

Regular City Council Meeting  
City Council Chambers

March 17, 2015  
7:00 p.m.

Present: Mayor –	Joyce Hudson
Council members	Jeff Kennedy
	Randy Waskowiak
	Verlin Janssen
	Jay Richeson
City Administrator	Bruce Clymer
City Attorney	Mike Bacon
City Clerk / Treasurer	Connie L. Dalrymple

Press: *Gothenburg Times* - Beth Barrett

Also present: Kyle Ferguson, Shane Gruber, Tim & Lynn Peterson, Rodger Earll, Tom Holm

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.

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

- City Council minutes – March 3
- Library Director's Report & annual statistical report
- February Building Permit report
- Planning & Zoning Commission minutes – March 10

Roll call vote: Yea – Janssen, Richeson, Waskowiak, Kennedy. Nay – none.

Waskowiak moved, Janssen seconded, allowing payment of claims against the City, \$35,210.83; Public Works Division \$423,498.91; and the March 12 payroll of \$32,480.94. Roll Call vote: Yea – Richeson, Kennedy, Janssen, Waskowiak. Nay - none.

Community Comments:

- The city received a distribution check from ACE in the amount of \$2775.00. The year to date amount returned to the City from ACE is \$30,519.00. In the past, those funds have been dedicated to recreation and Lake Helen.

Richeson moved, Kennedy seconded, to pass and approve Ordinance #907 regarding the administration and conduct of elections, on third and final reading. Roll call vote: Yea – Janssen, Waskowiak, Kennedy, Richeson. Nay - none.

Janssen moved, Waskowiak seconded, to pass and approve Ordinance 908 regarding occupation taxes on fire insurance companies on third & final reading. Roll call vote: Yea – Kennedy, Richeson, Waskowiak, Janssen. Nay – none.

Waskowiak moved, Janssen seconded, to pass and approve Ordinance 909 regarding filing fees for election candidates on third and final reading. Roll call vote: Yea – Richeson, Kennedy, Janssen, Waskowiak. Nay – none.

Kennedy moved, Waskowiak seconded, to pass and approve Ordinance 910 renaming the child protection act to harmonize with State law on third and final reading. Roll call vote: Yea – Janssen, Richeson, Waskowiak, Kennedy. Nay – none.

Richeson moved, Kennedy seconded, to pass and approve Ordinance 911 regarding Mayoral powers on third and final reading. Roll call vote: Yea – Waskowiak, Janssen, Kennedy, Richeson. Nay – none.

Janssen moved, Waskowiak seconded, to pass and approve Ordinance 912 regarding credit sales of alcohol on third and final reading. Roll call vote: Yea – Richeson, Kennedy, Waskowiak, Janssen. Nay – none.

Janssen moved, Richeson, to pass and approve Ordinance 913 regarding sale and use of vapor & nicotine products to minors on third and final reading. Roll call vote: Yea – Kennedy, Waskowiak, Richeson, Janssen. Nay – none.

Kennedy moved, Waskowiak seconded, to pass and approve Ordinance 914 revising tobacco and cigarette licenses to include vapor products and alternative nicotine products on third and final reading. Roll call vote: Yea – Richeson, Janssen, Waskowiak, Kennedy. Nay – none.

Waskowiak moved, Kennedy seconded, to pass and approve Ordinance 915 regarding abandoned vehicle procedures on third and final reading. Roll call vote: Yea – Janssen, Richeson, Kennedy, Waskowiak. Nay – none.

Tim Peterson requested use of the Lake Helen area for his daughter's wedding on August 1. Peterson's would like to use the area on the west side of the lake so that the cross on Ostergard's property provides a backdrop for the ceremony. They would have a 120' x 40' tent for the ceremony and two 20' x 30' tents for the reception and a 20' x 20' foot tent for the cafeteria and DJ area. All the tents would be erected on Friday afternoon for the Saturday ceremony and removed on Sunday. Someone will be on-site continuously to prevent damage. There will be no alcohol and Peterson's will provide valet parking using the park drive area to the War Memorial. In addition to the public restrooms they will provide portable toilet facilities. They anticipate approximately 350 guests.

Shane Gruber asked that the tent setters call him before beginning and he will show them where sprinkler heads and lines are located.

Councilman Kennedy pointed out that the brown areas on the overhead photo of the park are low spots where water stands when it rains. He also expressed concern that the park area be kept open for public drivers. Peterson was reminded that there should be no driving or parking on the grass.

Administrator Clymer pointed out another area for parking to the west of the chosen site, where the small canal was. The canal has been covered as part of the lake rehabilitation.

