

A regular meeting of the Mayor and City Council of the City of Columbus, Nebraska, was convened in open and public session on December 21, 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 included City Attorney Neal Valorz, Acting City Administrator/Finance Director Anne Kinnison, City Clerk Janelle Kline, Assistant City Clerk Michaela Luckey, City Engineer Rick Bogus, Police Chief William Gumm, Public Works Director Greg McCaffery, and Community Development Director Dan Curtis.
2. **PRAYER:** Bulkley 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:** Kinnison stated that the following items are considered routine by the City Council and will be enacted by one motion. She 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. Kinnison noted that Neighborworks Northeast Nebraska has requested the following items be removed from the agenda: 4G, Resolution No. R15-147 approving amendment to Program Income Reuse Plan for Centennial Park 6th Addition; 4H, Resolution No. R15-148 approving amendment to Program Down Payment Assistance Guidelines for Centennial Park 6th Addition; and 4I, Resolution No. R15-149 approving amendments to Program Guidelines for Bradshaw Place Addition. Items 4G, 4H, and 4I were removed from the agenda 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". The items on the consent agenda, with the exception of Items 4G, 4H, and 4I, were approved as presented 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".

- 4.A.** Minutes of December 7, 2015, City Council meeting.
- 4.B.** Change date of second meeting in February 2016 to 7 p.m., Tuesday, February 16, 2016, due to President's Day holiday.
- 4.C.** Application of Steven C. Roker as manager of Walgreens, 2320 23 Avenue, in conjunction with Class "D" liquor license.
- 4.D.** Application of Matthew S. Kroeger as manager of Super Saver, 3318 23 Street, in conjunction with Class "C" liquor license.
- 4.E.** Plans, specifications, and estimate of cost in the amount of \$600,000 for Asphalt Paving Improvements 2016 and authorizing city staff to advertise for bids. (Plans and specifications are on file in City Clerk's office.)
- 4.F.** Plans, specifications, and estimate of cost in the amount of \$410,000 for Concrete Paving Improvements 2016 and authorizing city staff to advertise for bids. (Plans and specifications are on file in City Clerk's office.)
- 4.J.** Resolution No. R15-150 approving abandonment agreement for common sewer and road purposes for clear title of properties for the runway protection zone at Columbus Municipal Airport. Resolution No. R15-150 is entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, APPROVING THE ABANDONMENT AGREEMENT FOR COMMON SEWER AND ROAD PURPOSES, A COPY OF SAID AGREEMENT IS ATTACHED HERETO; TO AUTHORIZE THE MAYOR AND CITY CLERK TO EXECUTE THE SAME ON BEHALF OF THE CITY OF COLUMBUS, NEBRASKA; AND TO REPEAL ALL RESOLUTIONS OR PORTIONS THEREOF IN CONFLICT HEREWITH.
- 4.K.** Resolution No. R15-151 approving abandonment agreement for common sewer for clear title of properties for the runway protection zone at Columbus Municipal Airport. Resolution No. R15-151 is entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, APPROVING THE ABANDONMENT AGREEMENT FOR COMMON SEWER, A COPY OF SAID AGREEMENT IS ATTACHED HERETO; TO AUTHORIZE THE MAYOR AND CITY CLERK TO EXECUTE THE SAME ON BEHALF OF THE CITY OF COLUMBUS, NEBRASKA; AND TO REPEAL ALL RESOLUTIONS OR PORTIONS THEREOF IN CONFLICT HEREWITH.
- 4.L.** Resolution No. R15-152 authorizing payment of various improvement projects. Resolution No. R15-152 is entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA TO

