

| | |
|------------------------|---------------------|
| 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: Shane Gruber, Casey McElroy, Jacob Madsen, Niki Saloman, Joe Libal, Eric Christensen, Devin Brundage, Amber Burge

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 request for a Special Use Permit from Casey McElroy for operation of a child care center in the 1st United Methodist Church at 1401 Lake Ave.

In answer to Council questions Casey responded:

- Learning Adventures Child Care Center will open at the Methodist Church in August.
- The intent is to have playground equipment located in the west yard of the Methodist parsonage located east across the alley from the church at 1410 Avenue F. The playground will be accessed by a retractable fence that will create a pathway as required by the State. The fence will be permanently fixed at one side of the alley and drawn across when children move between the church and the playground. The alley is 23 feet wide and the fence extends to 30 feet.
- The play equipment will be owned by the church and they will decide on the equipment that will occupy 90 – 100 feet on the west end of the parsonage lot.
- The center will be open from 6 a.m. to 6 p.m. Monday thru Friday and the play area would be in use from about 9:30 – 11:00 a.m. and 3 – 5 p.m. Children will arrive from the south drive of the church.
- Children will be walked to school when school is in session
- The Center can accommodate 50 – 70 children depending on the license. The State will make that determination upon inspection of the premises.
- There will be 3 – 5 employees to start, perhaps as many as 12, allowing for 7 or 8 employees at a time on site.
- The church has allowed employees to use the north parking lot but they intend to use 14th street on the south side of the church.

Speaking for a GIC Committee, Amber Burge said day care is a huge problem in Gothenburg, especially with the addition of 75 jobs in the past 18 months at the hospital.

Administrator Clymer commented Special Use Permits were designed with homeowners in mind, not rented property; therefore the Planning & Zoning Commission's stipulations make sense. The Planning & Zoning Commission questioned the play equipment since the special use permit concerns only the church itself; however, Atty. Bacon's opinion is that the parsonage is owned by the church and can be considered a part of the permit. State licensing requires play equipment.

Council Member Kennedy would like to stipulate that the staff use on-site parking instead of the street. This will be a daily operation for about 200 days of the year in a residential neighborhood. With parking available on church property, there is no reason to impact the neighborhood any more than necessary. This is a business in a residential neighborhood and it's important to respect the neighborhood and property owners.

Council Member Janssen's home is across the street from Ehmen Park and a lot of people park by his home. He'd rather not have the traffic but realizes it's important to the community and worth the inconvenience. There is such a need for child care and he is willing to put up with a little inconvenience for the sake of the community.

Casey McElroy told Council that her application to the state includes Saturday mornings and although not her intent now, it is a future option for her business.

Council Member Kennedy would like to leave the Saturday operation out of the permit and have McElroy reapply if she wants to go forward with it. A month ago R-1 was the most restrictively zoned area. Now that has changed to include day care Monday through Friday, which is good as churches are a good option for daycare, but now we're talking Saturdays too. Most folks work during the week so neighborhood residents aren't as affected as they will be on weekends.

If neighbors become unhappy with the special use permit, it comes back to Council.

Kennedy moved, Waskowiak seconded, to close the public hearing at 7:13 p.m. Roll call vote; Yea – Janssen, Richeson, Waskowiak, Kennedy. Nay – none.

Janssen moved, Richeson seconded, approval of the Special Use Permit #131 requested by Casey McElroy for Learning Adventures Child Care Center at 1401 Lake Ave with the following stipulations:

- The permit shall expire upon moving the business from 1401 Lake Ave, 1st United Methodist Church.
- The permit shall expire upon sale of part or all of the business by Ms. Casey McElroy.
- The new owner of the business shall be required to obtain a new and separate permit from the City.
- When not utilizing either of the church's off-street parking areas, employees are allowed to park on the north side of 14th Street adjacent to the church property or on the East side of Lake Avenue adjacent to the church property, Monday thru Friday between the hours of 6:00 a.m. and 6:00 p.m. and Saturday mornings.

Roll call vote: Yea – Waskowiak, Richeson, Janssen. Nay – Kennedy.

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

- City Council minutes – May 5
- Police Report – April
- Library Directors report – March 11 – May 11
- Building Permit report – April
- Treasurer's Report – April

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

Waskowiak moved, Janssen seconded, allowing payment of claims against the City, \$36758.70 except #1861; Public Works Division \$324,585.89; and the payroll of \$36,133.10. Roll Call vote: Yea – Richeson, Kennedy, Janssen, Waskowiak. Nay - none.

Richeson moved, Waskowiak seconded, allowing payment of transaction #1861 to Kennedy Landscape Service. Roll call vote: Yea – Janssen, Richeson, Waskowiak. Nay – none.

Community Comments:

- Pamphlets detailing tree species and placement in the Ehmen Park Arboretum are nicely done and available to the public at various sites in the community. Signs identifying trees are ready to install using Tree Board and Nebraska tourism funds.
- There is water in Lake Helen and the swimming pool. The pool will open for the season on May 30. The well is being used to fill the Lake but we plan to also use area fire hydrants.
- Congratulations to Administrator Clymer for scoring an eagle on hole 8 at Wild Horse Golf Course on Monday the 18th.

