

A regular meeting of the Mayor and City Council of the City of Columbus, Nebraska, was convened in open and public session on December 1, 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 November 26, 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".

OATH OF OFFICE: City Clerk Kline administered the Oath of Office to Council Members-elect Beth Augustine-Schulte (Ward 1), Dennis Kresha (Ward 2), Richard E. Jablonski (Ward 3) and Terry Reardon (Ward 4).

ROLL CALL: Present were Mayor Michael Moser and Council Members Beth Augustine-Schulte, Charlie Bahr, Jim Bulkley, Rich Jablonski, Dennis Kresha, John Lohr, Terry Reardon, and Ron Schilling. City staff members present included City Administrator Joseph Mangiamelli, City Clerk Janelle Kline, City Attorney Stephen Hansen, City Engineer Rick Bogus, Finance Director Anne Kinnison, Police Chief William Gumm, Public Works Director Roger Buell, Library Director Drew Brookhart, Water Utility Supervisor Chuck Sliva, and Wastewater Treatment Facility Supervisor Marty Eaton.

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.

ELECTION OF COUNCIL PRESIDENT: Mayor Moser called for nominations for President of the City Council. Council Member Bulkley nominated Council Member Bahr to serve as President of the City Council. Mayor Moser announced that Council Member Bahr was nominated to serve as President of the City Council and called for nominations a second time and third time. No other nominations were brought forward. Moved by Bulkley, seconded by Lohr, the nominations be closed. Roll call and Council Members Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay." Motion carried. Mayor Moser announced that Council Member Bahr has been nominated to serve as President of the City Council. Moved by Bulkley, seconded by Schilling, to elect Council Member Bahr as Council President by acclamation. Roll call and Council Members Roll call and Council Members Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay." Motion carried. Mayor Moser announced that Council Member Bahr has been elected as President of the City Council and congratulated him.

APPOINTMENT OF COUNCIL COMMITTEE MEMBERS: A memorandum was presented from Mayor Moser submitting the following names for appointment to Council Committees: Public Finance, Judiciary, and Personnel Committee – Council Members Jim Bulkley, John Lohr, Rich Jablonski, and Beth Augustine-Schulte; and Public Property, Safety, and Works Committee – Council Members Charlie Bahr, Dennis Kresha, Terry Reardon, and Ron Schilling. Moved by Bahr, seconded by Bulkley, to approve the Mayor's appointments and waive the two-week notification period. Roll call and Council Members Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay." Motion carried.

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 November 17, 2014, City Council meeting.
- B. Approval of Finance Department reports.
- C. Approval of payroll and bills on file. 12/5/14 Payroll \$512,825.85. TOTAL \$512,825.85.

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

SPECIAL PRESENTATION – NEBRASKA DEPARTMENT OF ECONOMIC DEVELOPMENT FOR RECERTIFICATION OF CITY OF COLUMBUS BY NEBRASKA DIPLOMATS AS MEMBER OF THE NEBRASKA ECONOMIC DEVELOPMENT CERTIFIED COMMUNITY PROGRAM: Dacia Kruse, on behalf of the Nebraska Diplomats and the Nebraska Department of Economic Development, presented Mayor Moser with a recertification in the Nebraska Economic Development Certified Community program. Kruse noted significant accomplishments of the city that contributed to receiving the award and said Columbus is one of thirty-six communities in Nebraska that received this recognition.

