

Regular City Council Meeting
City Council Chambers

August 3, 2010
7:00 p.m.

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

Also present: Shane Gruber, Jen Wolf, Mr. & Mrs. Joe Davis, Anne Anderson, Officer Ryan Randolph, Lois Stanton, Dick Day, Brenda Hayes, Adam Hayes

Mayor Hudson opened the meeting 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.

Whiting moved, Kennedy seconded, approving the consent agenda that included:

City Council minutes - July 20

Tree Board minutes - July 28

Roll call vote: Yea - Strauser, Aden, Kennedy, Whiting. Nay - none.

Kennedy moved, Strauser seconded allowing payment of claims against the City, \$60,580.18; Public Works Division \$78,315.36; and the payroll of \$37,185.00. Roll Call vote: Yea - Whiting, Aden, Strauser, Kennedy. Nay - none.

Open forum:

- On July 27 the Airport Authority submitted a request for \$66,788 budget funds for fiscal year 2010-11. Council must notify the Authority by September 1 if their request will be included in the new budget.
- The well house on 21st Street will be removed and the well abandoned.
- Administrator Clymer has a 17 minute video from NPPD regarding the history of rate increases, wholesale rates, and current costs of power and material. They will request a 7% - 12% increase in rates in 2010.

Kennedy moved, Aden seconded, to advance Ordinance 857 regarding implementation of a 1% sales tax on transactions in Terry's Business Park Addition, to third reading. Roll call vote: Yea - Whiting, Strauser, Aden, Kennedy. Nay - none.

Strauser moved, Whiting seconded, to advance Ordinance 858, vacating a portion of the easement in Gothenburg Industrial Park 2nd Addition, to third and final reading. Roll call vote: Yea - Kennedy Aden, Whiting, Strauser. Nay - none.

Anne Anderson requested permission to use the same parade route as in past years for the Harvest Festival Parade on September 18.

The NE Department of Roads has implemented an application procedure where the City must submit the request to use State roads / highways 30 days in advance of the event, use signage that complies with the Manual of Unified Traffic Control Devices, provide proof of insurance, and accept responsibility for any lawsuits and damages that may result from the activity. We also must contact the Dep't of Roads 48 hours prior to the event and immediately following when the road / highway is reopened.

Discussion was had and it may come to a decision to keep the parade off state roads in the future. Aden moved, Kennedy seconded, approving the Harvest Festival Parade route as previous used and complying with regulations as required by the NE Department of Roads. Roll call vote: Yea - Whiting, Strauser, Kennedy, Aden. Nay - none.

Jennifer Wolf of Dawson Area Development presented the annual report highlighting 2010 accomplishments and projects for 2011.

The City has been awarded a grant for energy efficient street lighting. The lights are LED and projected to save 58% on street lighting costs in a year. The lights have an orange glow and project down onto the street with little reflection up into the sky. Fifty street lights will be replaced with 150 watt LED's and 350 replaced with 250 watt LED lights. The project is \$257,600, of which \$206,080 will be grant funds and \$51,520 City funds.

Aden moved, Strauser seconded, authorizing Mayor Hudson to sign documents accepting the grant. Roll call vote: Yea - Kennedy, Whiting, Strauser, Aden. Nay - none.

Kennedy moved, Whiting seconded, allowing payment of \$6,857.29 to Schemmer Assoc. for work on the transportation study. Roll call vote: Yea - Strauser, Aden, Whiting, Kennedy. Nay - none.

Whiting moved, Strauser seconded, authorizing signature of Drawdown #12 on the Downtown Improvement Project. Roll call vote: Yea - Aden, Kennedy, Strauser, Whiting. Nay - none.

Motion was made by Kennedy, seconded by Strauser, recommending to the Liquor Control Commission the approval of a special designated permit as requested by Dick Day of DS Day Inc for an event to be held at 417 Cottonwood Dr. in Gothenburg on August 28, 2010. Roll call vote: Yea - Whiting, Aden, Strauser, Kennedy. Nay - none.

The informal hearing on the Joe Davis dog issue was resumed from last meeting.

Officer Ryan returned to the property to measure distances between the placement of the dog and the property line, and to verify witness accounts. One witness changed their story and one says the trampoline to which the dog was chained was moved when the owners mowed the lawn. The owners were not home at the time of the incident. What remains is that the dog attacked another, and bit a person.

Mr. Davis has complied with all the terms of the ordinance except he cannot obtain the required the insurance or bond.

Kennedy moved to declare the Davis' dog a potentially dangerous dog. Further discussion was had and Councilmember Kennedy withdrew the motion.

The Clerk then asked the Council members: *Do you believe the Davis' dog to be a potentially dangerous dog?* On roll call the following answered Yea: Kennedy, Aden, Strauser, Whiting. Nay - none.

The Davis' are required to remove the dog from corporate limits or have it put down.

Kennedy moved, Strauser seconded, to adjourn the meeting at 8:03 p.m. Roll call vote: Yea - Whiting, Aden, Kennedy, Strauser. Nay - none. The next regular meeting will be August 17, 2010.

Joyce Hudson, Mayor

Connie L. Dalrymple, City Clerk