Officer Walkemeyer was unable to attend the meeting so his appointment will be at the next meeting.

Richeson moved, Janssen seconded, to advance Ordinance 919 regarding use of live bait fish at Lake Helen to third and final reading. Roll call vote: Yea – Waskowiak, Kennedy, Janssen, Richeson. Nay – none.

Janssen moved, Kennedy seconded, allowing payment of request #3 in the amount of \$225,269.83 to Van Kirk Bros Construction for work on the sewer improvements. Roll call vote: Yea – Richeson, Waskowiak, Kennedy, Janssen. Nay – none.

The sewer project is progressing but encountered an obstacle with the pipeline that required moving the route. There are two transcontinental fiber lines, Sprint and MCI, which will probably need to be raised adding cost and time to the project. An agreement will be drafted for Council to consider.

Miller & Assoc. offered a contract for the design and construction phase of the proposed improvements to the northeast corner of Highways 47 and 30. The cost is \$2800 for Phase 1 Conceptual Development, \$9400 for Phase 2 Design, and hourly rate not to exceed \$4280 for Phase 3 Construction. About 75% of the cost will be paid with Community Development Block Grant downtown improvement funds.

Richeson moved, Waskowiak seconded, to approve the professional services agreement with Miller & Associates for improvements to the northeast corner of Highways 47 and 30. Roll call vote: Yea – Kennedy, Janssen, Waskowiak, Richeson. Nay – none.

Waskowiak moved, Kennedy seconded, approving Change Order #4 to include sidewalks in the Lake Helen improvements. With a reduction in other costs the change order is \$13,715.60. Roll call vote: Yea – Janssen, Richeson, Kennedy, Waskowiak. Nay – none.

Janssen moved, Richeson seconded, allowing pay request #6 for \$244,281.86 to Myer Construction for work on Lake Helen. Roll call vote: Yea – Waskowiak, Kennedy, Richeson, Janssen. Nay – none.

Richeson moved, Waskowiak seconded, allowing payment of request #2 to Midland Contracting in the amount of \$59,677.05 for work on the sewer project. Roll call vote: Yea – Kennedy, Janssen, Waskowiak, Richeson. Nay – none. This is the final payment for the sewer lining.

Janssen moved Richeson seconded, authorizing signature of Change Order #1, a decrease of \$3060.00 on sewer improvements. Roll call vote: Yea – Waskowiak, Kennedy, Richeson Janssen. Nay – none.

Kennedy moved, Janssen seconded, to accept the Certificate of Substantial Completion on the sanitary sewer project. Roll call vote: Yea – Richeson, Waskowiak, Janssen, Kennedy. Nay – none.

West Central Nebraska Development District has prepared a pre-application for CDBG funds in the amount of \$155,000 for the rehabilitation of five homes at \$25,000 and \$30,000 for lead paint testing and grant administration.

Richeson moved, Waskowiak second, authorizing signature of the pre-application for Community Development Block Grant Owner-Occupied Housing Rehabilitation. Roll call vote: Yea – Janssen, Kennedy, Waskowiak, Richeson. Nay – none.

Devin Brundage of Central Nebraska Public Power & Irrigation District offered two options for the District to provide SCADA monitoring of municipal wells and water system.

Option 1 is a complete SCADA system including installation of equipment to monitor wells and the water tower, equipment to optimize efficiency by controlling starting, stopping and well pressure, development of graphics, database, and control algorithms, creating automated reports, alarming, and 24 hour support at a cost of \$750 / month. Additional options include a similar system at the wastewater treatment plant for \$250 / month. All items in this option remain the property of the District.

Option 2 provides for installation of two 100 hp variable frequency drives (VFDs) and necessary equipment including a 6 year warranty, installation of updated piping, valves, and protection on all three wells, and installation of replacement flow meters for a total price of \$57,938.22. Options to reduce this cost by using smaller size flow meters and disconnects without bypass controls could result in savings of \$2,212. A well motor replacement option for the tower well and southeast well would be \$16,476.34. All items in this option would be the property of the City.

Mr. Brundage will present the proposal to the CPP & ID Board on Friday. If they are in agreement, he can proceed with development of an interlocal agreement requiring minimum three year participation. The City would like to review the proposed agreement prior to further discussion on June 2.

City Services Director Shane Gruber commented that SCADA is a wonderful system. Gothenburg operates its water system in an antiquated fashion compared to area communities. Our waste treatment plant is automated and is a much smoother operation than the water system.

Richeson moved, Kennedy seconded, to adjourn the meeting at 8:20 p.m. Roll call vote: Yea - Janssen, Waskowiak, Kennedy, Richeson. Absent and not voting – The next regular meeting will be June 2, 2015.

Joyce Hudson, Mayor

Connie L. Dalrymple, City Clerk