PUBLIC HEARING – APPLICATION OF JANSSEN VENTURES, INC. DBA AVENUE BAR FOR RETAIL CLASS "C" BEER, WINE & DISTILLED SPIRITS ON AND OFF SALE LIQUOR LICENSE AT 1061 26 AVENUE: The affidavit of publication and notice of hearing were presented on the application of Janssen Ventures, Inc. dba Avenue Bar for a Retail Class "C" Beer, Wine & Distilled Spirits On and Off Sale Liquor License at 1061 26 Avenue. The following exhibits were also presented: Exhibit "A" - Application; Exhibit "B" - Notice of Hearing; Exhibit "C" - Letter to Applicant; Exhibit "D" - Police Chief's Report; Exhibit "E" - City Engineer's Report; Exhibit "F" - List of Current Liquor License Holders; and Exhibit "G" - Criteria for Approval/Denial of License. A memorandum was included from the City Clerk's office regarding Nebraska Liquor Control Commission requirements. A communication was also included from Police Chief Gumm making no recommendation regarding this application. Tom Maul, on behalf of the applicant, explained that the applicant intends to purchase the Avenue Bar contingent upon approval of this application. He gave a history of Ms. Janssen's work experience in the bar industry. Maul referred to the three charges identified on the application, said the applicant had a lapse of judgment and understands the consequences that any future violations would have on the liquor license. Angela Janssen stated that she intends on attending an alcohol server training program. Moved by Schilling, seconded by Bulkley, 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. Extensive discussion continued with regard to this application and whether it should be approved contingent upon the applicant completing an alcohol server training course. It was noted that action by the city council is only a recommendation to the Nebraska Liquor Control Commission. Roll call and Council Members Bahr, Bulkley, Kresha, Lohr, Reardon, and Schilling voted "Aye" and Augustine-Schulte and Jablonski voted "Nay." Motion carried.

APPLICATION OF ANGELA S. JANSSEN AS MANAGER OF AVENUE BAR IN CONJUNCTION WITH CLASS "C" LIQUOR LICENSE: The application of Angela S. Janssen as manager of Avenue Bar, in conjunction with their Class "C" Liquor License was presented. Moved by Schilling, seconded by Bulkley, 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 Bahr, Bulkley, Kresha, Lohr, Reardon, and Schilling voted "Aye" and Augustine-Schulte and Jablonski voted "Nay." Motion carried.

APPOINTMENT OF PEG NIEDBALSKI TO COLUMBUS HOUSING AUTHORITY: A memorandum was presented from Mayor Moser submitting the name of Peg Niedbalski

for appointment to the Columbus Housing Authority for a five-year term. Council President Bahr read a brief resume and it was moved by Bulkley, seconded by Schilling, to approve the Mayor's appointment. Roll call and Council Members Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay." Motion carried.

APPOINTMENT OF ALAN GRIFFITH TO AMERICANS WITH DISABILITIES COMPLIANCE COMMITTEE: A memorandum was presented from Mayor Moser submitting the name of Alan Griffith for appointment to the Americans with Disabilities Compliance Committee to fill the unexpired term of Ted Pearson. Council President Bahr read a brief resume and it was moved by Schilling, seconded by Bulkley, to approve the Mayor's appointment. Roll call and Council Members Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay." Motion carried.

AWARD OF QUOTE FOR VARIABLE DRIVE MECHANISMS FOR WATER PRODUCTION DIVISION: A memorandum was presented from Public Works Director Buell recommending the quote for four variable frequency drive mechanisms for the Water Production Division be awarded to HOA Solutions in the amount of \$11,840. Moved by Schilling, seconded by Bulkley, the quote be awarded. Buell explained that the variable drive mechanisms will be installed at the booster station north of the city and will provide for constant water pressure. Roll call and Council Members Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay." Motion carried.

AWARD OF QUOTE FOR METER READING VAN FOR WATER UTILITIES DIVISION: A memorandum was presented from Public Works Director Buell recommending the quote for a meter reading van for the Water Utilities Division be awarded to Gene Steffy Ford in the amount of \$21,746. Moved by Augustine-Schulte, seconded by Reardon, the quote be awarded. Water Utility Supervisor Sliva explained that this is the first compressed natural gas vehicle the city is purchasing and city staff will monitor maintenance and efficiency to evaluate any benefits. Roll call and Council Members Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay." Motion carried.

AWARD OF QUOTE FOR PICKUP FOR WATER UTILITIES DIVISION: A memorandum was presented from Public Works Director Buell recommending the quote for a pickup for the Water Utilities Division be awarded to Gene Steffy Ford in the amount of \$24,481. Moved by Bulkley, seconded by Schilling, the quote be awarded. Roll call and Council Members Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay." Motion carried.

