Performance Paint and Body – Supplies 200.62; Pet Care Specialists – Service 202.40; Petty Cash – Expenses 74.61; Alan Pickrel – Expenses 5.35; Platte County – Contract 2,833.00; Pollardwater.com-east – Supplies 536.86; PPG Architectural Finishes – Supplies 1,216.00; Preferred Plumbing & Heating, Inc. – Service 434.94; Presto-X-Company – Service 124.90; Quill Corporation – Supplies 48.82; Recorded Books LLC – Supplies 746.44; Recreation Supply Company – Supplies 736.32; Redstone Veterinary Clinic – Service 73.95; RVW,

Inc. – Service 210.00; S & S Willers, Inc. – Supplies 1,146.64; Sackett Electric – Service 383.75; Sahling Kenworth, Inc. – Supplies 58.56; Sapp Bros Columbus, Inc. – Fuel 11,105.34; Sapp Bros Petroleum, Inc. – Fuel 22,399.22; Schieffer Signs, Inc. – Service/Supplies 640.00; Schneider's O K Tire Company – Lease Payment 30.00; Seacrest & Kalkowski PC LLC – Service 1,350.00; Security Equipment, Inc. – Service 2,138.57; Servicemaster By Shevlin – Service 1,709.76; Shevlin Supply – Supplies 904.17; Sipple, Hansen, Emerson & Schumacher – Service 3,260.05; David Sliva – Expenses 7.63; SpecialTee – Supplies 280.00; Sprinkler Company – Service 224.00; State of Nebraska Department of Revenue – Sales Tax 44,608.27; Stericycle, Inc. – Service 452.02; Sysco Lincoln – Supplies 4,556.18; T & L Services – Service 525.00; Rick Terry – Service/Supplies 709.95; Thomson Reuters-West – Subscription 2,786.50; Three Eagles Communications – Advertising 666.00; Tighton Fastener & Supply, Inc. – Supplies 527.21; Time Warner Cable – Service 359.70; Tire Outlet, Inc. – Service 2,324.00; Titan Machinery – Supplies 320.73; TM Cleaning – Service 200.00; Tractor Supply Credit Plan – Supplies 292.66; Truck Center Companies – Service 1,187.17; Turfwerks – Supplies 2,582.15; Twin Rivers Veterinary Clinic – Service 20.00; Tworek Welding & Repair – Service 179.00; Typhoon Wash – Service 36.00; U & I Sanitation – Service 91.25; U S Bank – Expenses 710.79; U S Toy Company – Supplies 175.47; Ultra Graphics – Supplies 202.50; United States Post Office – Postage 2,197.62; USA Blue Book – Supplies 113.94; Van Diest Supply Company – Supplies 5,085.60; Verizon Wireless – Utilities 2,575.43; Volunteer Fire Department – Expenses 15.00; Walmart Community – Supplies 1,530.55; Waste Connections of Nebraska – Service 314.89; WatchGuard Video – Supplies 526.00; Water's Edge Aquatic Design LLC – Pawnee Plunge Expansion 7,930.00; Werner International Enterprises, Inc. – Supplies 150.00; West Point Implement of Columbus – Service/Supplies 542.75; Wize Buys Abbey Carpet – Grant 1,689.00; Wolters Kluwer Law & Business – Supplies 461.00; Wunderlich's Catering – Meals 236.01; Yamaha Golf & Equipment – Service/Supplies 4,878.28; Zee Medical Service – Supplies 240.10; Zoll Medical Corporation – Supplies 588.17; 4imprint – Supplies 696.84. TOTAL 1,819,214.08.

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

SPECIAL PRESENTATION – REPORT ON UNION PACIFIC RAILROAD DEPOT AS REQUESTED BY COUNCIL MEMBER AUGUSTINE-SCHULTE:

In response to Council Member Augustine-Schulte, City Administrator Mangiamelli explained the events that have transpired to date regarding future plans for the Union Pacific Railroad (UP) depot. Once the new depot is constructed, the old depot will have to be relocated or demolished. The City would need to prepare a plan for reuse of the building. The cost to relocate the depot to land located west of 23 Avenue and south of 12 Street would be \$750,000. Entrepreneurs and local investors have been contacted to solicit potential interest and opportunities for reuse. Mangiamelli said he intends to meet with UP to gather more details regarding a schedule for abandonment or demolition,

possible salvage opportunities, and use of land once vacated. UP's responses will be posted on the city's website and a press release will be issued. Anyone interested in investing in the building are encouraged to contact UP as soon as possible.

