

Regular City Council Meeting
City Council Chambers

August, 6, 2013
7:00 p.m.

Present: Mayor –	Joyce Hudson
Council members	Jeff Kennedy
	Duane Oliver
	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, Terry Jessen, Diana Untersher, Anne Anderson, Atty. Steven Vinton, Ryan Walker

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 recommendation to the Liquor Control Commission for a Class C license for the Nebraska Bar & Grill on Platte River Drive. Class C licenses allow sale of beer and liquor on the premises, and off the premises in the original packages. The restaurant is hoping to be open mid-August.

Discussion was had and a motion made by Strauser, seconded by Kennedy, to close the hearing at 7:04 p.m. Roll call vote: Yea – Oliver, Whiting, Kennedy, Strauser. Nay – none.

Kennedy moved, Oliver seconded, to recommend to the Liquor Control Commission the issuance of a Class C license to Nebraska Bar & Grill LLC dba Nebraska Barn & Grill. Roll call vote: Yea – Whiting, Strauser, Oliver, Kennedy. Nay- none.

Whiting moved, Oliver seconded, approving the consent agenda that included:
City Council minutes – July 16
Health board minutes – July 17

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

Kennedy moved, Oliver seconded allowing payment of claims against the City, \$72,847.82; Public Works Division \$127,659.40; and the July 18 payroll of \$46,928.86. Roll Call vote: Yea – Strauser, Kennedy, Whiting, Oliver. Nay - none.

Community Comments:

- We have received a resolution from the Airport Authority requesting taxes of \$72,669 in the City's 2013-14 budget. The request is down \$20,505 from last year. Council will consider the request during the budget process and respond to the Authority by September 1 as required.
- A water leak near 16th Street on Lake Ave got into the sewer system which backed sewer into the basements of some homes. Several residents have contacted the office.
- The water crew is repairing a water valve on Lake Ave at 11th Street. It is a separate issue from the water leak. After the water leak at 20th Street and now the valve replacement at 11th, there may be issues developing with the water main and it will be discussed in the budget process.

The Chamber AG Committee requested a special designated license for their 9th annual *Beef, Wine and More* event on August 23.

Oliver moved, Kennedy seconded, to recommend to the Liquor Control Commission the approval of a special designated license to the Chamber of Commerce to dispense beer and wine at a "Beef, Wine and More" Tasting event on Friday, August 23, 2013 from 6:00 p.m. to 10:00 p.m. at the NSG facility at 520 10th Street in Gothenburg. Roll call vote: Yea – Strauser, Whiting, Kennedy, Oliver. Nay – none.

The Harvest Festival Parade will be Saturday September 21. The Chamber plans to use Ave G as the route to the 27th Street staging area for the parade on Lake Avenue from 27th Street to 9th Street. The parade will disband at 9th and Ave D. Lake Ave should be closed from 8 a.m. to 1 p.m. There will not be a car show this year but there will be vendors along 16th Street and 15th Street at Ehmen Park until 3 p.m.

Kennedy moved, Whiting seconded, approving the proposed September 21 Harvest Festival events including use of Lake Avenue / Highway 47, from 27th Street to 9th Street for the parade. The event will be from 8:00 a.m. to 1:00 p.m. The City will meet all requirements of Subsection (2) of LB589/NRS 39-1359. Roll call vote: Yea – Oliver, Strauser, Whiting, Kennedy. Nay – none.

There will be a Kid's Parade on Friday, September 20. They will line up on 16th Street, using Ave G two blocks south and back on Ave F. The City will rope off those streets.

Item 6 b.) *Anne Gamble - hearing regarding a dead tree notice at 721 17th Street* was withdrawn from the agenda and not discussed.

Jessie Rios submitted a request to vacate the platted alley in Block 24 of Hyde Park Addition. If approved, the property would revert to the adjoining property owners. During discussion it was decided to table action on the request to determine the current property owners adjacent to Ave L.

A proposed resolution updating user fees included the following changes:

- Removed fees for locating property stakes as we no longer provide that service
- Added fees for contiguous lot agreements - \$100

- Added sexually oriented business license fees - \$500 / year
- Added sexually oriented business investigation fee - \$500 one-time fee
- Amended liquor license fees to include all classifications
- Cemetery deed fee - \$30
- Cemetery lot staking fee - \$20

Kennedy moved, Strauser seconded, to pass and approve Resolution 2013-9 regarding user fees, as presented with the addition of the cemetery deed and lot staking fees. Roll call vote: Yea – Whiting, Oliver, Strauser, Kennedy. Nay – none.

The Tree Board has applied for street trees via The Street Tree Initiative through the Nebraska Forest Service ReTree Nebraska Grant Program. The grant will provide 5 – 10 free trees for fall planting. The Tree Board will identify desired tree species and a specific area in the community, and then contact property owners. The trees are free but the owners will be encouraged to donate \$50 for planting costs, and must sign an agreement to properly maintain the tree.

Kennedy moved, Strauser seconded, to enter into executive session at 7:35 p.m. for approximately 15 minutes to discuss the pending sewer lawsuit. Administrator Clymer, Clerk Dalrymple, Atty. Bacon and Atty. Vinton will join the Mayor and Council. Roll call vote: Yea – Whiting, Kennedy, Strauser, Oliver. Nay – none.

The purpose of the executive session was to discuss the pending lawsuit brought against the City for sewer damage in 2010.

Mayor Hudson reconvened the meeting in open session at 7:57 p.m. and stated that no action had been taken during the executive session.

Strauser moved, Oliver seconded, to adjourn the meeting at 7:57 p.m. Roll call vote: Yea – Whiting, Kennedy, Oliver, Strauser. Nay - none. The next regular meeting will be August 20, 2013.

Joyce Hudson, Mayor

Connie L. Dalrymple, City Clerk