AUTHORIZE AND DIRECT THAT A CHECK BE ISSUED AND MADE PAYABLE TO THE RESPECTIVE CONTRACTOR(S) FOR LABOR, EQUIPMENT, AND MATERIALS FURNISHED FOR IMPROVEMENTS IN THE FOLLOWING DESIGNATED DISTRICTS AND PROJECTS WITHIN THE CITY OF COLUMBUS, ALL AS SET FORTH ON THE ATTACHED CERTIFICATES OF PROGRESS PREPARED BY THE RESPECTIVE SPECIAL ENGINEER, TO WIT: ERIKSEN CONSTRUCTION CO., INC. - WASTEWATER TREATMENT FACILITY PHASE 2; \$283,714.00; B-D CONSTRUCTION, INC. - QUAIL RUN CART SHED \$44,989.20; GEHRING CONSTRUCTION & READY MIX CO., INC. - DISCOVERER ADDITION INFRASTRUCTURE \$82,946.35; CONSTRUCTORS INC. - ASPHALT PROJECT 2015 \$285,507.06; B-D CONSTRUCTION, INC. - CONCRETE PAVING PROJECT 2015 \$51,493.49; B-D CONSTRUCTION, INC. - STREET CONSTRUCTION 2014 & SWID 16 & 17 \$12,545.56; GEHRING CONSTRUCTION & READY MIX CO., INC. - PAVING IMPROVEMENT 2015 PHASE 2 \$417,951.15; B-D CONSTRUCTION, INC. - MSW TRANSFER STATION \$32,950.00; OBRIST & CO. - 29TH AVENUE DRAINAGE PROJECT \$1,919.00.

**4.M.** Finance Department reports.

**4.N.** Payroll and bills on file. 12/31/15 Payroll 417,224.49; A & S Detailing – Service 125.00; A to Z Messaging – Service 122.85; Ace Hardware & Garden Center – Supplies 1,301.38; Donald D Adkisson – Pension 609.00; Advance Auto Parts – Supplies 147.44; Ag Spray Equipment – Supplies 638.07; Airport Lighting Company – Supplies 612.79; AJ Bloebaum Electric LLC – Service 366.26; Alamar Uniforms – Supplies 976.35; Alfa Laval, Inc. – Supplies 611.99; Altec Industries, Inc. – Service 1,000.00; Amazon – Supplies 622.12; American Legal Publishing Corporation – Supplies 20.00; American Red Cross – Training 895.00; Aqua-Chem, Inc. – Chemicals 253.00; Aqua-Pure, Inc. – Chemicals 13,497.55; AS Central Services – Service 704.00; AVI Systems, Inc. – Council Chambers Video System 15,239.00; Awards & Engraving – Supplies 311.00; B & C Electrical Services LLC – Service 1,297.23; B-D Construction, Inc. – Golf Cart Storage 44,989.20; B-D Construction, Inc. – 2015 Concrete Paving Improvements 51,493.49; B-D Construction, Inc. – 2014 Street Construction 12,545.56; B-D Construction, Inc. – New Transfer Station 32,950.00; Barco Municipal Products, Inc. – Supplies 637.84; Beard-Warren Heating & Air Conditioning – Service/Supplies 551.89; Beard-Warren Heating & Air Conditioning – Aquatic Center Boiler 16,535.00; Behlen Towing LLC – Service 480.00; Bender Matthew & Co. – Supplies 5,028.35; Berens-Tate Consulting Group, Inc. – Service 2,500.00; Todd Bergman – Expenses 28.75; Big Red Printing – Supplies 39.38; Big Red Sanitation, Inc. – Service 220.00; Bill's Volume Sales – Supplies 175.63; Bissell Hose Company – Expenses 140.42; Carroll A Bisson – Pension 716.51; Black Hills Energy – Utilities 2,587.44; Blackstrap, Inc. – Supplies 1,463.35; Frank J Blahak Jr – Pension 762.00; Bomgaars –