APPLICATION OF CVS 10441NE, LLC FOR FINAL PLAT AND SUBDIVISION AGREEMENT OF CVS 1ST SUBDIVISION (23 AVENUE AND 23 STREET):

The Affidavit of Publication and Notice of Hearing were presented on the application of CVS 10441NE, LLC for the final plat and subdivision agreement of CVS 1st Subdivision, located in the northeast quarter of Section 19, Township 17 North, Range 1 East of the 6th P.M., Platte County, Nebraska (23 Avenue and 23 Street). A memorandum was presented from City Engineer Bogus submitting detailed information and a staff recommendation to approve the final plat and subdivision agreement. The Planning Commission recommended approval. John Efta, 2163 24 Avenue, expressed concerns regarding additional traffic as well as adding to the existing drainage issues in this area. Connie and Craig Junghaene, 2169 24 Avenue, distributed photos of standing water from a previous storm and expressed concerns that the issue will get worse with the proposed redevelopment. They also expressed concerns with maintaining the privacy of their neighborhood. Jim Hanna, 2172 24 Avenue, reported that this area did not have drainage issues until the widening of Highway 30. Public Works Director Buell reported that he will investigate possible causes for the drainage issues in this area. Matt Pitts, Carlson Consulting Engineers, Inc., on behalf of the applicant, explained the drainage plans as well as the plans for a privacy fence on this property. Most of the trees along 22 Street and 24 Avenue will remain in place. Moved by Schilling, seconded by Lohr, the public hearing be closed. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Jablonski, Lohr, and Schilling voted "Aye" and none voted "Nay". Council Member Reardon was absent. Motion carried.

RESOLUTION NO. R14-83 WAS INTRODUCED BY COUNCIL MEMBER LOHR.

RESOLUTION NO. R14-83
ADOPTED: AUGUST 18, 2014

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, ACCEPTING THE DEED OF DEDICATION TO A PARCEL OF LAND LOCATED IN THE NE 1/4 OF SECTION 19, TOWNSHIP 17 NORTH, RANGE 1 EAST OF THE 6TH P.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS: ALL OF LOTS 1 THROUGH 12 AND ALL OF THE VACATED ALLEY IN BLOCK 18, PHILLIPS THIRD ADDITION, EXCEPT THAT PART TAKEN FOR U.S. HIGHWAY 30 / 23RD STREET RIGHT-OF-WAY, ALL BEING LOCATED IN THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 17 NORTH, RANGE 01 EAST OF THE 6TH P.M., AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 12; THENCE S89°13'47"W (ASSUMED BEARING) FOR 264.10 FEET ALONG THE SOUTH LINES OF SAID LOTS 7 THROUGH 12 (ALSO BEING THE NORTH RIGHT-OF-WAY LINE OF 22ND STREET); THENCE N01°24'52"W FOR 248.12 FEET ALONG THE WEST LINE OF SAID LOTS 6 AND 7 (ALSO BEING THE EAST RIGHT-OF-WAY LINE OF 24TH AVENUE); THENCE N89°10'45"E FOR 154.02 FEET ALONG THE NORTH LINES OF SAID LOTS 3 THROUGH 6 (ALSO BEING THE SOUTH RIGHT-OF-WAY LINE OF SAID U.S.

