

Present: Mayor –	Joyce Hudson	Absent: Council member Jeff Whiting
Council members	Jeff Kennedy	
	Jim Aden	
	Tim Strauser	
City Administrator	Bruce Clymer	
City Clerk	Connie L. Dalrymple	
City Attorney	Mike Bacon	

Press: Gothenburg Times – Deb Eggenberger

Also present: Including but not limited to Mark Peyton, Karla Bryant, Lois Stanton, Shane Gruber, Doug & Cyndi Stevens, Jeremyah Stevens, Dan & Peg Yancy, Sally Jochum, Jeanne Janssen, Roland and Norma Lauer, Alan & Gay Rickertson, Scott Bahe, Roger & Joanne Brand, Sharlene Meyer, Eldon Rodine, Larry & Shirley Nelson, Romaine & Joan Aden, Jerry & Marlene Jorgensen, Mr. & Mrs. Dave McKim, Mr. & Mrs. William Moroney

Mayor Hudson opened the meeting and public hearing at 7:00 p.m. Advance notice and a copy of the agenda were given to the Council and members of the press. City Council meetings are conducted in accordance with the Open Meetings Act, a copy of which is available for public inspection on the north wall of the Council Chambers.

The purpose of the public hearing was to consider a request from Doug & Cyndi Stevens for a special use permit to operate an Adult Family Home at 817 23rd Street, an R-2 district.

Cyndi informed Council that as a result of having cared for her parents in the Steven's home, Doug and Cyndi would like to open their home to others in need of a place to live. They would have a maximum of three adults that are unable or unwilling to stay in their own homes but do not require the services of nursing home care. The home would require certification by Health & Human Services to remove liability issues regarding condition of the home, abuse, etc. They are considering purchase of the home at 817 23rd Street where they will also live.

Several questions were raised at the Planning & Zoning hearing on June 9th about the type of people living there. Adult Family Homes have been in Nebraska since 1982 and the State manual defines what it is. Residents can be as young as 19 years but the Stevens' mission is senior citizens that deserve the respect and dignity of their age. They are not a threat and living in a private home environment gives purpose to their last years. Residents will be screened and it could be that the Stevens would not be able to meet some applicant's needs and would not be accepted.

Finances are available to operate the home. It is not a nursing home, just another option for folks needing care but not to the extent a nursing home provides. The only exterior change to the home would be to complete the fencing. There will be no change in the character of the district and the grounds and property will continue to be manicured.

Comments received from the gallery included:

Alan Rickertson: He's approached everyone in the neighborhood and found no one in favor of the proposal. Some were extremely opposed, some were opposed but didn't want to make waves, some feel it isn't financially feasible, and others are just opposed. He asked Council to deny the permit based the desires of the other residents in the area and on the recommendation of the Planning & Zoning Commission.

Karla Bryant: Asked if the special use permit is issued to the person or the property. Atty. Bacon says the permit stays with the property but is relinquished if unused for a period of time. Karla commended the Stevens' but would like to see the permit terminate when the Stevens' are done.

Lois Stanton: Spoke in support of the idea and of the Stevens' character. The concept and location is ideal for persons of limited capabilities.

Aden moved Kennedy seconded, to close the public hearing at 7:28 p.m. Roll call vote: Yea – Strauser, Kennedy, Aden. Nay – none. Absent and not voting – Whiting.

Mayor Hudson noted that the Planning & Zoning Commission recommended denial of the special use permit at 817 23rd Street and the Council is in possession of a petition of protest from nearly all the area property owners. She then asked for a motion of approval.

Following brief discussion, it was the consensus of the Council that the Stevens' have good intentions and the concept is not bad. As a community, the council has taken the position to not allow businesses in residential neighborhoods, hence the special use permit process. Some businesses have been allowed in the past and perhaps shouldn't have been but in this case, the expressed feelings of the neighborhood and Planning & Zoning recommendation must be considered. Mayor Hudson again asked for a motion of approval. None was received and the special use permit denied.

Kennedy moved, Strauser seconded, to approve the consent agenda that included:

City council minutes – June 23, 2009

Police Report – May

Treasurer's report - May

Roll call vote: Yea – Aden, Strauser, Kennedy. Nay - none. Absent and not voting – Whiting.

Aden moved, Strauser seconded, allowing payment of the claims against the City, \$83,523.67, except #1920; Public Works Division \$261,993.29; and the June 11 payroll of \$36,723.55. Roll call vote: Yea - Kennedy, Strauser, Aden. Nay - none. Absent and not voting – Whiting.

Aden moved, Strauser seconded, allowing payment of claim #1920 to Kennedy Landscape Services. Roll call vote: Yea – Strauser, Aden. Nay – none. Absent and not voting –Whiting.

