

A regular meeting of the Mayor and City Council of the City of Columbus, Nebraska, was convened in open and public session on September 8, 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, Dennis Kresha, John Lohr, Terry Reardon, and Ron Schilling. City staff members present included City Attorneys Mark Sipple and Neal Valorz, City Administrator Joe Mangiamelli, City Clerk Janelle Kline, City Engineer Rick Bogus, Finance Director Anne Kinnison, Police Chief William Gumm, Library Director Drew Brookhart, Human Resource Director Mike Oglevie, Public Property Director Doug Moore, Fire Chief Dean Hefti, Columbus Area Transit Supervisor Karen Dvorak, Lead Animal Control Officer Donna Winig, and Office Associate Sandy Griffiths.
2. **PRAYER:** Bahr led in prayer.
3. **NATIONAL ANTHEM AND PLEDGE OF ALLEGIANCE:** Moser invited all to join in the National Anthem and Pledge of Allegiance.
4. **CONSENT AGENDA:** 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, Kresha, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay".
  - 4.A. **Minutes of August 17, 2015, City Council meeting.**
  - 4.B. **Application of Timothy J. Wallick as manager of Husker House, 1754 33 Avenue, in conjunction with Class "C" liquor license.**
  - 4.C. **Prototype for downtown sidewalk intersection plan.**

- 4.D. **Resolution No. R15-103 approving scoreboard sponsorship agreements with Bank of the Valley and Slumberland for scoreboard advertising at Memorial Stadium.**
- 4.E. **Resolution No. R15-104 approving agreement with State of Nebraska Department of Roads for federal and state funding of Columbus Area Transit program.**
- 4.F. **Resolution No. R15-105 amending the rules and regulations for the Columbus Municipal Airport to provide for ramp and handling charges for Fixed Base Operations. (Board of Airport Commissioners recommends approval.)**
- 4.G. **Resolution No. R15-106 amending the rules and regulations for Columbus and Roselawn Cemeteries to change winter hours, regulate type of material used for markers, and update procedures for setting markers. (Cemetery Board recommends approval.)**
- 4.H. **Resolution No. R15-107 designating First National Bank of Omaha, First Nebraska Bank, Columbus Bank and Trust Company, BankFirst, Bank of the West, U.S. Bank, Cornerstone Bank, Pinnacle Bank, Great Western Bank, and Bank of the Valley as depositories for municipal funds.**
- 4.I. **Resolution No. R15-108 approving encroachment agreement with CVS 10441 NE, LLC, on Lot 1, CVS 1st Addition, City of Columbus, Platte County, Nebraska (2307 23 Street).**
- 4.J. **Payroll and bills on file.** 9/11/15 Payroll \$503,273.68; Amazon – Supplies 5,652.88; Kallweit Family Trust – Easement 6,420.00; Landmark Title & Escrow Co. – Acquisition 100,000.00; Missouri Polygraph Association – Service 150.00; Platte County Register of Deeds – Service 82.00; Jim & Barb Smith and Mutual Ins. Co. – Sewer Claim 5,242.81; Nebraska Department of Revenue – Sales Tax 50,888.79 TOTAL \$671,710.16.
5. **APPROVAL OF MINUTES:** Included in Consent Agenda
6. **SPECIAL PRESENTATIONS:**
- 6.A. **Proclamation for Sammy's Superheroes declaring September 2015 as Childhood Cancer Awareness Month.** Mayor Moser proclaimed September 2015 as Childhood Cancer Awareness Month. Brenda Preister, on behalf of Sammy's Superheroes, pointed out that there are more than 18 families in Columbus and the surrounding area that have been affected by childhood cancer. She reported on the statistics of childhood cancer and said Sammy's Superheroes have done a tremendous job of raising awareness in the community. Preister thanked Mayor Moser and the City Council for proclaiming September as Childhood Cancer Awareness Month as well as

the community for their continued support of raising awareness and funds so future children will not have to fight as hard. Erin Nahorny, Vice President of Sammy's Superheroes, invited everyone to attend the second annual Glow Gold event at 5 p.m. on Saturday, September 12, 2015, at Memorial Stadium in Columbus. She reported that Nebraska is the fourth highest state in the country for diagnoses of childhood cancer.