HIGHWAY 30 / 23RD STREET) THENCE SOUTHEASTERLY ALONG A 117.0 FOOT RADIUS CURVE TO THE RIGHT (CHORD BEARING S56°25'06"E FOR 134.30 FEET) FOR AN ARC LENGTH OF 143.04 FEET ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY 30 / 23RD STREET; THENCE S01°25'58"E FOR 172.47 FEET ALONG THE EAST LINE OF SAID LOT 12 (ALSO BEING THE WEST RIGHT-OF-WAY LINE OF 23RD AVENUE) TO THE POINT OF BEGINNING. CONTAINS 63,306 SQUARE FEET OR 1.453 ACRES MORE OR LESS; HEREINAFTER TO BE KNOWN AS "LOT 1 OF CVS 1ST SUBDIVISION, A REPLAT OF PHILLIPS THIRD ADDITION, BLOCK 18, LOTS 1 THROUGH 12 TO THE CITY OF COLUMBUS, NEBRASKA"; APPROVING THE PLAT THEREOF; APPROVING AND ACCEPTING THE CVS 1ST SUBDIVISION AGREEMENT BY AND BETWEEN THE CITY OF COLUMBUS, NEBRASKA, A MUNICIPAL CORPORATION, AND CVS 10441 NE, L.L.C., A DELAWARE 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 SUBDIVISION.

Moved by Lohr, seconded by Schilling, Resolution No. R14-83 be passed and adopted. City Engineer Bogus confirmed that the subdivision agreement contains provisions for drainage. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Jablonski, Lohr, and Schilling voted "Aye" and none voted "Nay". Council Member Reardon was absent. Motion carried.

APPLICATION OF CVS 10441NE, LLC TO REZONE A TRACT OF LAND LOCATED NORTH OF 22 STREET BETWEEN 23 AVENUE AND 24 AVENUE FROM "R-1" (SINGLE-FAMILY RESIDENTIAL DISTRICT) TO "B-2" (GENERAL COMMERCIAL DISTRICT) AND 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 CVS 10441NE, LLC to rezone Lots 7 through 12, Block 18, Phillips Third Addition to the City of Columbus, Platte County, Nebraska (north of 22 Street between 23 Avenue and 24 Avenue) from "R-1" (Single-Family Residential District) to "B-2" (General Commercial 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 and amend the Future Land Use Map of the Comprehensive Plan to reflect the same change in zoning. The Planning Commission recommended approval. Craig Junghaene, 2169 24 Avenue, said he supports the rezoning application as long as the drainage issues do not worsen. Moved by Bulkley, seconded by Schilling, the public hearing be closed. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Jablonski, Lohr, and Schilling voted "Aye" and none voted "Nay". Council Member Reardon was absent. Motion carried.

ORDINANCE NO. 14-11 WAS INTRODUCED BY COUNCIL MEMBER SCHILLING.

ORDINANCE NO. 14-11

ADOPTED: AUGUST 18, 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: LOTS 7-12, BLOCK 18 OF PHILLIPS THIRD ADDITION TO THE CITY OF COLUMBUS, PLATTE COUNTY, NEBRASKA; FROM THE PRESENT ZONING CLASSIFICATION OF "R-1" (SINGLE-FAMILY RESIDENTIAL DISTRICT) TO "B-2" (GENERAL COMMERCIAL 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 Schilling, seconded by Augustine-Schulte, the rules be suspended and Ordinance No. 14-11 be read by number only at this meeting. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Jablonski, Lohr, and Schilling voted "Aye" and none voted "Nay". Council Member Reardon was absent. Motion carried and Ordinance No. 14-11 was read by number only at this meeting. Moved by Schilling, seconded by Lohr, Ordinance No. 14-11 be passed and adopted. Mayor Moser put the question, "Shall Ordinance No. 14-11 be passed and adopted?" Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Jablonski, Lohr, and Schilling voted "Aye" and none voted "Nay". Council Member Reardon was absent. Motion carried. Mayor Moser declared, "By your action, you have passed Ordinance No. 14-11," and it was duly signed.

APPLICATION OF FOREMAN PROPERTIES, LLC FOR A SPECIAL USE PERMIT TO ALLOW A SINGLE-FAMILY DWELLING IN A "B-2" (GENERAL COMMERCIAL DISTRICT) ZONE:

The Affidavit of Publication and Notice of Hearing were presented on the application of Foreman Properties, LLC for a special use permit to allow a single-family dwelling in a "B-2" (General Commercial District) zone located in Lot 6, and the East 29 feet of Lot 7, Block 5, Smith's Addition to the City of Columbus, Platte County, Nebraska, except that part deeded to the State of Nebraska Department of Roads as set out in Warranty Deed recorded July 26, 2013, in Book 229 at Page 459 (1671 33 Avenue). 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 special use permit request. The Planning Commission recommended approval. 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, Jablonski, Lohr, and Schilling voted "Aye" and none voted "Nay". Council Member Reardon was absent. Motion carried.