AWARD OF QUOTE FOR PICKUP FOR WASTEWATER TREATMENT DIVISION: A memorandum was presented from Public Works Director Buell recommending the quote for a pickup for the Wastewater Treatment Division be awarded to Gene Steffy Ford in the amount of \$22,457. Moved by Bulkley, seconded by Bahr, the quote be awarded. Roll call and Council Members Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay." Motion carried.

AWARD OF QUOTE FOR PICKUP FOR WATER PRODUCTION DIVISION: A memorandum was presented from Public Works Director Buell recommending the quote for a pickup for the Water Production Division be awarded to Gene Steffy Ford in the amount of \$26,400. Moved by Bulkley, seconded by Schilling, the quote be awarded. Roll call and Council Members Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay." Motion carried.

COMMENTS FROM MAYOR AND CITY COUNCIL MEMBERS: Mayor Moser introduced the new library director, Drew Brookhart.

RESOLUTION NO. R14-127 WAS INTRODUCED BY COUNCIL MEMBER SCHILLING.

RESOLUTION NO. R14-127
ADOPTED: DECEMBER 1, 2014

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA ACCEPTING AND APPROVING THE EASEMENT, A COPY OF WHICH IS ATTACHED HERETO, FROM BRIAN BLAIR, DEBRA BLAIR AND BLAIR, INC., COVERING THREE TRACTS OF LAND IN A PORTION OF LOTS 35 AND 39, BLAIR'S 5TH ADDITION TO THE CITY OF COLUMBUS, PLATTE COUNTY, NEBRASKA, FOR THE MAINTENANCE, REMOVAL OF DEBRIS AND SEDIMENT AND OTHER ACTION REGARDING THE FREE FLOW OF WATER OUT OF CULVERTS AND CONCRETE FLUMES; AND REPEALING ALL RESOLUTIONS IN CONFLICT HEREWITH.

Moved by Schilling, seconded by Reardon, Resolution No. R14-127 be passed and adopted. Roll call and Council Members Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay." Motion carried.

RESOLUTION NO. R14-128 WAS INTRODUCED BY COUNCIL MEMBER JABLONSKI.

RESOLUTION NO. R14-128
ADOPTED: DECEMBER 1, 2014

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA ACCEPTING AND APPROVING THE EASEMENT, A COPY OF WHICH IS ATTACHED HERETO, FROM MARTIN K. AND DENISE M. MATEJKA AND BRIAN AND DEBRA BLAIR, COVERING A TRACT OF LAND IN THE SOUTH 20 FEET OF THE NORTH 25 FEET OF THE EAST 35 FEET OF LOT 12, BLOCK B, BLAIR 2ND ADDITION IN RE-PLAT LOT 9, BLAIR 1ST ADDITION TO THE CITY OF COLUMBUS, PLATTE COUNTY, NEBRASKA, FOR THE MAINTENANCE, REMOVAL OF DEBRIS AND SEDIMENT AND OTHER ACTION REGARDING THE FREE FLOW OF WATER FROM BLAIR LAKE; AND REPEALING ALL RESOLUTIONS IN CONFLICT HEREWITH.

Moved by Jablonski, seconded by Kresha, Resolution No. R14-128 be passed and adopted. City Engineer Bogus explained that this completes the easements required in the joint stipulation and City Administrator Mangiamelli clarified that the joint stipulation only covered drainage off the street. Roll call and Council Members Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay." Motion carried.

RESOLUTION NO. R14-129 WAS INTRODUCED BY COUNCIL MEMBER LOHR.

RESOLUTION NO. R14-129
ADOPTED: DECEMBER 1, 2014

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, ACCEPTING AND APPROVING A QUITCLAIM DEED FROM TIMOTHY A. ZERR, SUCCESSOR TRUSTEE OF THE CHARLOTTE C. ZERR TRUST DATED MARCH 9, 2000, GRANTOR, FOR A TRACT OF LAND LOCATED ON A STRIP OF LAND LOCATED IN THE W1/4 OF THE NE1/4 OF THE NE1/4, SECTION 20, TOWNSHIP 17 NORTH, RANGE 1 EAST OF THE 6TH P.M., PLATTE COUNTY, NEBRASKA, AS RELATED TO PROPERTY ADJACENT TO ROSELAWN CEMETERY.

