

A regular meeting of the Mayor and City Council of the City of Columbus, Nebraska, was convened in open and public session on July 6, 2015, 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, 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.

1. **STATEMENT OF COMPLIANCE WITH OPEN MEETINGS ACT AND ROLL CALL:** Mayor Moser announced that a copy of the Open Meetings Act is posted in the meeting room. Present were Mayor Michael Moser and Council Members Beth Augustine-Schulte, Jim Bulkley, Rich Jablonski, Dennis Kresha, Terry Reardon, and Ron Schilling. Council members Charlie Bahr and John Lohr were absent and excused. City staff members present included City Administrator Joe Mangiamelli, City Clerk Janelle Kline, City Attorney Steve Hansen, City Engineer Rick Bogus, Finance Director Anne Kinnison, Police Chief William Gumm, and Public Property Director Doug Moore.
 2. **PRAYER:** Council Member Bulkley led in prayer.
 3. **NATIONAL ANTHEM AND PLEDGE OF ALLEGIANCE:** Mayor Moser invited all to join in the National Anthem and Pledge of Allegiance.
 4. **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 citizen so requests, in which event the item will be removed from consent status and considered in its normal sequence on the agenda. Council Member Bulkley requested that Item 4G, Plans, specifications, and estimate of cost in the amount of \$290,000 for Quail Run Golf Course Shed and authorization for city staff to advertise for bids, be removed from consent status and considered in its normal sequence on the agenda under Item 13, New Business. The items on the consent agenda, with the exception of Item 4G, were approved as presented with a motion by Bulkley and a second by Jablonski. Augustine-Schulte, Bulkley, Jablonski, Kresha, Reardon, and Schilling voted "Aye" and none voted "Nay". Bahr and Lohr were absent.
- 4.A. **Minutes of June 15, 2015, City Council meeting.**

- 4.B. **Reappointment of Robert Gangel, Chris Nelson, and Diane Wall to the Planning and Zoning Commission for three-year terms.**
- 4.C. **Reappointment of Charlie Bahr to the E-911 Technical Committee for two-year term.**
- 4.D. **Reappointment of Adam Urkoski and Ron Schilling (Council of Officials) and Richard Jablonski (Board of Directors) to the Northeast Nebraska Economic Development District for one-year terms.**
- 4.E. **Quote from Gene Steffy Ford in the amount of \$22,892 for 1/2 ton pickup for Park Department.**
- 4.F. **Quote from Eakes Office Plus in the amount of \$14,956.16 for chairs at Columbus Public Library.**
- 4.H. **Resolution No. R15-86 adopting City Council Rules.**
- 4.I. **Resolution No. R15-87 authorizing payment of various improvement projects.**
- 4.J. **Resolution No. R15-88 approving agreement with Kirkham, Michael and Associates, Inc. in the amount of \$92,000 for engineering design and bidding phase services for the Union Pacific Railroad Waterline Undercrossings Project.**
- 4.K. **Payroll and bills on file. 7/17/15 Payroll \$562,751.44; Amazon-Supplies & Equipment 3,332.57; Carrothers Construction Co.-Plunge Expansion 758,157.13; State of Nebraska Department of Revenue-Sales Tax 44,275.63. TOTAL 1,368,516.77.**
- 5. **APPROVAL OF THE MINUTES:** Included in Consent Agenda
- 6. **SPECIAL PRESENTATIONS:** None
- 7. **PUBLIC HEARINGS:**
 - 7.A. **Application of BT's Bar, Inc. dba BT's Bar for a Retail Class "C" Beer, Wine, and Distilled Spirits On and Off Sale Liquor License at 2403 11 Street.** No public testimony was heard. The public hearing was closed and the application approved with a motion by Bulkley and a second by Reardon. Augustine-Schulte, Bulkley, Jablonski, Kresha, Reardon, and Schilling voted "Aye" and none voted "Nay". Bahr and Lohr were absent.
 - 7.A.1. **Application of Robert Hiner as manager of BT's Bar in conjunction with Class "C" liquor license.** The manager application was approved with a