Supplies 1,346.54; Bound Tree Medical LLC – Supplies 1,350.91; California Contractors Supply – Supplies 92.65; Cat's Pro Mow – Service 175.00; CCH Incorporated – Supplies 112.30; Center Point Large Print – Supplies 168.96; Central Insulation & Roofing, Inc. – Service 5,435.00; Central Nebraska Equipment LLC – Service 238.75; Central Parts & Machine – Supplies 1,101.52; Central Sand & Gravel Co. – Supplies 266.30; Central Valley Ag Cooperative – Supplies 112.00; Century Link – Utilities 3,017.04; Jay Cerny Landscaping – Service 216.36; Cinco Books – Supplies 60.05; City Directory, Inc. – Supplies 2,704.00; City of Columbus – Utilities 113.55; Clark Enersen Partners – Golf Cart Storage 2,114.20; Club Prophet Systems – Service 90.00; Columbus Area Chamber of Commerce – Supplies 1,300.00; Columbus Community Hospital – Service/Supplies 2,182.99; Columbus Custom Embroidery – Supplies 175.64; Columbus Family Resource Center – Lease Payment 6,800.00; Columbus Plumbing Co. – Supplies 23.75; Columbus Steel Supply – Supplies 37.96; Columbus Telegram – Subscription 621.57; Columbus Telegram – Publications 946.12; Columbus Tire & Service – Service 14.50; Columbus Vocal Music Department – Service 300.00; Community Internet – Service 30.00; Consolidated Water Solutions – Chemicals 4,500.01; Constructors, Inc. – 2015 Asphalt Project 285,507.06; Continental Research Corp. – Supplies 4,260.92; Cornhusker Public Power District – Utilities 916.60; Credit Bureau Services – Membership 60.00; Culligan of Columbus – Supplies 187.15; Danko Emergency Equipment – Supplies 859.82; DHHS Division of Public Health – Training 2,645.00; Dignity – Advertising 735.00; DPC Industries – Chemicals 1,011.80; George & Sharelyn Drummond – Payment 1,200.00; Dubas Refrigeration – Service 83.95; Douglas Dunbar – Contract 5,391.00; Douglas Dunbar – Commissions 1,028.38; Douglas Dunbar – Expenses 825.20; Karen Dvorak – Expenses 28.95; DXP Enterprises – Supplies 6,843.55; Eakes Office Solutions – Supplies 2,580.05; EBSCO Industries, Inc. – Subscription 3,502.56; Electrical Engineering & Equipment Co. - Supplies 353.34; Electronic Engineering – Service/Supplies 807.04; Eletch, Inc. – Service 604.07; Peggy Engel – Expenses 8.16; Rita Engquist – Service 80.00; Enterprise Electric CO/CED – Supplies 517.22; Eriksen Construction Co., Inc. – Wastewater Treatment Facility Improvements 283,714.00; Ernst Auto Center – Service 46.95; Fastenal Company – Supplies 459.34; First National Bank & Trust Company – Service 241.98; First National Bank Omaha – Expenses 8,309.56; S A Foster Lumber Company – Supplies 41.37; Foundation Center – Service 5,485.00; Frickenstein Pumping and Portables LLC – Service 2,080.00; Frontier – Utilities 4,003.65; Frontier Communications – Utilities 204.41; Gaeth Pest Control Services, Inc. – Service 257.00; Gale – Supplies 2,675.82; Galls – Supplies 610.65; Gehring Construction & Ready-Mix Company – Discoverer Addition Infrastructure 82,946.35; Gehring Construction & Ready-Mix Company – 2015 Paving Improvements 417,951.15; Gehring Construction & Ready-Mix Company – Supplies 10,507.86; Gerhold Concrete Company – Supplies 1,674.40; GFOA – Membership 225.00; Gilmore & Associates – 2015 Sanitary Sewer Lift Station

