

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: Including but not limited to - Shane Gruber, Ken Christensen, Evelyn Bartlett, Scott Bahe, Mary Schroer of DEQ, Barb Prottzman, Lois Stanton, Janet Evans, Shirley Walker, Randy Evans, Sally Dalrymple, Ross Ostergard, Jacob Burge, Amber Burge, Randy Burge, Jeff Stittle, Nancy Fisher, Donna Morris, George Prince, Bev Titkemeier, Chuck Titkemeier, Jack Ostergard, Mary Ostergard, Ross Ostergard, Tom Shea, Anne Anderson, Paul Thompson, Pat Thompson, Cathi Flynn, John Schlake, Blaine Peterson, Paul Brakhage of LakeTec, Inc., Brad Newcomb of Game & Parks Commission, Travis Mason of Miller & Assoc.

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.

Fritch moved, Kennedy seconded, to amend the agenda to include *Pay request #2 to Paulsen's Inc. for Lake Ave repairs, \$277,822.66, by registered warrant.* Roll call vote: Yea – Strauser, Whiting, Kennedy, Fritch. Nay – none.

The purpose of the public hearing was to provide an opportunity for public input and comment on the proposed Lake Helen reclamation project. Mr. Paul Brakhage of LakeTec, Inc. has been contracted to lead the City through this project and he gave a power point presentation that provided several areas of information on the project. Mr. Brakhage was formerly employed by the Department of Environmental Quality and has done 70 similar projects. Only two of those projects have produced less than the desired results. In his presentation, the following points were made:

- Stakeholders and potential Funding Sources include City of Gothenburg, Nebraska Department of Environmental Quality (NDEQ), Nebraska Game & Parks Commission (NGPC), Nebraska Environmental Trust Fund (NETF), and Central Platte NRD.
- The park and lake are managed by the City. Fisheries are managed by Game & Parks Commission. The water is State owned and therefore is subject to NE Water Quality Standards (WQS). Lake Helen has been on the State's impaired waters list since 2010.

The objectives of partnering entities:

- NDEQ requirements – meet water quality standards for human health, aquatic life, and recreation
- NGPC requirements – provide public access, keep rough fish out of the lake, provide a healthy ecosystem and good fish production, and require minimum lake depths for fish management
- NETF – provide and maintain public benefits and maintain feasibility of the lake
- City – aesthetics, public and pet health, and safety

Water quality background:

- 2005 fish kill: Water pH of 9.9 su (the standard is 6.0 – 9.0 su)
Ammonia – 5.02 mg/L (standard is 0.527)
Dissolved oxygen was below 5.0 mg/L
- 2005 – 2011: Little data is available
- 2011: Water quality data was provided from August 21 thru Sept 11 which showed the average level of 500 ppb phosphorus against a Water Quality Standard of 50; 3337 ppb kjeldahl against a WQS of 1000. Toxins ranged from a low of 5.42 to an extreme high of 18.27 which contributes to the blue-green algae blooms. Blue-green algae are an adaptable bacterium that alternately grows and recedes but does not go away.
- 2012: NDEQ began monitoring. The data we have plus the fish kills and what we can see tells us we have bad water in the lake.

The key to improving Lake Helen is in controlling the phosphorus levels. If we can do that there will be less algae, no toxin concerns, and lower water pH that will result in increased dissolved oxygen, clearer water and an increase in aquatic vegetation to support aquatic life.

The main source of the phosphorus (P) load is waterfowl waste at 6488 pounds per year. Other sources, runoff, internal load, canal, direct precipitation, and the well, contribute a total of 71 pounds for a total of 6559 pounds per year in the lake. The maximum allowed to meet WQS is 29 pounds per year.

Proposed methods of external P load reduction include:

Structural efforts: Lake configuration, tall grass management, rip rap, cabling, and draining the lake. It will be necessary to intercept and treat urban runoff through the use of wetland and bio-swale areas, maintain park runoff and increase the use of well water. We currently use a lot of canal water to fill the lake which allows the influx of rough fish, and the warm water contributes to the growth of bacteria. Well water is cooler and cleaner, being free of other pollutants such as sediment, bacteria, pesticides, etc.

Nonstructural efforts: feeding restrictions which are already in place, increased use of the lake, more people and pets in the park, and removing the aeration system so the lake freezes.

