

Council Meeting  
City Council Chambers

December 4, 2012  
7:00 p.m.

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

Press: *Gothenburg Times* - Beth Barrett

Also present: Shane Gruber, Duane Oliver, Scott Keene, Blaine Peterson, Mike Libich

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, Strauser seconded, approving the consent agenda that included:  
City Council minutes – November 20

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

Fritch moved, Kennedy seconded, allowing payment of claims against the City, \$42,068.11; Public Works Division \$180,276.31; and the November 21 payroll of \$34,484.18. Roll Call vote: Yea – Strauser, Whiting, Kennedy, Fritch. Nay – none.

Kennedy moved, Whiting seconded, to adjourn the meeting at 7:03 p.m. Roll call vote: Yea – Strauser, Fritch, Whiting, Kennedy. Nay – none.

Atty. Bacon administered the oath of office to newly elected Council members Duane Oliver and Jeff Kennedy.

The newly installed Council reconvened at 7:08 p.m. Mayor Hudson thanked Gary Fritch for his service as East Ward Councilman.

Whiting moved, Strauser seconded, naming Jeff Kennedy Council President. Roll call vote: Yea – Whiting, Oliver, Strauser, Kennedy. Nay - none.

Community Comments:

- Blaine Peterson asked Council to consider reopening the bridge and road on the west side of Lake Helen while in the process of reclaiming the lake. The Council has no particular objection to opening the road but the cost of installing a new culvert and bridge to state standards is prohibitive. Administrator Clymer will take to the engineers.
- The GIC is meeting on Wednesday at 11:30 a.m. at Monsanto. The speaker will be from the Department of Economic Development.

Discussion was had on proposed Ordinance 879 which regulates sexually oriented businesses. As proposed it requires such business to be in I-2 zoned areas and a minimum of 1000 feet from hospitals, schools, churches and religious facilities, residential areas, parks, hospitals, libraries, youth centers and community recreation centers, or other sexually oriented businesses. Such businesses are not allowed by right or permitted use in I-2 areas so the code will have to be amended. Existing businesses that sell adult magazines, secondary to the primary business, will be grandfathered as of the date of the ordinance.

Kennedy moved, Whiting seconded, to advance Ordinance 879 to third and final reading. Roll call vote: Yea – Oliver, Strauser, Whiting, Kennedy. Nay – none.

Scott Keene of Ameritas Financial discussed bonding the cost of repairing Lake Avenue between 4<sup>th</sup> and 7<sup>th</sup> Streets. The cost will not be assessed to adjacent owners therefore the maximum bond issue amount will be \$670,000 at 2.05% interest. The bonds will be sold January 10, 2013. Proposed ordinance 880 gives Mayor Hudson authority to sign the bonds within the parameters of Section 12. Wells Fargo will be the paying agent for the bonds. Internal Revenue Service requires a designated compliance officer to maintain files on all tax-exempt financing arrangements and to review the files annually. The City Clerk will be the designated compliance office.

Councilman Oliver introduced Ordinance 880 entitled:

*An ordinance authorizing the issuance of general obligation various purpose bonds, of the City of Gothenburg, Nebraska, in the principle amount not to exceed six hundred seventy thousand dollars (\$670,000) to provide funds, in addition to other legally available funds of the City, to pay the costs of paving, grading, curbing, and guttering certain streets and constructing certain other improvements necessary and incidental thereto in Street Improvement District 2012-1 of the City; providing for the levy of taxes to pay the interest on and principle of such bonds providing for publication of this ordinance in pamphlet form and the time when the ordinance shall take effect; and related matters.*

and moved that the statutory rule requiring reading on three different days be suspended. The motion was seconded by Council member Kennedy and on roll call vote, the following voted: "Yea" – Whiting, Strauser, Kennedy, Oliver. "Nay" – none.

Mayor Hudson declared the motion adopted by a full vote of the Council and the statutory rule suspended for consideration of said ordinance.

Ordinance 880 was read by title whereupon Council member Kennedy moved for final passage and Council member Strauser seconded the motion. Mayor Hudson asks "*Shall Ordinance #880 be passed and adopted?*" On roll call vote, the following voted "Yea": Strauser, Kennedy, Oliver, Whiting. "Nay": none.

Mayor Hudson declared Ordinance 880 adopted and signed it in the presence of the Council and the Clerk attested the signature.

Kennedy moved, Whiting seconded, authorizing signature of a document designating the Alliance for Community Energy (ACE) authority to purchase natural gas for the City of Gothenburg for the three year period that includes 2013, 2014, 2015. Roll call vote: Yea – Oliver, Strauser, Whiting, Kennedy. Nay – none.

In spite of publication and phone calls to potential bidders, only one bid was received for a new small bucket truck. Altec submitted a bid of \$112,905 for an AT40-G Telescopic / Articulating Aerial Device and an alternate bid of \$105,905 allowing a trade of \$7000 for our 1999 Altec model with 10,000 hours on it. The new truck will extend about 4 feet taller than our current truck. Delivery is 240 days.

Discussion was had on the bid and the low trade-in value of the 1999 model. We can either sell it locally or keep it for tree trimming. If we keep it, it would still be tested annually to keep the truck and employee operators safe. The bigger bucket truck in our fleet is a 1985 or '86 model.

Whiting moved, Kennedy seconded, to approve the purchase and accept the bid from Altec for a 2012 bucket truck for \$112,905. Roll call vote: Yea – Strauser, Kennedy, Oliver, Whiting. Nay – none.

Administrator Clymer received from Richard Stacy at Miller & Assoc, a preliminary plan for the 4-plex concession stand that includes an addition for storage on the North, and a pergola on the South for a probable cost of \$35,000. In the meantime, the City crew removed a wall and the existing stairway and installed a pull down stairs. The school, City, and Angels team have been storing their equipment in the building during the ball season and the extra storage would be beneficial. There are employees on staff with construction expertise that could do the work.

Discussion was had and all agree that while the extra storage is nice, they do not favor the City paying the entire cost when other entities use the facilities on a regular basis. Discussion was had on installing a roll-up door on the west, removing the upper windows, and extending the roof line beyond the building a sufficient distance to allow picnic tables, shade, and safety for the concession stand. Ultimately it was decided to construct the awning and patio on the south side and consider other portions of the project next year.

Oliver moved, Strauser seconded, to introduce Ordinance 881 establishing a Water Management Plan. Roll call vote: Yea – Kennedy, Oliver, Strauser, Whiting. Nay – none.

Strauser moved, Kennedy seconded, to adjourn the meeting at 8:25 p.m. Roll call vote: Yea - Whiting, Oliver, Kennedy, Strauser. Nay - none. The next regular meeting will be December 18, 2012.

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Joyce Hudson, Mayor

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Connie L. Dalrymple, City Clerk