ORDINANCE NO. 14-12 WAS INTRODUCED BY COUNCIL MEMBER BAHR.

ORDINANCE NO. 14-12**ADOPTED: AUGUST 18, 2014**

AN ORDINANCE OF THE CITY OF COLUMBUS, NEBRASKA TO ISSUE A SPECIAL USE PERMIT TO ALLOW A RESIDENTIAL USE TO RENT OUT THE SECOND FLOOR OF THE BUILDING STRUCTURE, AS CONTAINED IN TABLE 4-2, ZONING DISTRICT REGULATIONS, OF THE ZONING CODE, ON THE FOLLOWING DESCRIBED REAL ESTATE IN A "B-2" (GENERAL COMMERCIAL ZONING DISTRICT): LOT 6, AND THE EAST 29 FEET OF LOT 7, BLOCK 5, SMITH'S ADDITION TO THE CITY OF COLUMBUS, PLATTE COUNTY, NEBRASKA, EXCEPT THAT PART DEEDED TO THE STATE OF NEBRASKA DEPARTMENT OF ROADS AS SET OUT IN WARRANTY DEED RECORDED JULY 26, 2013 IN BOOK 229 AT PAGE 459; 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 Bahr, seconded by Bulkley, the rules be suspended and Ordinance No. 14-12 be read by number only at this meeting. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Jablonski, Lohr, and Schilling voted "Aye" and none voted "Nay". Council Member Reardon was absent. Motion carried and Ordinance No. 14-12 was read by number only at this meeting. Moved by Bahr, seconded by Bulkley, Ordinance No. 14-12 be passed and adopted. Mayor Moser put the question, "Shall Ordinance No. 14-12 be passed and adopted?" Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Jablonski, Lohr, and Schilling voted "Aye" and none voted "Nay". Council Member Reardon was absent. Motion carried. Mayor Moser declared, "By your action, you have passed Ordinance No. 14-12," and it was duly signed.

APPLICATION OF LYMAN-RICHEY CORPORATION FOR A SPECIAL USE PERMIT TO ALLOW MINING, REMOVING AND SELLING SAND, GRAVEL, DIRT, SOIL AND RELATED RESOURCES IN AN "RR" (RURAL RESIDENTIAL DISTRICT) ZONE:

The Affidavit of Publication and Notice of Hearing were presented on the application of Lyman-Richey Corporation for a special use permit to allow mining, removing and selling sand, gravel, dirt, soil and related resources in an "RR" (Rural Residential District) zone located in East 1/2 of the Northeast quarter, Section 16, Township 17 North, Range 1 West, Platte County, Nebraska (south of Shady Lake Road and 78 Avenue-also known as 235 Avenue). 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 special use permit request. Planning Commission recommended approval. In response to Cory Ditter, 5316 23 Street, City Administrator Mangiamelli explained that the Special Use Permit is in effect until the use changes and the purpose of this request is to extract from a new area as the previous site has been depleted. Moved by Augustine-Schulte, seconded by Schilling, the public hearing be closed. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Jablonski, Lohr, and Schilling voted "Aye" and none voted "Nay". Council Member Reardon was absent.

Motion carried.

ORDINANCE NO. 14-13 WAS INTRODUCED BY COUNCIL MEMBER AUGUSTINE-SCHULTE.