Renovations 5,000.00; Godfather's Pizza – Meals 114.50; Greenkeeper Co., Inc. – Supplies 1,570.00; Ron Groene – Expenses 19.71; Hach Company – Supplies 91.17; Hadley-Braithwait Company – Supplies 603.60; Juana Hanson – Service 50.00; Hawkins, Inc. – Chemicals 2,229.45; HDR Engineering, Inc. – Wastewater Treatment Facility Improvements 221,207.92; Heartland Natural Gas – Utilities 2,696.63; Hobby Lobby – Supplies 65.39; Hometown Leasing – Supplies 225.07; Mark S Howerter MD – Contract 534.00; Brad Hruska – Expenses 21.10; Hy-Vee, Inc. – Supplies 537.91; Hydro Tech, Inc. – Service 221.00; Impact Telecom – Utilities 51.64; Indoff Incorporated – Supplies 154.45; Industrial Control Systems, Inc. – Service 809.09; Ingram Library Services, Inc. – Supplies 5,657.64; Insurance Services of Columbus – Bond Renewal 100.00; Intelliride – Service 480.00; International Association of Plumbing and Mechanical Officials – Supplies 233.57; Jack's Uniforms & Equipment – Supplies 163.99; Jackson Services, Inc. – Supplies 3,427.54; Harriette Janicek – Expenses 95.98; Joy's Uniforms N More – Service 250.00; Keeton Industries, Inc. – Supplies 880.46; Kelly Supply Company – Supplies 937.97; Kimball Midwest – Supplies 389.35; Kirkham Michael – Railroad Water Main Replacement 933.75; Janelle Kline – Expenses 102.85; Koch Excavating Co., Inc. – Service/Supplies 17,513.20; Samantha Kooyman – Supplies 16.00; Lakeview Small Engine, Inc. – Supplies 478.14; LARM – Insurance 867.83; LaRue Distributing, Inc. – Supplies 89.53; Layne Christensen Company – Well Maintenance 33,086.63; League of Nebraska Municipalities – Training 444.00; Pete Lien & Sons, Inc. – Chemicals 9,644.10; Lincoln Winwater Works – Supplies 768.61; Logan Contractors Supply, Inc. – Supplies 4,133.18; Loup Power District – Utilities 87,448.29; M & L, Inc. – Contract 2,905.65; M & O Door Products – Service 168.38; Mail Prep, Etc. – Postage 220.33; The Mailbox – Postage 35.88; Joseph A Mangiamelli – Expenses 444.28; Michelle Markussen – Expenses 60.00; Marley's Electric, Inc. – Service 748.60; Matheson-Linweld – Supplies 241.29; Gregory S McCaffery – Expenses 224.25; Menards – Supplies 1,577.59; Metron-Farnier LLC – Supplies 3,886.72; Mid Con Systems, Inc. – Supplies 369.40; Mid-American Research Chemical – Chemicals/Supplies 7,390.35; Midlands Mechanical, Inc. – Service 1,969.00; Midwest Glass Service, Inc. – Supplies 40.00; Midwest Laboratories, Inc. – Service 2,328.80; Midwest Service & Sales Co. – Supplies 1,101.27; Midwest Tape LLC – Supplies 1,005.70; Midwest Turf & Irrigation – Supplies 1,239.95; Mike's Towing – Service 1,958.80; Motion Industries, Inc. – Supplies 325.67; Mountain View LLC – Service 413.00; MTM Recognition – Supplies 2,321.33; Shane Mueller – Service 146.50; Municipal Pipe Tool Co., LLC – Supplies 1,706.30; Nebraska Department of Environmental Quality-Fiscal Services – License 150.00; Nebraska Education Technology Services – Membership 2,500.00; Nebraska Emergency Service Communications Association – Membership 135.00; Nebraska Golf & Turf, Inc. – Supplies 878.94; Nebraska Harvestore Systems – Supplies 706.42; Nebraska Public Health Environmental Laboratory – Service 2,373.00; Nebraska Sports – Supplies 199.94; Nebraska State Fire Marshal – Training 600.00; Nebraska Truck