- motion by Bulkley and a second by Schilling. Augustine-Schulte, Bulkley, Jablonski, Kresha, Reardon, and Schilling voted "Aye" and none voted "Nay". Bahr and Lohr were absent.
- 7.A.2. Request of Robert Hiner for lottery sales outlet location at BT's Bar, 2403 11 Street.** The lottery sales outlet location was approved with a motion by Bulkley and a second by Schilling. Augustine-Schulte, Bulkley, Jablonski, Kresha, Reardon, and Schilling voted "Aye" and none voted "Nay". Bahr and Lohr were absent.
- 7.B. Consider text amendments to Land Development Ordinance for the City of Columbus, Zoning Chapter, adopting Article 14 addressing sexually oriented businesses by establishing designated zoning districts; adopting definitions and regulations; amending Article Three Use Types, and Article Four Table 4-2: Permitted uses by Zoning District. (Planning Commission recommends approval.)** No public testimony was heard. The public hearing was closed with a motion by Schilling and a second by Reardon. Augustine-Schulte, Bulkley, Jablonski, Kresha, Reardon, and Schilling voted "Aye" and none voted "Nay". Bahr and Lohr were absent.
- 7.C. Town Hall meeting to consider the Northeast Nebraska Solid Waste Coalition budget for fiscal year ending September 30, 2016.** No public testimony was heard. The public hearing was closed and the budget was recommended for approval by the Northeast Nebraska Solid Waste Coalition with a motion by Bulkley and a second by Schilling. Augustine-Schulte, Bulkley, Jablonski, Kresha, Reardon, and Schilling voted "Aye" and none voted "Nay". Bahr and Lohr were absent.
- 8. PETITIONS AND COMMUNICATIONS:** None
- 9. REPORTS OF CITY OFFICES:** None
- 10. REPORTS OF COUNCIL COMMITTEES:** None
- 11. REPORTS OF SPECIAL COMMITTEES:** None
- 12. REPORTS ON LEGISLATION:** None
- 13. NEW BUSINESS:**
- 13.A. Comments from Mayor and City Council Members.** Mayor Moser announced that those who attended the dedication of the Higgins Memorial in Normandy will be at the Platte County Historical Museum at 2 p.m. on August 9, 2015, to give a presentation about the trip.
- 4G. Removed from Consent Agenda.**

Plans, specifications, and estimate of cost in the amount of \$290,000 for Quail Run Golf Course Cart Shed and authorizing city staff to advertise for bids. Bulkley expressed concerns with the estimated cost of this project. Following extensive discussion with regard to all the components included in the estimate, the amount allocated in the budget for this project the past five years, as well as the benefits of constructing a cart shed, the plans, specifications, and estimate of cost were approved and city staff was authorized to advertise for bids with a motion by Augustine-Schulte and a second by Kresha. Augustine-Schulte, Bulkley, Jablonski, Kresha, Reardon, and Schilling voted "Aye" and none voted "Nay". Bahr and Lohr were absent.