ORDINANCE NO. 14-13
ADOPTED: AUGUST 18, 2014

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, TO ISSUE A SPECIAL USE PERMIT TO ALLOW FOR "RESOURCE EXTRACTION" AS CONTAINED IN TABLE 4-2, ZONING DISTRICT REGULATIONS OF THE ZONING CODE ON THE FOLLOWING DESCRIBED REAL ESTATE IN AN "RR" (RURAL RESIDENTIAL) ZONE: A TRACT OF LAND LOCATED IN THE E1/2 NE1/4, SECTION 16, TOWNSHIP 17 NORTH, RANGE 1 WEST, IN PLATTE COUNTY, NEBRASKA, AND 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 Augustine-Schulte, seconded by Bogus, the rules be suspended and Ordinance No. 14-13 be read by number only at this meeting. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Jablonski, Lohr, and Schilling voted "Aye" and none voted "Nay". Council Member Reardon was absent. Motion carried and Ordinance No. 14-13 was read by number only at this meeting. Moved by Augustine-Schulte, seconded by Bogus, Ordinance No. 14-13 be passed and adopted. Mayor Moser put the question, "Shall Ordinance No. 14-13 be passed and adopted?" Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Jablonski, Lohr, and Schilling voted "Aye" and none voted "Nay". Council Member Reardon was absent. Motion carried. Mayor Moser declared, "By your action, you have passed Ordinance No. 14-13," and it was duly signed.

APPLICATION OF SCOTUS CENTRAL CATHOLIC SECONDARY SCHOOL FOR A SPECIAL USE PERMIT TO ALLOW FOR AN OFF-STREET PARKING LOT TO SUPPORT SCHOOL AND BUS PARKING IN AN "R-2" (URBAN-FAMILY RESIDENTIAL DISTRICT) ZONE: The Affidavit of Publication and Notice of Hearing were presented on the application of Scotus Central Catholic Secondary School for a special use permit to allow for an off-street parking lot to support school and bus parking in an "R-2" (Urban-Family Residential District) zone located on Lots 9, 10 and North 1/2 Lots 11-12, Block 6, Chambers Addition to Original Town (now City) of Columbus, Platte County, Nebraska (1816 16 Street, 1810 16 Street and 1658 18 Avenue). 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 special use permit request. Planning Commission recommended approval. 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, Jablonski, Lohr, and Schilling voted "Aye" and none voted "Nay". Council Member Reardon was absent. Motion carried.

ORDINANCE NO. 14-14 WAS INTRODUCED BY COUNCIL MEMBER BULKLEY.**ORDINANCE NO. 14-14****ADOPTED: AUGUST 18, 2014**

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA TO ISSUE A SPECIAL USE PERMIT TO ALLOW FOR AN OFF-STREET PARKING LOT TO SUPPORT SCHOOL PARKING, BUS PARKING, AND PARKING FOR RELATED FUNCTIONS, ACTIVITIES AND EVENTS AS CONTAINED IN TABLE 4-2, ZONING DISTRICT REGULATIONS, OF THE ZONING CODE, ON THE FOLLOWING DESCRIBED REAL ESTATE IN AN "R-2" (URBAN-FAMILY RESIDENTIAL DISTRICT) ZONE: LOTS 9, 10, AND NORTH 1/2 LOTS 11-12, BLOCK 6, CHAMBERS ADDITION TO THE CITY OF COLUMBUS, PLATTE COUNTY, NEBRASKA; 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 Bulkley, seconded by Bahr, the rules be suspended and Ordinance No. 14-14 be read by number only at this meeting. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Jablonski, Lohr, and Schilling voted "Aye" and none voted "Nay". Council Member Reardon was absent. Motion carried and Ordinance No. 14-14 was read by number only at this meeting. Moved by Bulkley, seconded by Bahr, Ordinance No. 14-14 be passed and adopted. Mayor Moser put the question, "Shall Ordinance No. 14-14 be passed and adopted?" Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Jablonski, Lohr, and Schilling voted "Aye" and none voted "Nay". Council Member Reardon was absent. Motion carried. Mayor Moser declared, "By your action, you have passed Ordinance No. 14-14," and it was duly signed.