Center, Inc. – Semi Tractor 103,445.00; Nebraska-Iowa Industrial Fasteners Corp. – Supplies 206.18; Nebraska Floodplain and Stormwater Managers Association – Membership 35.00; NEMA – Safe Room Grant 16,068.00; Networkfleet, Inc. – Service/Supplies 784.95; Newman Traffic Signs – Supplies 430.38; NFPA – Subscription 2,610.00; Niemann's Port-A-Pot LLC – Service 45.00; Norfolk Daily News – Subscription 194.00; Norfolk Housing Development Corporation – Training 130.00; North Central EMS Corporation – Membership 75.00; Northeast Nebraska Economic Development District – Grants 375.00; Northeast Nebraska Solid Waste Coalition – Landfill Disposal 37,063.86; Novicki Fire Prevention Services – Service 93.00; O'Reilly Automotive, Inc. – Supplies 864.83; Oberg Locksmith & Security – Service 440.00; Obrist & Co., Inc. – Service 1,919.00; Occupational Health Services – Service 375.00; OCLC, Inc. – Service 1,451.28; Officenet – Council Chamber's Furniture 4,356.57; Officenet – Supplies 214.28; Mike Oglevie – Expenses 50.00; Olympic Uniforms – Supplies 559.85; Omaha Tractor, Inc. – Supplies 57.06; Omaha World Herald – Subscription 345.80; One Call Concepts, Inc. – Service 154.10; One Source – Service 120.00; Overhead Door Company – Service 433.29; Paragon Consulting Services – Service 2,501.25; The Parts Bin – Supplies 501.52; Petty Cash – Expenses 157.01; Physio-Control, Inc. – Supplies 673.96; Platte County – Contract 2,833.00; Preferred Plumbing & Heating, Inc. – Service 127.95; Presto-X-Company – Service 134.69; PV Business Solutions – Supplies 298.50; R & R Products – Supplies 1,008.00; Radio Time Billing – Advertising 203.00; Ramada Columbus River's Edge Convention Center – Employee Recognition Banquet 4,781.84; Recorded Books LLC – Supplies 824.09; Redstone Veterinary Clinic – Service 1,301.78; Ricoh USA, Inc. – Service 374.85; Sackett Electric – Service 1,348.80; Sackett Electric – Service 982.50; Sapp Bros Columbus, Inc. – Fuel 8.28; Sapp Bros Petroleum, Inc. – Fuel 9,719.68; Melissa Sargent – Expenses 12.59; Schieffer Signs, Inc. – Supplies 25.00; Schmader Electric Construction Co., Inc. – Platte County Siren Project 83,063.00; Schneider's O K Tire Company – Lease Payment 35.00; Seacrest & Kalkowski PC LLC – Service 162.00; Sears Commercial One – Supplies 404.93; Rod Seidel – Expenses 6.82; Servicemaster By Shevlin – Service/Supplies 2,454.91; Sherwin-Williams Co. – Supplies 22.09; Shevlin Supply – Supplies 19.74; Alan Siemek – Refund 21.94; Sipple, Hansen, Emerson & Schumacher – Service 2,693.92; Stanley Petroleum Maintenance, Inc. – Service 2,342.00; State of Nebraska – Grant 2,592.00; Stericycle, Inc. – Service 986.50; T & L Services – Service 525.00; T-Bone Fuel Delivery – Fuel 10,063.43; Taser International – Supplies 2,448.38; Tenenz, Inc. – Supplies 205.18; Thomson Reuters-West – Subscription 607.00; Tighton Fastener & Supply, Inc. – Service/Supplies 266.43; Tire Outlet, Inc. – Service 1,706.00; TM Cleaning – Service 200.00; Totalfunds by Hasler – Postage 2,000.00; Tractor Supply Credit Plan – Supplies 137.59; Tri County Truck Repair – Service 259.12; Truck Center Companies – Service 435.26; Tweet's Sport Shop – Supplies 76.89; Tworek Welding & Repair – Service 92.00; Typhoon Wash – Service 87.72; U & I Sanitation – Service 91.25; U S Bank – Expenses 2,402.88;

Union Pacific Railroad Co. – Lease Payment 2,121.80; United States Post Office – Postage 2,510.41; University of Nebraska Lincoln – Grant 2,220.00; UPS Store – Postage 28.28; Carlos Velazquez – Service 220.00; Verizon Wireless – Utilities 2,573.74; VFW Post 3704 - Volunteer Fire Department Banquet 2,289.00; Voice House – Service 100.00; Volkman Plumbing & Heating, Inc. – Service 2,249.41; Wallick’s Radiator Service – Supplies 75.00; Walmart Community – Supplies 2,081.88; Waste Connections of Nebraska – Service 314.89; Water’s Edge Aquatic Design LLC – Pawnee Plunge Expansion 5,110.00; Xerox Business Services LLC – Service 120.00; Zee Medical Service – Supplies 162.60; Zep Sales & Service – Supplies 248.94. TOTAL 2,591,805.54.