**6.B. Introduction of Gregory McCaffery as Public Works Director.** Mangiamelli introduced Gregory McCaffery as the new Public Works Director. McCaffery gave a brief history of his work experience and said he looks forward to working in Columbus.

**14.D. Resolution No. R15-116 approving purchase agreement with Trowbridge Motor Company in the amount of \$370,000 for property acquisition for proposed library/cultural arts center; and**

**19.A. Distribution system lease and franchise agreement with Loup River Public Power District.** Mangiamelli referred to agenda items 14D, Resolution No. R15-116 approving purchase agreement with Trowbridge Motor Company for property acquisition for the proposed library/cultural arts center, and 19A, Distribution system lease and franchise agreement with Loup River Public Power District, and requested they be discussed in closed session at this time. The order of the agenda was amended to move Items 14D and 19A to precede Item 7, Public Hearings, with a motion by Bahr, and a second by Augustine-Schulte. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay". The City Council went into closed session at 7:21 p.m. with a motion by Bahr and a second by Augustine-Schulte. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay". The subject matters discussed in closed session were: 1) strategy session with respect to real estate purchase; specifically the purchase agreement with Trowbridge Motor Company in the amount of \$370,000 for property acquisition for proposed library/cultural arts center; the reason for going into closed session on this item was for protection of the public interests; and 2) contract negotiations; specifically the distribution system lease and franchise agreement with Loup River Public Power District; the reason for going into closed session on this item was for protection of the public interests. The following individuals were included in the closed session: Mayor Michael Moser, City Administrator Joe Mangiamelli, Finance Director Anne Kinnison, City Clerk Janelle Kline, and City Attorneys Mark Sipple and Neal Valorz. The City Council exited closed session at 8:05 p.m. with a motion by Bahr and a second by Augustine-Schulte. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay".

**7. PUBLIC HEARINGS:**

**7.A. 2015-2016 Budget;****7.A.1. Resolution No. R15-109 approving Schedule of Fees effective October 1, 2015;****7.A.2. Ordinance No. 15-18 adopting 2015-2016 Pay Plan;****7.A.3. Ordinance No. 15-19 adopting 2015-2016 Budget;****7.B. Property Tax Request for 2015-2016; and**

**7.B.1. Resolution No. R15-110 approving property tax request in the amount of \$4,447,120.** Mangiamelli requested that agenda items 7A through 7B1 be discussed together as they are all related to the 2015-2016 Budget. Kinnison explained that the proposed budget includes receipts of \$66,910,062, which includes property taxes of \$4,447,120, and expenditures of \$76,931,730. The following changes were incorporated into the budget as discussed at the July 27, 2015, Committee of the Whole meeting: 1) the wages for the Police Department were increased by \$45,000 to cover the cost of a new Community Service Technician; 2) the debt service fund numbers were adjusted to accommodate the possible debt pay off of Water Park Bonds and to reflect the recent call of the 2008 Various Purpose Bonds; and 3) property taxes were adjusted after receiving the final "Certification of Taxable Value and Value Attributable to Growth" from the Platte County Assessor. John Curry, 3645 Brookfield Drive, distributed handouts that he drafted illustrating calculations on investments and expressed opposition to the budget item, golf car storage facility, as he does not feel that this project is good use of taxpayer dollars. Curry said he feels the cost to replace golf cars does not justify the need for a storage facility. Mangiamelli explained that storing golf cars in a facility will protect them from the elements and prolong their life. Bulkley noted that items included in the budget that are over \$10,000 will require council approval prior to purchasing. The public hearing on the 2015-2016 Budget closed with a motion by Augustine-Schulte and a second by Schilling. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay". Resolution No. R15-109 approving the Schedule of Fees was adopted with a motion by Bulkley and a second by Augustine-Schulte. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay". The rules were suspended and Ordinance No. 15-18 was read by number only with a motion by Augustine-Schulte and a second by Reardon. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay". Ordinance No. 15-18 entitled: AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, REGARDING THE SALARIES OF OFFICERS AND EMPLOYEES; PAY PLAN FOR ALL CLASSIFICATIONS WITHIN THE CITY; AND MONTHLY SALARY RANGES FOR EACH INDIVIDUAL