Kennedy moved, Janssen seconded, to approve the Peterson request for August 1 use of the Lake Helen park area for a family wedding as proposed, with the understanding there will be no alcohol, Peterson's will be responsible for any sprinkler damage, and they are to work with City Services Director Shane Gruber. Roll call vote: Yea – Waskowiak, Richeson, Janssen, Kennedy. Nay – none.

Council had no objection to a request from Kyle Ferguson for use of the Lake Helen area for the Dawson County MS Walk on May 9. The event would use the walking trail from 8 a.m. to noon. Walkers will register for one hour beginning at 8 a.m. at the public shelter. They anticipate 100 walkers will participate. There will be signs directing traffic to the area.

Janssen moved, Kennedy seconded, authorizing signature of a pre-application expressing interest in \$180,000 of 2015 Nebraska Affordable Housing Program funds. Roll call vote: Yea – Waskowiak, Richeson, Kennedy, Janssen. Nay – none.

Kennedy moved, Waskowiak seconded, approving Pay Request #1 to Van Kirk Brothers Construction for work on the sewer project, in the amount of \$103,354.70. Roll call vote: Yea – Janssen, Richeson, Waskowiak, Kennedy. Nay – none.

Kennedy moved, Richeson seconded, approving payment of \$2502 to Regis Swanson for a Downtown Revitalization energy improvement. Roll call vote: Yea – Waskowiak, Janssen, Richeson, Kennedy. Nay – none.

Waskowiak moved, Kennedy seconded, to pass and approve Resolution 2015-3 setting franchise fees for Cable TV providers at 5% of gross billing. Roll call vote: Yea – Richeson, Janssen, Kennedy, Waskowiak. Nay – none.

Kennedy moved, Janssen seconded, approving payment of \$4121 to Royce Hiebner for Downtown Revitalization façade improvements. Roll call vote: Yea – Waskowiak, Richeson, Janssen, Kennedy. Nay – none.

Waskowiak, moved, Kennedy seconded, approving payment of \$3951 to Royce Hiebner for Downtown Revitalization energy improvements. Roll call vote: Yea – Janssen, Richeson, Kennedy, Waskowiak. Nay – none.

Janssen moved, Richeson seconded, approving the Fire Department request for a fireworks display at Lake Helen on July 4<sup>th</sup>. Roll call vote: Yea – Kennedy, Waskowiak, Kennedy, Janssen. Nay – none.

Richeson moved, Janssen seconded, authorizing signature of Drawdown #1 on the Downtown Revitalization project in the amount of \$10,646 and payment to the business owners. Roll call vote: Yea – Waskowiak, Kennedy, Janssen, Richeson. Nay – none.

Kennedy moved, Richeson seconded, authorizing signature of Drawdown #2 on the Downtown Revitalization Project in the amount of \$10,515.00 and payment to Dawson Area Development for administration. Roll call vote: Yea – Janssen, Waskowiak, Richeson, Kennedy. Nay – none.

Discussion was had on a Title 117 variance requesting an alum treatment for phosphorus in Lake Helen when construction is complete. If phosphorus levels are within compliance ranges the treatment will not occur. However, if the levels are too high the treatment will take place at a cost of \$130,000 that will be paid by the Department of Environmental Quality under the Clean Water Act.

Janssen moved, Kennedy seconded, approving the request for variance of Title 117 requirements. Roll call vote: Yea – Richeson, Waskowiak, Kennedy, Janssen. Nay – none.

The City leased a Nissan LEAF electric vehicle through the Environmental Trust and Nissan received tax credits. Upon receiving title to the car, the City leased it to the school but has now bought out the lease. Now, according to the terms of the lease with the school we will sell them the vehicle and the school will continue to comply with the terms of the Trust lease.

Kennedy moved, Janssen seconded, to complete the sale of the Nissan LEAF to Gothenburg Public Schools subject to the continuing obligations of the Trust lease. Roll call vote: Yea – Richeson, Waskowiak, Janssen, Kennedy. Nay – none.

Rodger Earll and Tom Holm were present regarding the hearing notice for a dog kennel at 124 6<sup>th</sup> Street which is near their homes. The request for special use permit was withdrawn by the applicant.

Waskowiak moved, Kennedy seconded, to adjourn the meeting at 7:38 p.m. Roll call vote: Yea - Richeson, Waskowiak, Kennedy, Janssen. Nay – none. The next regular meeting will be April 7, 2015.

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Joyce Hudson, Mayor

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Connie L. Dalrymple, City Clerk