REDEVELOPMENT PLAN FOR THE COLUMBUS WESTGATE CENTER INCLUDING THE STATUTORY COST BENEFIT ANALYSIS FOR THE COLUMBUS WESTGATE CENTER REDEVELOPMENT PROJECT:

The Affidavit of Publication and Notice of Hearing were presented on the Redevelopment Plan for the Columbus Westgate Center including the Statutory Cost Benefit Analysis for the Columbus Westgate Center Redevelopment Project. Planning Commission recommended approval contingent upon Parcel B not being developed without first obtaining written approval from all property owners located within Westgate Center. Council Member Bulkley referred to the restrictive covenants regarding development of the sub-parcel and said he feels potential plans for Parcel B would attract additional shoppers and be beneficial to all businesses on this property. Attorney Mike Bacon stated that the Redevelopment Plan has been amended to incorporate language that mirrors the restrictive covenants. Bacon thanked City Administrator Mangiamelli, Finance Director Kinnison and City Clerk Kline for their efforts with this Tax Increment Financing project. 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, Jablonski, Lohr, and Schilling voted "Aye" and none voted "Nay". Council Member Reardon was absent. Motion carried.

RESOLUTION NO. R14-84 WAS INTRODUCED BY COUNCIL MEMBER BAHR.**RESOLUTION NO. R14-84****ADOPTED: AUGUST 18, 2014**

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, APPROVING THE REDEVELOPMENT PLAN FOR THE COLUMBUS WESTGATE CENTER AT THE INTERSECTION OF U.S. HIGHWAYS 81 AND 30.

Moved by Bahr, seconded by Schilling, Resolution No. R14-84 be passed and adopted. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Jablonski, Lohr, and Schilling voted "Aye" and none voted "Nay". Council Member Reardon was absent. Motion carried.

TOWN HALL MEETING TO CONSIDER THE NORTHEAST NEBRASKA SOLID WASTE COALITION BUDGET FOR FISCAL YEAR ENDING SEPTEMBER 30, 2015:

The Affidavit of Posting and Notice of Hearing were presented on the Town Hall meeting held to consider the Northeast Nebraska Solid Waste Coalition (NNSWC) budget for the fiscal year ending September 30, 2015, and related rates. Council Member Bogus, Chair of the NNSWC, reported a slight increase in the budget with no increase to the use fees. It was noted that Columbus, Norfolk, and Fremont are the largest cities in the coalition. No one appeared in opposition. Moved by Bogus, seconded by Jablonski, the Town Hall meeting be closed and the budget be recommended for approval by the Northeast Nebraska Solid Waste Coalition. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Jablonski, Lohr, and Schilling voted "Aye" and none voted "Nay". Council Member Reardon was absent. Motion carried.

City Administrator Mangiamelli requested the order of the items on the agenda be changed to consider Item 14A, Resolution No. R14-85, at this time. Moved by Bulkley, seconded by Bahr, to change the order of the items on the agenda to consider Item 14A at this time. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Jablonski, Lohr, and Schilling voted "Aye" and none voted "Nay". Council Member Reardon was absent. Motion carried.

RESOLUTION NO. R14-85 WAS INTRODUCED BY COUNCIL MEMBER BOGUS.**RESOLUTION NO. R14-85****ADOPTED: AUGUST 18, 2014**

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, AWARDED A CONTRACT TO CARROTHERS CONSTRUCTION COMPANY, LLC IN THE GUARANTEED MAXIMUM AMOUNT OF \$3,360,824 FOR THE PAWNEE PLUNGE WATERPARK EXPANSION PROJECT.

Public Property Director Moore introduced Bob Caffarelli and Fritz Caspar from Carrothers Construction Company, LLC as well as Jeff Bartley from Water's Edge Aquatic Design and said they are available to answer questions. Moore explained that

adjustments have been made to the final design plan and Carrothers Construction Company, LLC, as the Construction Manager at Risk, is assuring that the expansion costs will not exceed \$3,360,824. The theme for the waterpark will be "Columbus" and highlighted features will be a ship with water sprays, climbing wall, flow rider, and six lane recreational pool. It is anticipated that the new features will attract a broader range of age groups and increase daily attendance. The plans include additional plumbing for possible future expansion. Caffarelli said the plans were designed to get the most value for the money and will be submitted to the state for approval. Construction should be completed by the next swim season. Bartley said Water's Edge Aquatic Design is excited to move forward with this project and he noted that Columbus is on the leading edge with the flow rider feature. Moved by Bogus, seconded by Lohr, Resolution No. R14-85 be passed and adopted. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Jablonski, Lohr, and Schilling voted "Aye" and none voted "Nay". Council Member Reardon was absent. Motion carried.