Methods of reducing and managing the internal phosphorus include:

Inactivating the phosphorus in the bottom sediment with the use of aluminum sulfate (alum), a food grade substance that permanently inactivates phosphorus.

Increasing circulation and decreasing water temperatures by using more cool well water in July and August when it's hot, and adding less water more frequently. It would be helpful to bring well water into the lake from two input sources, such as a Y in the piping and shooting it up toward the surface to force circulation.

Increasing the average depth of the lake, which is now four feet, either by hydraulic removal (without draining the lake) or by excavation (draining the lake). Draining the lake is more practical if we intend to build jetties and it will discourage water fowl migration.

The smaller north lake cannot stay as it is. It's so shallow that its high temperatures and poor circulation create ideal conditions for algae growth.

Rough fish management can be accomplished by installing a wire wedge screen system at the canal inlet, filtration through use of sand and gravel, and eliminating the use of canal water. Total elimination of canal water is not feasible so hopefully the screening process will work as intended. The screening system is a relatively new product that has been approved by the Game & Parks Commission.

The proposed master plan for the lake includes eliminating the small north lake because of the cost of restoring and maintaining it. That area could be used simply as a park area, or other structures for community use could be added. It will include two parking areas to accommodate use of the park and the remaining lake area. The parking area on the east end would provide access to a boat ramp and jetties. The other, to the west, will provide access to a fishing pier. This will also reduce the current 30 acres of lake surface to 21 acres, which is more acceptable to the state entities.

The remaining lake area will be cleaned and deepened, and include three jetties, a boat ramp, and a six foot wide trail around the entire perimeter of the lake. The east side along Highway 47 will have bio-swales to capture runoff from the highway area. A thirty foot wide, tall grass barrier and rip rap will surround the lake to inhibit water fowl and, if necessary, we can install a cabling system to prohibit water fowl landing on the lake. An additional water main will provide well water to the lake and storm sewer piping will assist with runoff water. All participating entities have approved the plan.

Expected benefits of the project include:

- Reduced phosphorus load from 6559 pounds per year to 37 pounds per year. This will be within water quality standard of 44 pounds. The increased WQS level allowed is due to the reduced size and increased depth of the lake.
- Reduced sediment load from the canal and runoff from 36,083 pounds per year to 980 pounds.
- Visual difference in water quality
- Minimal health and safety concerns
- Healthy aquatic life and fishery
- Aesthetically pleasing lake area
- Increased property values, according to studies conducted across the country

A detailed budget for improving water quality was presented totaling \$1,510,324 in project costs, not including the roads, trails, and parking lots. Hopefully that amount will be funded by:

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|-------------------------------------|-----------|---------------|
| • City | \$324,731 | (22% of cost) |
| • NE Dep't of Environmental Quality | \$416,431 | (28% of cost) |
| • NE Game & Parks Commission | \$460,831 | (31% of cost) |
| • NE Environmental Trust Fund | \$308,331 | (20% of cost) |

NDEQ and NETF money is very competitive among similar projects. The fact that we are, and have been, working closely with these entities on the project increases our chances of procuring funding from them.

The proposed schedule is:

- September 2012 – Submit NDEQ and NETF grant applications
- November 2012 – Receive notice of NDEQ funding intent
- Early February 2013 – Receive preliminary notice of NETF funding
- Late February 2013 – City drains the lake (before spring waterfowl migration)
- March / April 2013 – Final notice of NETF funding intent
- May / June 2013 – Receive NDEQ / EPA Project Plan approval
- August 2013 – April 2014 – Construction
- May / June 2014 – Fill the lake using the well and screened canal water (It will take too long to fill the lake with well water only)
- October 2014 – Alum treatment
- November 2014 Catfish stocking
- Spring 2015 – Bass / bluegill stocking

Mary Schroer spoke on the Department of Environmental Quality's part in the project. The Lake reclamation qualifies as a Section 319 project which authorizes use of federal money. The fact that Lake Helen is on the impaired waters list is also a boost to funding. The budget is high but there is strong support from other funding sources. DEQ money can be used for excavation, rip rap to prevent erosion, sealing the bottom of the lake, the alum treatment, and the cabling system. They also provide administrative support, oversight and design assistance. DEQ has participated in multiple lake projects and have used the alum treatment before.