Moved by Lohr, seconded by Bahr, Resolution No. R14-129 be passed and adopted. Roll call and Council Members Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay." Motion carried.

RESOLUTION NO. R14-130 WAS INTRODUCED BY COUNCIL MEMBER REARDON.

RESOLUTION NO. R14-130
ADOPTED: DECEMBER 1, 2014

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS,

NEBRASKA, APPROVING A RENEWAL FOR MAINTENANCE AGREEMENT NO. 8 WITH THE STATE OF NEBRASKA DEPARTMENT OF ROADS FOR THE PERIOD JANUARY 1, 2015 TO DECEMBER 31, 2015, SETTING FORTH THE MAINTENANCE RESPONSIBILITIES OF THE CITY AND THE STATE REGARDING THOSE PORTIONS OF THE STATE HIGHWAY SYSTEM THAT LEAD INTO AND TRAVEL THROUGH THE CITY OF COLUMBUS, 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 OR PORTIONS THEREOF IN CONFLICT HEREWITH.

Moved by Reardon, seconded by Augustine-Schulte, Resolution No. R14-130 be passed and adopted. Council Member Reardon questioned whether the amount paid to the city should be renegotiated. Roll call and Council Members Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, and Schilling voted "Aye" and Reardon voted "Nay." Motion carried.

RESOLUTION NO. R14-131 WAS INTRODUCED BY COUNCIL MEMBER AUGUSTINE-SCHULTE.

**RESOLUTION NO. R14-131
ADOPTED: DECEMBER 1, 2014**

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, APPROVING LICENSES FOR G.I.C., INC. AND ROBERT DAHLSTEDT/DAVID ANDELT FOR USE OF HANGAR SPACE AT THE COLUMBUS MUNICIPAL AIRPORT.

Moved by Augustine-Schulte, seconded by Kresha, Resolution No. R14-131 be passed and adopted. Roll call and Council Members Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay." Motion carried.

ORDINANCE NO. 14-19 WAS INTRODUCED BY COUNCIL MEMBER BULKLEY.

**ORDINANCE NO. 14-19
ADOPTED: DECEMBER 1, 2014**

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, PROVIDING FOR THE VACATION OF THE FOLLOWING UTILITY EASEMENTS: THE TEN FEET OF LOT 3 THAT LIES ALONG THE SOUTHEAST LOT LINE, EXCEPTING OUT THE SIXTY FOOT UTILITY EASEMENT ALONG THE SOUTHWEST LOT LINE, AND THE TEN FEET OF LOT 4 THAT LIES ALONG THE NORTHWEST LOT LINE, EXCEPTING OUT THE SIXTY FOOT UTILITY EASEMENT ALONG THE SOUTHWEST LOT LINE, OF THE AMPRIDE 2ND ADDITION TO THE CITY OF COLUMBUS, PLATTE COUNTY, NEBRASKA; TO REPEAL ALL ORDINANCES OR PORTIONS 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 Schilling, the rules be suspended and Ordinance No. 14-19 be read by number only at this meeting. Roll call and Council Members Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay." Motion carried and Ordinance No. 14-19 was read by number only at this meeting. Moved by Bulkley, seconded by Schilling, Ordinance No. 14-19 be passed and adopted. Mayor Moser put the question, "Shall Ordinance No. 14-19 be passed and adopted?" Roll call and Council Members Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay." Motion carried. Mayor Moser declared, "By your action, you have passed Ordinance No. 14-19," and it was duly signed.

Moved by Bulkley, seconded by Schilling, the meeting be adjourned. Roll call and Council Members Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay." Motion carried and the meeting was adjourned at 8:01 p.m.

Presented and approved this 15 day of December, 2014.

MAYOR

ATTEST:

CITY CLERK