5. **APPROVAL OF MINUTES:** Included in Consent Agenda
6. **SPECIAL PRESENTATIONS:** None
7. **PUBLIC HEARINGS:**
  - 7.A. **Application of Jim Hellbusch for the final plat and subdivision agreement of Jim Hellbusch First Subdivision, located at 33 Avenue and Lost Creek Parkway. (Continued from November 16, 2015 meeting.) (Planning Commission recommends approval.)** In response to Doug Briebe, 2817 38 Street, it was noted that the intent is to construct a bank on this property. The public hearing closed 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”.
    - 7.A.1. **Resolution No. R15-155 approving final plat and subdivision agreement.** Resolution No. R15-155 entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS APPROVING A PLAT TO A PARCEL OF LAND SITUATED WITHIN THE NW1/4 OF SECTION 7, TOWNSHIP 17, NORTH, RANGE 1, EAST OF THE 6TH P.M., PLATTE COUNTY, NEBRASKA, HEREINAFTER TO BE KNOWN AS THE "JIM HELLBUSCH FIRST SUBDIVISION, A SUBDIVISION OF THE JIM HELLBUSCH SUBDIVISION, A MINOR SUBDIVISION AND OF PART OF THE NW1/4 SECTION 1, TOWNSHIP 17 NORTH, RANGE 1 EAST OF THE 6TH P.M. PLATTE COUNTY, NEBRASKA"; AND APPROVING THE SUBDIVISION AGREEMENT RELATING THERETO was adopted with a motion by Augustine-Schulte and a second by Kresha. Augustine-Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Reardon, and Schilling voted “Aye” and none voted “Nay”.
  - 7.B. **Application of Bank of the Valley to rezone a tract of land located at 33 Avenue and Lost Creek Parkway from "RR" (Rural Residential District) to "UC" (Urban Commercial District) and amend the Future Land Use Map of the Comprehensive Plan to reflect the same change in zoning.**

**(Planning Commission recommends approval.)** No public testimony was heard. The public hearing closed 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".

- 7.B.1. Ordinance No. 15-30 approving rezoning.** The rules were suspended and Ordinance No. 15-30 was read by number only 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". Ordinance No. 15-30 entitled: 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: A TRACT OF LAND LOCATED IN THE NW 1/4 OF SECTION 7, T17N, R1E OF THE 6<sup>TH</sup> P.M. IN PLATTE COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER NW 1/4 OF SECTION 7, T17N, R1E OF THE 6TH P.M. IN PLATTE COUNTY, NEBRASKA AND ASSUMING THE WEST LINE OF SAID NW 1/4 TO HAVE A BEARING OF N 00°03'57" W; THENCE N 00°03'57" W AND ON SAID WEST LINE 363.94 FEET, TO THE POINT OF BEGINNING; THENCE N 00°03'57" W AND ON SAID WEST LINE 149.73 FEET; THENCE S 89°12'54" E, 435.81 FEET; THENCE S 00°3'57" E, 299.90 FEET TO THE NORTH LINE OF LOST CREEK FLOOD CONTROL CHANNEL; THENCE N 89°12'54" W AND ON SAID NORTH LINE 402.70 FEET; THENCE N 00°07'40" W, 150.66 FEET; THENCE S 89°56'03" W, 32.97 FEET, TO THE POINT OF BEGINNING, SAID TRACT CONTAINING 2.89 ACRES, MORE OR LESS; FROM THE PRESENT ZONING CLASSIFICATION OF "RR" (RURAL RESIDENTIAL DISTRICT) TO "UC" (URBAN 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; AND TO PROVIDE FOR THE EFFECTIVE DATE passed with a motion by Bulkley and a second by Kresha. 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:** Included in Consent Agenda