PUBLIC PROPERTY, SAFETY, AND WORKS COMMITTEE – DISCUSSION AND ACTION ON UPDATE OF ELECTRICAL CODE – 2014: The report of the Public Property, Safety, and Works Committee was presented with the recommendation to amend the city code to adopt the 2014 National Electrical Code to comply with State law. Moved by Bahr, seconded by Bulkley, this report be adopted. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Jablonski, Lohr, and Schilling voted "Aye" and none voted "Nay". Council Member Reardon was absent. Motion carried.

PUBLIC PROPERTY, SAFETY, AND WORKS COMMITTEE – REPORTS FROM TRAFFIC CONTROL DEVICE COMMITTEE MEETINGS OF JULY 7, 2014, AND AUGUST 4, 2014: The report of the Public Property, Safety, and Works Committee was presented with the recommendation to accept the minutes of the July 7, 2014, and August 4, 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, and Schilling voted "Aye" and none voted "Nay". Council Member Reardon was absent. Motion carried.

PUBLIC PROPERTY, SAFETY, AND WORKS COMMITTEE – REQUEST OF TOM GDOWSKI TO VACATE ALLEY IN BLOCK 233, ORIGINAL CITY: City Administrator Mangiamelli reported that the Public Property, Safety, and Works Committee met to review the request of Tom Gdowski to vacate an alley in Block 233, Original City, and concurrence of the committee was to forward this request to the Planning Commission for a recommendation to the City Council.

PUBLIC PROPERTY, SAFETY, AND WORKS COMMITTEE – CORRESPONDENCE FROM MATT GOTTSCHALL, CENTRAL COMMUNITY COLLEGE, REGARDING EXTENSION OF COLUMBUS AREA TRANSIT SERVICE TO CENTRAL COMMUNITY COLLEGE - COLUMBUS: City Administrator Mangiamelli reported that the Public Property, Safety, and Works Committee met to review the request of Matt Gottschall, Central Community College, to discuss the possibility of extending Columbus Area Transit (CAT) services to the college and concurrence of the committee was to proceed with determining the feasibility of expanded CAT services.

APPLICATION OF 4-N CORPORATION FOR PRELIMINARY PLAT OF WHITETAIL LAKE 7TH SUBDIVISION (WHITETAIL DRIVE AND RED CEDAR LANE) AND REQUEST FOR WAIVER OF SUBDIVISION REGULATIONS FOR LENGTH OF CUL-DE-SAC, STREET WIDTH AND NON-NUMERIC STREET NAMING:

An application was presented from 4-N Corporation for the preliminary plat of Whitetail Lake 7th Subdivision, located in part of the southwest quarter and southeast quarter of Section 30, and part of the northwest quarter and northeast quarter of Section 31, Township 17 North, Range 1 East of the 6th P.M., Platte County, Nebraska (Whitetail Drive and Red Cedar Lane) and request for waiver of subdivision regulations for length of cul-de-sac to exceed 350 feet, for 27 foot wide street, and for naming east/west street "Whitetail Drive" and north/south street "Red Cedar Lane". A memorandum was presented from City Engineer Bogus submitting detailed information and a staff recommendation to approve the preliminary plat and requested waiver of subdivision regulations contingent upon written approval from Whitetail Lake Levee engineering consultant or Army Corps of Engineers on elevations and construction of roadway on levee and also written approval from property owner allowing storm water drainage onto property south of subdivision. Planning Commission recommended approval. Moved by Bulkley, seconded by Schilling, the preliminary plat and request for waivers be approved. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Jablonski, Lohr, and Schilling voted "Aye" and none voted "Nay". Council Member Reardon was absent. Motion carried.

COMMENTS FROM MAYOR AND CITY COUNCIL MEMBERS: Council Member Jablonski commended all who were involved with the Columbus Days activities and thanked the committee for nominating him as King Ferdinand. He encouraged citizens to volunteer in the community. Council Member Schilling commended the State on the 23 Street improvements. Mayor Moser acknowledged all the efforts of the Columbus Area Chamber of Commerce on a successful Columbus Days event and he invited citizens who would like to participate in future events to contact the Chamber of Commerce.

