

A regular meeting of the Mayor and City Council of the City of Columbus, Nebraska, was convened in open and public session on August 3, 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, Charlie Bahr, Jim Bulkley, Rich Jablonski, John Lohr, Terry Reardon, and Ron Schilling. Council Member Dennis Kresha was absent and excused. City staff members present included City Attorney Mark Sipple, City Administrator Joe Mangiamelli, City Clerk Janelle Kline, City Engineer Rick Bogus, Finance Director Anne Kinnison, Police Chief William Gumm, Library Director Drew Brookhart, Lead Animal Control Officer Donna Winig, and Animal Control Officer Shawn Flowers.
2. **PRAYER:** Council President Bahr 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. The items on the consent agenda were approved as presented with a motion by Bahr and a second by Schilling. Augustine-Schulte, Bahr, Bulkley, Jablonski, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay". Kresha was absent.
  - 4.A. **Minutes of July 20, 2015, City Council meeting.**
  - 4.B. **Change date of first meeting in September 2015 to 7 p.m., Tuesday, September 8, 2015, due to Labor Day holiday.**
  - 4.C. **Resolution No. R15-91 approving renewal of scoreboard sponsorship agreement with Columbus Community Hospital for the scoreboard at Memorial Stadium.**

- 4.D. **Resolution No. R15-92 approving the use of construction management at risk option for the proposed library/cultural arts center.**
- 4.E. **Resolution No. R15-93 approving submittal of contract extension request to Nebraska Department of Economic Development to extend completion date to October 10, 2016, and approving the budget amendment increasing the total cost of the project, for Centennial Park Subdivision, Grant No. 12-TFHP-5051.**
- 4.F. **Resolution No. R15-94 authorizing the deposit of funds with Platte County Court for the acquisition of temporary easements for construction purposes on tracts of land owned by Woerth Properties, LLC in the amount of \$1,500 and Shawn A. and Debra K. Carlson in the amount of \$750 for condemnation proceedings for 3 Avenue and 18 Avenue viaduct.**
- 4.G. **Resolution No. R15-95 authorizing payment of \$900 for the Board of Appraisers in Case No. CI 15-685, City of Columbus vs. Woerth Properties, et al., for the 3 Avenue and 18 Avenue viaduct.**
- 4.H. **Resolution No. R15-96 authorizing payment of various improvement projects.**
- 4.I. **Payroll and bills on file.** 8/14/15 Payroll \$545,882.68; Carrothers Construction Co. LLC - Pawnee Plunge Expansion 268,617.66; Intelliride - Service 8,000.00; Platte County Court - Condemnation 3,150.00. TOTAL \$ 825,650.34
5. **APPROVAL OF MINUTES:** Included in Consent Agenda
6. **SPECIAL PRESENTATIONS:** None
7. **PUBLIC HEARINGS:**
- 7.A. **Application to the Nebraska Department of Economic Development for Community Development Block Grant in the amount of \$135,000 for Comprehensive Revitalization Phase III for improvements to Howard Boulevard from 33 Avenue to 41 Avenue and 14 Street from 33 Avenue to Howard Boulevard (\$121,500 for Street Asphalt Overlay and \$13,500 for General Administration).** No public testimony was heard. The public hearing closed with a motion by Bulkley and a second by Reardon. Augustine-Schulte, Bahr, Bulkley, Jablonski, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay". Kresha was absent.
- 7.A.1. **Resolution No. R15-97 approving application to the Nebraska Department of Economic Development.** City Engineer Bogus noted that this project is part of the asphalt paving program for next year. Resolution No. R15-97 was adopted with a motion by Lohr and a second by Bahr.

Augustine-Schulte, Bahr, Bulkley, Jablonski, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay". Kresha was absent.

**8. PETITIONS AND COMMUNICATIONS:** None

**9. REPORTS OF CITY OFFICES:**

- 9.A. Financing options for proposed library/cultural arts center and Public Safety facility.** City Administrator Mangiamelli presented various options for financing the proposed library/cultural arts center and public safety facility. Mangiamelli reported that following discussions between city staff, the bond underwriter and bond counsel, city staff feels the most viable option would be to present a ballot question to the voters at the primary election in May 2016 that would ask "Shall the city enact a one and one half percent sales tax?" The current one percent sales tax sunsets in 2016 and the current one-half percent sales tax, which provides for the Pawnee Plunge expansion project, will sunset upon payment of the bonds issued for the project and is anticipated to occur in September 2016. Staff feels the one and one-half percent local option sales tax is the best choice for the following reasons: the other options could be perceived as additional taxes; anyone who purchases eligible goods and services within the city contributes to the tax; and having a permanent tax with no sunset provision or project specific purpose listed will guarantee the city a revenue stream over the life of the bonds for the two major projects. Phil Lorenzen, D.A. Davidson & Co. and Bond Underwriter for the City of Columbus, explained that voter approval of a sales tax on an ongoing basis would allow accumulation of funds on a pay-as-you-go basis without incurring bond issuance and interest costs and any potential future bonds would be more marketable. Lorenzen commended the city on their past history of expenditures and said the rating with Standard & Poor's shows that the city council and staff have been good stewards of city funds. Finance Director Kinnison stated that the sales tax option would provide this council as well as future councils more flexibility. Kinnison referred to the history of sales tax expenditures that was included in the packet and pointed out the number of projects that were accomplished utilizing sales tax. Kinnison noted that four million dollars are needed annually to cover usual capital items and aquatic operations and two million dollars are budgeted each year for large one time projects as well as unexpected items. Kinnison explained that an early vote on the sales tax issue is beneficial for budget planning purposes and should the vote fail, a new vote on sales tax could not be submitted until twenty-three months after such failure. Library Director Brookhart pointed out the number of people who were in attendance to show support of a new library/cultural arts center and said the highly driven efforts of fundraising for the project confirms that it is a priority project for the community. Extensive discussion was held with regard to the budget, future financing, the public's input on potential projects, and the consequences of a failed sales tax vote and the impact it would have on property or other taxes as well as city operations and services. Mangiamelli said this information was presented for information purposes only; however, city staff would like direction in the next