Brad Newcomb spoke on the Game and Parks Commission's role. Lake Helen is, and has been, on their impaired waters list. Proceeds from Aquatic Habitat Stamp sales go to habitat improvement. NGPC will assist with construction of boat ramps, fish stock, and habitat stocking. They partner with other agencies because of their limited financial resources. Other projects they have participated in are at Oxford, Holdrege, Ravenna, and Cotton Mill Lake in Kearney.

Mayor Hudson then opened the floor to questions and comments about the Lake project only, not the amenities. The community structures are only options at this point and not a part of the project.

Scott Bahe: Favors the project and is excited for it to start. He has watched the lake decline in the years he's lived here and would like to see it restored. He feels if NDEQ is on board with the project, logic dictates we follow the experts.

Jeff Stittle: Hopes the slope of the bank will be such to help fishing and prevent vegetation growth.

Dr. Randy Burge: Is familiar with phosphorus regulations and has seen blue-green algae kill cattle. He favors the project even if it requires \$100 per citizen to clean up the lake. He asked NDEQ if we would be liable for fines later, or other sanctions, if we do nothing. Mary Schroer of NDEQ responded that there would be no fines; it's about agencies pooling resources to reclaim and maintain the lake. If the lake deteriorates enough we may be forced to fence it off, post signs about the dangerous conditions, and be required to learn more about the algae and it affects.

Jake Burge - just wants to fish at the lake.

Anne Ostergard asked where the rip rap will be. It will be along the jetties and dam side on the south.

Blaine Peterson: How deep will the lake be? He would like to keep the north lake but is more in favor of cleaning up the lake. Travis Mason of Miller & Assoc. said it will be 15 feet deep on the west and 8 to 10 feet deep toward the boat ramp on the northeast. There will be a gentle slope along Highway 47 for spawning. That's why excavation costs are high. If the lake is empty a long while we can hopefully get a loader out to excavate the south lake and use the dirt to fill the north lake. Some of the existing sidewalk area will be eliminated in favor of the jetties and grass buffer.

Carol Pokorny: If we proceed with the project, will water quality always be good or will there be trouble later? Paul Brakhage says lake care requires continuous care and monitoring. Our saving grace for Lake Helen is the well that already exists. We must get, and keep, a handle on the fowl. As it is now, the geese have full control of the lake. The grass is short and they can run off the park area to the safety of the lake. It is good that we prohibit feeding them.

Nancy Fisher: What happens to the turtles and fish when the lake is drained? Per Mr. Brakhage, most will move down stream through the canal to the river; however, there will be fish kill. The City has picked them up before and may have to do it again.

What about runoff water into the lake? The grass swales will catch and filter the water moving it into the drainage system. The swale will dry out so there shouldn't be much of a mosquito issue. In the event of a downpour, there probably will be overflow.

Some property owners in the area like both lakes and feel additional parking lots will devalue their property.

Sally Dalrymple: If the budget presented is only for lake restoration, where does the money come from for the roads and sidewalks? Administrator Clymer responded that we will have to decide what we want as options presented, then we have to budget for them. Driving areas are currently graveled and they will stay that way awhile. We estimate concrete to be between \$400,000 and \$700,000. Mr. Brakhage added that we'd probably have to do an alum retreatment in 20 years or so and that would be a city cost. The Game & Parks Commission can assist with the trail.

There being no further comments, Whiting moved, Fritch seconded, to close the public hearing at 8:14 p.m. Roll call vote: Yea – Kennedy, Strauser, Fritch, Whiting. Nay: none.

Mayor Hudson thanked Mr. Brakhage and the State entity representatives for their assistance and information. The lake is to the point where we have to do something and we can't do it without help.

Administrator Clymer reminded Council that the September 4 deadline for grants is coming soon and asked for a decision tonight on whether or not to proceed with funding applications and the project.

Kennedy moved, Whiting seconded, to proceed with the Lake Helen reclamation project as presented. Roll call vote: Yea – Fritch, Strauser, Whiting, Kennedy. Nay – none.