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.** Jablonski commended city staff for revamping the layout of the council chambers. The City Council wished everyone a Merry Christmas.
14. **RESOLUTIONS:**
- 14.A. **Resolution No. R15-153 approving contract with Midwest Right of Way in an amount not to exceed \$363,000 for right of way services in conjunction with 12 Avenue viaduct project.** Resolution No. R15-153 entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, APPROVING AGREEMENT WITH MIDWEST RIGHT OF WAY SERVICES, INC., IN AN AMOUNT NOT TO EXCEED \$363,000, FOR SERVICES IN CONJUNCTION WITH THE 12 AVENUE VIADUCT PROJECT, A COPY OF WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN; TO AUTHORIZE THE MAYOR TO EXECUTE THE SAME; AND TO REPEAL ALL RESOLUTIONS IN CONFLICT HEREWITH was adopted with a motion by Kresha and a second by Schilling. Augustine-Schulte noted that as a council member she recognizes that the citizens voted for the 12 Avenue viaduct; however, as a citizen she expressed concerns about the impact the viaduct will have on traffic flow, particularly during high traffic times. Bahr, Bulkley, Jablonski, Kresha, Lohr, Reardon, and Schilling voted "Aye" and Augustine-Schulte voted "Nay".
- 14.B. **Resolution No. R15-154 approving intergovernmental agreement with Nebraska Department of Environmental Quality for operation and maintenance of the groundwater extraction and treatment system at the 10th Street Superfund site.** Resolution No. R15-154 entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, APPROVING THE INTERGOVERNMENTAL AGREEMENT WITH NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY (NDEQ), REGARDING THE OPERATION AND MAINTENANCE OF THE GROUNDWATER EXTRACTION AND TREATMENT SYSTEM COLUMBUS 10TH STREET SUPERFUND SITE, DEQ REFERENCE #2015-46685698; A COPY OF SAID AGREEMENT IS ATTACHED HERETO; TO AUTHORIZE THE MAYOR AND CITY CLERK TO EXECUTE THE SAME ON BEHALF OF THE CITY OF COLUMBUS, NEBRASKA; AND TO REPEAL ALL RESOLUTIONS OR PORTIONS THEREOF IN CONFLICT HEREWITH was adopted with a motion by Schilling and a second by Bahr. Augustine-

Schulte, Bahr, Bulkley, Jablonski, Kresha, Lohr, Reardon, and Schilling voted "Aye" and none voted "Nay". McCaffery explained that the state will be taking over future treatments of the 10th Street Superfund site and will provide partial funding with the city to be responsible for a portion of the costs.

15. **ORDINANCES ON FIRST READING:** None

16. **ORDINANCES ON SECOND READING:**

16.A. **Ordinance No. 15-26 amending Chapter 150 of Title XV of Ordinance No. 05-47 (Columbus City Code) adopting 2012 International Building Code. (Planning Commission recommends approval.)** On its second reading, Ordinance No. 15-26 entitled: AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, AMENDING CHAPTER 150 OF TITLE XV OF ORDINANCE NO. 05-47 (COLUMBUS CITY CODE) BY ADOPTING THE 2012 INTERNATIONAL BUILDING CODE; ADOPTING AMENDMENTS TO SAID CODE; ADOPTING THE 2012 INTERNATIONAL EXISTING BUILDING CODE; REPEALING ALL ORDINANCES OR PORTIONS THEREOF IN CONFLICT HEREWITH; PROVIDING FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM; AND PROVIDING FOR AN EFFECTIVE DATE was read by title only at this meeting. It was noted that agenda Items 16A, 16B, 16C, and 16D will be presented for a third and final reading on January 18, 2016, in order to allow time for Item 16D relating to the Fire Code to be presented to the Planning Commission for a recommendation at their January 11th meeting.

16.B. **Ordinance No. 15-27 amending Chapter 150 of Title XV of Ordinance No. 05-47 (Columbus City Code) adopting 2012 International Residential Code. (Planning Commission recommends approval.)** On its second reading, Ordinance No. 15-27 entitled: AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, AMENDING CHAPTER 150 OF TITLE XV OF ORDINANCE NO. 05-47 (COLUMBUS CITY CODE) BY ADOPTING THE 2012 INTERNATIONAL RESIDENTIAL CODE; ADOPTING AMENDMENTS TO SAID CODE; REPEALING ALL ORDINANCES OR PORTIONS THEREOF IN CONFLICT HEREWITH; PROVIDING FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM; AND PROVIDING FOR AN EFFECTIVE DATE was read by title only at this meeting. Dave Humlicek, owner of Style Builders Inc., referred to the International Residential Code and the less restrictive Manufacturer's Code and expressed concerns that the regulations for fire protection for floor systems as well as ice and water shields could have an effect on the cost of an entry level home. Larry Mares, a licensed architect in Nebraska and a member of the city's Board of Appeals and International Code Council, spoke in support of adopting the International Residential Code without removing the provisions for ice and water shields in order to protect the community and he noted that this regulation has been included in the International Building Code

since 2006. Curtis reported on the fire safety level of floor joists and said he does not feel this provision should be removed.