OPEN FORUM

- Ron Klein from Colorado spoke to Council regarding the annexation of his property for the proposed ethanol plant and the passage of LB 495 regarding annexation issues.
- Atty. Bacon thanked Council for attending the Monsanto Learning Center's grand opening. Approximately 360 people attended the first session.
- The swimming pool is open following installation of the required drains covers.
- A fountain has been installed in Ehmen Park. Thanks to Mayor Hudson for planting the flowers.

Mark Peyton has requested platted 21st Street between Avenues G and H be vacated. There are no utilities in the platted way. The street would dead end on Ave H because of the Housing Authority buildings. If vacated, the street would be deeded equally to the property owners on either side of it.

Mr. & Mrs. Dave McKim represented their son, Davey McKim who owns rental property on the west end of the street. They also favor closing the street.

Aden moved, Kennedy seconded, directing Atty. Bacon to draft an ordinance to vacate 21st Street between Avenues G and H. Roll call vote: Yea – Strauser, Kennedy, Aden. Nay – none. Absent and not voting – Whiting.

Kennedy moved, Strauser seconded, approval of pay request #2 to Paulsen's Inc for 5th Street paving. Payment of \$19,888.50 will be made by registered warrant. Roll call vote: Yea – Aden, Strauser, Kennedy. Nay – none. Absent and not voting – Whiting.

Strauser moved, Aden seconded, approval of pay request #3 to Paulsen's Inc for Jefferson Street paving. Payment of \$23,098.20 will be made by registered warrant. Roll call vote: Yea – Kennedy, Aden, Strauser. Nay – none. Absent and not voting – Whiting.

Aden moved, Kennedy seconded, approving pay request #1 to Paulsen's Inc for 2008 Street Improvements. Payment of \$20,975.85 will be made by registered warrant. Roll call vote: Yea – Strauser, Kennedy, Aden. Nay- none. Absent and not voting – Whiting.

No one from Farm Bureau Ins was present to make request to close the street for an open house. No action was taken. Council agreed to allow the request to be made to Administrator Clymer if reasonable. If the request requires Council action, it will be on a later agenda.

Administrator Clymer reviewed proposed changes to the zoning and subdivision regulations:

Page 11: defines wind energy per discussion at the June 2 meeting.

Page 12: need to insert the date the updated zoning map was approved

Page 41: under section 616.05 a political sign becomes a "temporary sign"

Page 42: defines group homes and allows them in residential areas by state statute. Language was added in each residential area as a permitted use and Section 618 was eliminated to make references to group homes easier to find in the code.

Commercial grade wind energy systems are not allowed within one mile of the city. They may be allowed by special use permit in AG Zone. According to state statute if wind systems meet state requirements, the City will be required to net energy bill the customer.

Council member Aden thinks Gothenburg is a progressive community and should not deny wind systems altogether. He'd like to see them incorporated into the regulations. At the present time they are cost prohibitive but that could change. It was the consensus of the Council to put wind energy allowances the AG and AG-1 zones as a special permitted use. The ordinance will be re-drafted for consideration on July 7th.

Aden moved, Kennedy seconded, approving CDBG draw #1 on the Owner Occupied Housing project. Payment of \$5355 will be made to West Central NE Development District for administration and legal work. Roll call vote: Yea – Strauser, Kennedy, Aden. Nay – none. Absent and not voting – Whiting.

The Downtown Revitalization guidelines were discussed. A CDBG grant of \$250,000 will be used for:

1. Façade improvements – grants are limited to \$7500 per building and will fund 75% of any project approved by the DTR Steering Committee. Applications will be accepted beginning June 22 at 9 a.m. in the City Clerk's office.
2. Accessibility
3. Energy efficiency –25% of the improvement can be funded. The Nebraska Energy Office oversees this area.
4. Establish a revolving loan program of \$100,000 that can be used to expand or maintain a business. Applications will be reviewed by the retail reuse committee for recommendation to the Council.

Release of Funds is expected in July; no one can spend money or begin construction before that time.

Strauser moved, Kennedy seconded, to approve the Downtown Revitalization Project guidelines. Roll call vote: Yea – Aden, Kennedy, Strauser. Nay – none. Absent and not voting – Whiting.

Kennedy moved, Strauser seconded, to adjourn the meeting at 8:15 p.m. Roll call vote: Yea – Aden, Strauser, Kennedy. Nay – none. Absent and not voting – Whiting. The next regular meeting will be July 7th at 7:00 p.m.

Joyce Hudson, Mayor

Connie L. Dalrymple, City Clerk