month to have as part of the budget process and to plan for an election if needed.

**10. REPORTS OF COUNCIL COMMITTEES:** None

**11. REPORTS OF SPECIAL COMMITTEES:** None

**12. REPORTS ON LEGISLATION:** None

**13. NEW BUSINESS:**

**13.A. Request of Blanca Leon to appeal revocation of permits by Exotic Animal Permit Review Committee for two parrots at 3483 Linden Drive.**

Blanca Leon asked the City Council to reconsider the revocation of her exotic animal permits. She explained that the parrots are currently outside the city limits on a family ranch with other animals and their health is deteriorating as they need to be around people. Leon assured the council that she would keep the birds inside and abide by any conditions necessary to get them back. Lizabeth Leon, on behalf of her mother Blanca, reported that the birds will not eat or talk as they need interaction with the family. Lead Animal Control Officer Winig explained the events that resulted in revocation of the permits. Winig pointed out that the city code clearly states that the Exotic Animal Permit Review Committee may revoke or suspend a permit for the conviction of a permit holder for offense of cruelty to animals or running at large, whether or not said conviction is based upon the treatment of animals maintained, held, or kept under the permit. Fred and Evelyn Chittenden, 3500 Linden Drive; Rita Clay, 3472 Linden Drive; and Carol Dostal, 3464 Linden Drive, neighbors of the Leon's spoke in opposition to the appeal due to the fact the parrots had been kept on the front porch where they squawked very loud from sunrise to sunset and complaints from neighbors were ignored by the Leon family. Following extensive discussion, revocation of the permits was upheld and the request for an appeal was rejected with a motion by Bulkley and a second by Jablonski. Augustine-Schulte, Bahr, Bulkley, Jablonski, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay". Kresha was absent.

**13.B. Comments from Mayor and City Council Members.** Mayor Moser announced the following upcoming events in the community: Congressman Fortenberry will be at the V.F.W. Club on August 4th at 7 p.m. to speak about the dedication of the Higgins Memorial in France; the Platte County Historical Society will be hosting a program on August 9th on the dedication of the monument; and the annual Columbus Days celebration will begin on August 13th. Lohr congratulated Jamie Snyder and Bob Stachura for being selected as this year's Columbus Days Queen Isabella and King Ferdinand.

**14. RESOLUTIONS:**

**14.A. Resolution No. R15-98 calling \$315,000 of Various Purpose Bonds, Series 2008, for payment and redemption prior to maturity.** Resolution

No. R15-98 was adopted with a motion by Jablonski and a second by Schilling. Augustine-Schulte, Bahr, Bulkley, Jablonski, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay". Kresha was absent.

15. **ORDINANCES ON FIRST READING:** None
16. **ORDINANCES ON SECOND READING:** None
17. **ORDINANCES ON THIRD READING:** None
18. **CONSIDERATION OF PAYROLL AND BILLS ON FILE:** Included in Consent Agenda
19. **UNFINISHED BUSINESS:**
  - 19.A. **Distribution system lease and franchise agreement with Loup River Public Power District.** The City Council went into closed session at 8:34 p.m. with a motion by Bahr and a second by Schilling. Augustine-Schulte, Bahr, Bulkley, Jablonski, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay". Kresha was absent. The subject matter discussed in closed session was contract negotiations, specifically the distribution system lease and franchise agreement with Loup River Public Power District; the reason for going into closed session was for protection of the public interests. The following individuals were included in the closed session: Mayor Michael Moser, City Administrator Joe Mangiamelli, City Attorney Mark Sipple, Finance Director Anne Kinnison, and City Clerk Janelle Kline. The City Council exited closed session at 8:51 p.m. with a motion by Bulkley and a second by Bahr. Augustine-Schulte, Bahr, Bulkley, Jablonski, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay". Kresha was absent.
20. **ADJOURNMENT:** The meeting was adjourned at 8:51 p.m. with a motion by Bulkley and a second by Schilling. Augustine-Schulte, Bahr, Bulkley, Jablonski, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay". Kresha was absent.

Presented and approved this 17 day of August, 2015.

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MAYOR

ATTEST:

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CITY CLERK