- 16.C. Ordinance No. 15-28 amending Chapter 150 of Title XV of Ordinance No. 05-47 (Columbus City Code) adopting 2012 Uniform Plumbing Code. (Planning Commission recommends approval.)** On its second reading, Ordinance No. 15-28 entitled: AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, AMENDING CHAPTER 150 OF TITLE XV OF ORDINANCE NO. 05-47 (COLUMBUS CITY CODE) BY ADOPTING THE 2012 UNIFORM PLUMBING CODE; ADOPTING AMENDMENT TO THE 2012 UNIFORM PLUMBING CODE; ADOPTING ADDITIONS TO THE 2012 PLUMBING CODE; AMENDING THE BOND CONDITIONS; AMENDING THE REQUIREMENTS FOR INSTALLATION OF PLUMBING OWNER; AMENDING THE REQUIREMENTS FOR TAPPING SUMP PUMP DISCHARGE PIPE INTO STORM SEWERS; AMENDING PLUMBING REGULATIONS ON TESTS; AMENDING SECTION ON DISCHARGING FLUIDS; REPEALING ALL ORDINANCES OR PORTIONS THEREOF IN CONFLICT HEREWITH; PROVIDING FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM; AND PROVIDING FOR AN EFFECTIVE DATE was read by title only at this meeting.
- 16.D. Ordinance No. 15-29 amending Chapter 91 of Title IX of Ordinance No. 05-47 (Columbus City Code) adopting 2012 International Fire Code.** On its second reading, Ordinance No. 15-29 entitled: AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, AMENDING SECTION 91.01 OF CHAPTER 91 OF TITLE IX OF ORDINANCE NO. 05-47 (COLUMBUS CITY CODE) TO PROVIDE FOR THE ADOPTION AND COMPLIANCE WITH THE 2012 INTERNATIONAL FIRE CODE AS RECOMMENDED BY THE INTERNATIONAL CODE COUNCIL AND REGULATIONS PROMULGATED BY THE NEBRASKA STATE FIRE MARSHALL AND GOVERNING SAFETY TO LIFE FROM FIRE AND LIKE EMERGENCIES IN BUILDINGS AND STRUCTURES AND GENERAL FIRE PREVENTION; TO PROVIDE FOR THE EFFECTIVE DATE HEREOF AND THE REPEAL OF ALL ORDINANCES OR PORTIONS THEREOF IN CONFLICT HEREWITH was read by title only at this meeting.
- 17. ORDINANCES ON THIRD READING:** None
- 18. CONSIDERATION OF PAYROLL AND BILLS ON FILE:** Payroll and all other bills included in Consent Agenda.
- 18.A. ARL Credit Services and Reardon Lawn & Garden, Inc.** ARL Credit Services - Service \$552.89; Reardon Lawn & Garden, Inc. - Service \$1,038.08. TOTAL \$1,590.97. Jablonski and Reardon were allowed to abstain from voting on this agenda item due to conflicts of interest and the

rules requiring them to leave the Council Chambers during discussion and vote were suspended with a motion by Bahr and a second by Augustine-Schulte. Augustine-Schulte, Bahr, Bulkley, Kresha, Lohr, and Schilling voted "Aye" and none voted "Nay". Jablonski and Reardon abstained from voting. The bills were approved with a motion by Bahr and a second by Kresha. Augustine-Schulte, Bahr, Bulkley, Kresha, Lohr, and Schilling voted "Aye" and none voted "Nay". Jablonski and Reardon abstained from voting.

- 19. UNFINISHED BUSINESS:** None
- 20. ADJOURNMENT:** The meeting was adjourned at 8:00 p.m. 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".

Presented and approved this 4 day of January, 2016.

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MAYOR

ATTEST:

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CITY CLERK