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

- City Council minutes – July 18 & July 24
- Cemetery Sexton Report – April, May, June
- Police Report - July

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

Strauser moved, Whiting seconded, allowing payment of claims against the City, \$110,753.21; Public Works Division \$123,228.86; the July 18 payroll of \$47,535.55 and the August 2 payroll of 44,689.62. Roll Call vote: Yea – Kennedy, Strauser, Whiting, Fritch. Nay – none.

Community Comments:

- We have received a resolution from the Airport Authority requesting \$93,174.00 in property tax. Council is required to inform them by September 1 if the request will be approved or denied.

Atty. Bacon informed Council that the Building Inspector has authority to determine if special use permits are in compliance. If someone feels there is a violation, they should provide a written statement to the Inspector for his investigation. We cannot breach a door but we can get a search warrant from a judge. We would prosecute as we would any ordinance violation. If Council prefers on-site inspection, we need to alter the permit and the process to allow submission to inspection of the premises. Atty. Bacon recommends detail on the permit and a requirement for annual reapplication, which does become burdensome. We can also put conditions for annual inspections and be specific about permit use.

Administrator Clymer went to the premises at 612 9th Street. The owners are aware there is a concern but allowed him to enter the building. He found the space is used both commercially and residentially.

During discussion Council Member Kennedy commented that as a small community we try to accommodate folks when we can but maybe we should be more stringent. Mayor Hudson suggested Planning & Zoning consider putting annual inspections into their permit recommendations. No other action was taken.

Fritch moved, Strauser seconded, allowing payment of \$8994.35 to Miller & Assoc. for Lake Avenue project observation and management. Payment will be by registered warrant. Roll call vote: Yea – Kennedy, Whiting, Strauser, Fritch. Nay – none.

The Housing Authority has amended their by-laws to provide for six members on their governing board; therefore, Kennedy moved, Strauser seconded, approving Mayor Hudson's recommendation appointing Bob Lutjemeyer to a five year term on the Housing Authority Board. Roll call vote: Yea – Whiting, Fritch, Strauser, Kennedy. Nay – none.

Fritch moved, Whiting seconded, to recommend to the Liquor Control Commission the approval of a one-day license to the Chamber of Commerce to dispense beer and wine at a "Beef, Wine and More" Tasting event on Friday, August 24, 2011 from 6:00 p.m. to 10:00 p.m. at the NSG facility at 520 10th Street in Gothenburg. Roll call vote: Yea – Kennedy, Strauser, Whiting, Fritch. Nay – none.

On behalf of Gothenburg State Bank, Amber Burge requested use of the 900 block of Lake Avenue from 11 a.m. to 2 p.m. on Saturday, October 6 for a NESTfest event. NESTfest is designed to promote awareness of the Nebraska Educational Savings Trust, an educational savings plan. It will be a family event that includes performances from local talent, a magician, petting zoo, inflatables, face painting, free food, and other attractions. There will be state-wide media exposure. They have contacted businesses in the area and received their approval.

Discussion was had and a motion made by Strauser, seconded by Kennedy, approving the request from Gothenburg State Bank. Roll call vote: Yea – Fritch, Whiting, Kennedy, Strauser. Nay – none.

Administrator Clymer offered a meeting calendar relative to 2012-13 budget preparation. He suggests:

Budget work session	August 28	5:30 pm
Review / approve budget proposal for publication	September 4	9:00 am
No meeting	September 4	7:00 pm
Special meeting & budget hearing	September 11	7:00 pm
No meeting	September 18	
Regular meeting	October 2	7:00 pm

Fritch moved, Whiting seconded, setting a budget work session for 5:30 pm on August 28, a special meeting for 9 am on September 4 to approve the budget, and set a hearing date and a special meeting on September 11. Roll call vote: Yea – Fritch, Whiting, Strauser, Kennedy. Nay – none.

Council member Whiting will not be available on September 4.

Whiting moved, Strauser seconded, allowing payment of request #2 to Paulsen Inc. for work on Lake Avenue. Payment of \$277,822.66 will be by registered warrant. Roll call vote: Yea – Kennedy, Fritch, Strauser, Whiting. Nay – none.

Kennedy moved, Whiting seconded, to adjourn the meeting at 8:43 p.m. Roll call vote: Yea – Strauser, Kennedy, Fritch, Whiting. Nay – none. The next meeting will be August 28 at 5:30 p.m.

Joyce Hudson, Mayor

Connie L. Dalrymple, City Clerk