ORDINANCE NO. 14-15 WAS INTRODUCED BY COUNCIL MEMBER JABLONSKI.

ORDINANCE NO. 14-15
FIRST READING

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, AMENDING SECTION 150.020 OF CHAPTER 150 OF TITLE XV OF ORDINANCE NO. 05-47 (COLUMBUS CITY CODE), TO ADOPT BY REFERENCE THE NATIONAL ELECTRICAL CODE, 2014 EDITION, AS SPONSORED BY THE NATIONAL FIRE PROTECTION ASSOCIATION UNDER THE AUSPICES OF THE AMERICAN NATIONAL STANDARD INSTITUTE; PROVIDING FOR THE EFFECTIVE DATE HEREOF AND THE REPEAL OF ALL OTHER ORDINANCES IN CONFLICT HEREWITH.

On its first reading, Ordinance No. 14-15 was read by title only at this meeting. City Administrator Mangiamelli requested this ordinance be continued to the September 2,

2014, City Council meeting for a second reading to allow for public input and advanced to the September 15, 2014, City Council meeting for a final reading.

CONSIDERATION OF PAYROLL AND BILLS ON FILE: ARL Credit Services – Service \$737.11; Reardon Lawn & Garden, Inc. – Service 769.09. TOTAL \$1,506.20. Council Member Jablonski requested to be excused from discussion on this agenda item because he is an owner of ARL Credit Services and has a conflict of interest. Moved by Schilling, seconded by Lohr, 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. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Lohr, and Schilling voted “Aye” and none voted “Nay.” Council Member Jablonski abstained from voting. Council Member Reardon 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, Bogus, Bulkley, Lohr, and Schilling voted “Aye” and none voted “Nay.” Council Member Jablonski abstained from voting. Council Member Reardon was absent. Motion carried.

Moved by Augustine-Schulte, seconded by Schilling, to take a recess and reconvene the Community Development Agency meeting. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Jablonski, Lohr, and Schilling voted “Aye” and none voted “Nay.” Council Member Reardon was absent. Motion carried. The City Council took a recess at 8:26 p.m.

Moved by Bulkley, seconded by Lohr, to exit recess. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Jablonski, Lohr, and Schilling voted “Aye” and none voted “Nay.” Council Member Reardon was absent. Motion carried. The City Council exited recess and reconvened at 8:29 p.m.

DISCUSSION OF POSSIBLE LITIGATION REGARDING SEWER BACKUPS: Moved by Schilling, seconded by Augustine-Schulte, the City Council go into closed session at 8:31 p.m. The matter to be discussed in closed session shall be pending litigation regarding sewer backups. The reason for going into closed session is for protection of the public interests. The following individuals will be included in closed session: Mayor Moser, City Attorney Sipple, and City Administrator Mangiamelli. Mayor Moser stated that Council President Schilling has made a motion to go into closed session at this time. The subject matter to be discussed in closed session shall be pending litigation regarding sewer backups. The reason for going into closed session is for protection of the public interests. The following individuals will be included in closed session: Mayor Moser, City Attorney Sipple, and City Administrator Mangiamelli. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Jablonski, Lohr, and Schilling voted “Aye” and none voted “Nay.” Council Member Reardon was absent. Motion carried. Mayor Moser stated that the City Council has voted to go into closed session at this time. The matter to be discussed in closed session shall be pending litigation regarding sewer backups. The reason for going into closed session is for protection of the public interests. The following individuals will be included in closed session: Mayor Moser, City Attorney Sipple, and City Administrator Mangiamelli.

Moved by Bulkley, seconded by Bahr, to exit closed session at 9:01 p.m. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Jablonski, Lohr, and Schilling voted "Aye" and none voted "Nay." Council Member Reardon was absent. Motion carried.

Moved by Bulkley, seconded by Bahr, the meeting be adjourned. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Jablonski, Lohr, and Schilling voted "Aye" and none voted "Nay." Council Member Reardon was absent. Motion carried and the meeting was adjourned at 9:01 p.m.

Presented and approved this 2 day of September, 2014.

MAYOR

ATTEST:

CITY CLERK