CLASSIFICATION passed with a motion by Augustine-Schulte and a second by Reardon. Augustine-Schulte, Bahr, Jablonski, Kresha, Lohr, Reardon, and Schilling voted "Aye" and Bulkley voted "Nay". The rules were suspended and Ordinance No. 15-19 was read by number only with a motion by Schilling and a second by Lohr. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay". Ordinance No. 15-19 entitled: AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, TO ADOPT THE BUDGET STATEMENT TO BE TERMED THE ANNUAL APPROPRIATION BILL; TO APPROPRIATE SUMS FOR NECESSARY EXPENSES AND LIABILITIES; TO PROVIDE FOR AN EFFECTIVE DATE passed with a motion by Schilling and a second by Lohr. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay". The public hearing on the Property Tax Request for 2015-2016 was closed with a motion by Bulkley and a second by Schilling. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay". Resolution No. R15-110 approving the property tax request in the amount of \$4,447,120 was adopted with a motion by Kresha and a second by Augustine-Schulte. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay".

- 7.C. Consider authorization of acquisition of interests in various tracts of real property by purchase or eminent domain for paving South 14 Avenue.** Bogus explained that a temporary road will need to be constructed on private property in order to access the Transfer Station during the paving of South 14 Avenue. The public hearing was closed with a motion by Bahr and a second by Bulkley. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay".
- 7.C.1. Resolution No. R15-111 authorizing acquisition of interests in various tracts of real property by purchase or eminent domain for paving South 14 Avenue.** Resolution No. R15-111 was adopted with a motion by Reardon and a second by Kresha. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay".
- 7.C.2. Resolution No. R15-112 accepting and approving acquisition contract and temporary easement with Kallweit Family Trust in the amount of \$6,420 in conjunction with paving South 14 Avenue.** Resolution No. R15-112 was adopted with a motion by Bulkley and a second by Schilling. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay".
- 7.C.3. Plans, specifications, and estimate of cost in the amount of \$750,000 for Concrete Paving Improvements 2015 - Phase 2 (South 14 Avenue) and authorization to advertise for bids. (Plans and specifications are on file in the City Clerk's office.)** The plans, specifications, and estimate of cost

were approved and staff was authorized to advertise for bids with a motion by Bahr and a second by Bulkley. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay".

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. **Quote from Waterpark Specialties, Inc. in the amount of \$96,915 for painting slides at Pawnee Plunge Water Park.** The quote was awarded with a motion by Bulkley and a second by Augustine-Schulte. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay".
  - 13.B. **Quote from Electronic Engineering in the amount of \$37,968.75 for five portable radios for Fire Department.** The quote was awarded with a motion by Bulkley and a second by Reardon. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay".
  - 13.C. **Comments from Mayor and City Council Members.** There were no comments from the Mayor and City Council members.
14. **RESOLUTIONS:**
  - 14.A. **Resolution No. R15-113 approving Amendment No. 5 to contract with JEO Consulting Group, Inc. in the amount of \$37,078 for additional services to meet U.S. Army Corps of Engineers required revisions to plans and specifications for Loup River Levee improvements.** Bogus gave an update on the status of the Loup River Levee certification process and explained that the headquarters of the U.S. Army Corps of Engineers in Washington D.C. has approved the plans with comments and have forwarded to the Omaha division for a reply. Mangiamelli explained that once this project is complete, it will prevent thirty percent of the community from having to start purchasing flood insurance and it will also put responsibility on the U.S. Army Corps of Engineers to restore or replace any breach of the levee. Resolution No. R15-113 was adopted with a motion by Jablonski and a second by Kresha. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay".