14. **RESOLUTIONS:** None

15. **ORDINANCES ON THEIR FIRST READING:**

15.A. **Ordinance No. 15-11 amending Section 32.019 of Chapter 32 of Title III of Ordinance No. 05-47 (Columbus City Code) adding Hospital Lake Park, Sock Pond, Bark Park, and a parcel of land acquired for future park development to the areas subject to supervision and direction of the Board of Parks Commissioners; amending Section 97.01 of Chapter 97 of Title IX, changing the job title reference from Park Supervisor to Park Superintendent; and amending Section 97.02 of Chapter 97 of Title IX, adding Sock Pond to the Prohibited and Permitted uses of lakes within parks.** The rules were suspended and Ordinance No. 15-11 was read by number only at this meeting with a motion by Schilling and a second by Jablonski. Augustine-Schulte, Bulkley, Jablonski, Kresha, Reardon, and Schilling voted "Aye" and none voted "Nay". Bahr and Lohr were absent. City Administrator Mangiamelli explained the amendments that are being made to the City Code. Linda Bender, adjacent property owner, expressed concerns regarding the potential for trespassers on her property. Public Property Director Moore reported on the plans for opening of the lake, the hours permitted for lake use, and the lake regulations. Ordinance No. 15-11 entitled: AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, AMENDING SECTION 32.019, OF CHAPTER 32 OF TITLE III OF ORDINANCE NO. 05-47 (COLUMBUS CITY CODE), ADDING HOSPITAL LAKE PARK, SOCK POND, BARK PARK, AND A PARCEL OF LAND ACQUIRED FOR FUTURE PARK DEVELOPMENT TO THE AREAS SUBJECT TO THE SUPERVISION AND DIRECTION OF THE BOARD OF PARKS COMMISSIONERS; AMENDING SECTION 97.01, OF CHAPTER 97 OF TITLE IX, CHANGING THE JOB TITLE REFERENCE FROM "PARK SUPERVISOR" TO "PARK SUPERINTENDENT"; AND AMENDING SECTION 97.02, OF CHAPTER 97 OF TITLE IX, TO ADD SOCK POND TO THE PROHIBITED AND PERMITTED USES OF LAKES WITHIN PARKS passed with a motion by Schilling and a second by Jablonski. Augustine-Schulte, Bulkley, Jablonski, Kresha, Reardon, and Schilling voted "Aye" and none voted "Nay". Bahr and Lohr were absent.

16. ORDINANCES ON THEIR SECOND READING:

- 16.A. Ordinance No. 15-09 approving amendments to Land Development Ordinance for the City of Columbus, Zoning Chapter addressing sexually oriented businesses.** Ordinance No. 15-11 entitled: AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, TO REVISE AND AMEND THE LAND DEVELOPMENT ORDINANCE, ZONING CHAPTER, ADOPTED BY ORDINANCE NO. 96-08 ON MARCH 18, 1996, AS FOLLOWS: AMENDING SECTION 3-7 "COMMERCIAL USE TYPES" TO ADD A NEW CATEGORY "SEXUALLY ORIENTED BUSINESS"; AMENDING ARTICLE FOUR "ZONING DISTRICT REGULATIONS", TABLE 4-2 "PERMITTED USES BY ZONING DISTRICT" TO INSERT THE CATEGORY "SEXUALLY ORIENTED BUSINESS" AND TO PROVIDE SEXUALLY ORIENTED BUSINESS AS A PERMITTED USE IN ZONE ML/C1 WITH SPECIAL USE PERMIT; TO PROVIDE FOR NEW SUPPLEMENTARY USE REGULATIONS WITH RESPECT TO THE NEW USE "SEXUALLY ORIENTED BUSINESS" UNDER SECTION 6-5 "SUPPLEMENTAL USE REGULATIONS, COMMERCIAL USES; BY ADDING AN ARTICLE 14 TO THE ZONING CODE ENTITLED "SEXUALLY ORIENTED BUSINESS"; TO MAKE PARAGRAPH NUMBERING CHANGES AS REQUIRED TO ACCOMMODATE THE CHANGES SET FORTH HEREIN; REPEALING ALL ORDINANCES OR PORTIONS THEREOF IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE was read by title only at this meeting.

- 17. ORDINANCES ON THEIR THIRD READING:** None

- 18. CONSIDERATION OF PAYROLL AND BILLS ON FILE:** Included in Consent Agenda

- 19. UNFINISHED BUSINESS:** None

- 20. ADJOURNMENT:** The meeting was adjourned at 7:42 p.m. with a motion by Bulkley and a second by Kresha. Augustine-Schulte, Bulkley, Jablonski, Kresha, Reardon, and Schilling voted "Aye" and none voted "Nay". Bahr and Lohr were absent.

Presented and approved this 20 day of July, 2015.

MAYOR

ATTEST:

CITY CLERK