- 14.B. Resolution No. R15-114 approving agreement with State of Nebraska Department of Roads for federal funding not to exceed \$182,000 for construction of Columbus Area Transit storage facility; and**
- 14.C. Resolution No. R15-115 approving agreement with Joseph R. Hewgley & Associates Inc. in the amount of \$39,240 for design phase services for Columbus Area Transit storage facility.** Bogus explained that the State of Nebraska Department of Roads is aware that this project will most likely come in higher than what was originally calculated and they will provide the city with extra grant funding for an 80/20 split. Resolution No. R15-114 approving agreement with the State of Nebraska Department of Roads was adopted with a motion by Schilling and a second by Reardon. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay". Bogus explained the breakdown of the fees in the agreement with Joseph R. Hewgley & Associates Inc. Resolution No. R15-115 approving agreement with Joseph R. Hewgley & Associates Inc. was adopted with a motion by Lohr and a second by Bahr. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay".
- 14.D. Resolution No. R15-116 approving purchase agreement with Trowbridge Motor Company in the amount of \$370,000 for property acquisition for proposed library/cultural arts center.** Resolution No. R15-116 was amended to state that the funds for acquisition of property for a proposed library/cultural arts center be paid from the general fund as opposed to the one-half cent sales tax fund with a motion by Lohr and a second by Bahr. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay". Extensive discussion was held with regard to possible locations for a proposed library/cultural arts center, the necessity of purchasing the Trowbridge property, as well as the option of building a public safety facility on the property. Mangiamelli noted that in order to issue Requests for Proposals on any project, a site for the project should be identified. Pat Sackett, 27 East Calle Colombo, expressed concerns with the possibility of a future viaduct on 26 Avenue and the affect it would have should a public safety facility be constructed on the Trowbridge property. Brookhart noted that considerable fundraising efforts have been made for private contributions as well as seeking of grant funds for this project. A sizeable grant has already been received; however, in order to proceed with applications for additional grants, a site for the project needs to be identified. Brookhart noted the significant message of commitment the city sends by purchasing this property. Resolution No. R15-116 was adopted as amended with a motion by Lohr and a second by Bahr. Augustine-Schulte, Bahr, Jablonski, Lohr, and Schilling voted "Aye" and Bulkley, Kresha, and Reardon voted "Nay".

- 14.D.1. Relocation of Columbus Area Transit and Animal Control departments.** Mangiamelli reported that the purchase of the Trowbridge property provides a space on the south side of the block to utilize the old Steffy's service area for relocation of the Area Transit and Animal Control departments. The Area Transit department would occupy the space for approximately one to one and one-half years and the Animal Control department could occupy the space as long as needed. The property is currently set up for computers and phone lines and there is an area inside to store vehicles overnight and during inclement weather. The former showroom is a metal building that could possibly be relocated and used as a storage building for the transfer station to replace a capital item that is included in a future budget. Mayor Moser asked city staff to also consider the feasibility of utilizing part of city hall for relocation of the Columbus Area Transit and Animal Control departments.
- 14.E. Resolution No. R15-117 approving renewal of the second year of a three year agreement for property and casualty insurance with the League Association of Risk Management.** Resolution No. R15-117 was adopted with a motion by Reardon and a second by Kresha. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay".
- 14.F. Resolution No. R15-118 awarding contract to B-D Construction, Inc. in the amount of \$339,700 for the Quail Run golf car storage facility; and**
- 14.F.1. Resolution No. R15-119 approving Change Order No. 1 in the amount of \$34,735 providing for a reduction in the contract price to \$304,965 for Quail Run golf car storage facility.** It was noted that \$50,000 has been allocated the past five years and an additional \$50,000 is included in the 2016 budget for a total of \$300,000 for this project. It was further noted that Change Order No. 1 includes specific items that were removed from the total project; however, the size of the facility was not changed. John Curry, 3645 Brookfield Drive, expressed opposition as he feels this project would be a waste of taxpayer's dollars. Resolution No. R15-118 awarding a contract for the golf car storage facility was adopted with a motion by Bahr and a second by Lohr. Augustine-Schulte, Bahr, Jablonski, Lohr, Reardon, and Schilling voted "Aye" and Bulkley and Kresha voted "Nay". Resolution No. R15-119 approving Change Order No. 1 providing for a reduction in the contract price for a golf car storage facility was adopted with a motion by Augustine-Schulte and a second by Bulkley. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay".
- 15. ORDINANCES ON THEIR FIRST READING:** None
- 16. ORDINANCES ON THEIR SECOND READING:** None
- 17. ORDINANCES ON THEIR THIRD READING:** None



- 18. **CONSIDERATION OF PAYROLL AND BILLS ON FILE:** Included in Consent Agenda
  
- 20. **ADJOURNMENT:** The meeting was adjourned at 9:37 p.m. with a motion by Bulkley and a second by Reardon. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay".

Presented and approved this 21 day of September, 2015.

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MAYOR

ATTEST:

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CITY CLERK