

Regular City Council Meeting
City Council Chambers

April 19, 2016
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
Deputy City Clerk	Brandi Kloopping

Press: *Gothenburg Times* - Beth Barrett

Also present: Alvin Poen, Atty. Brennan Malcom, Eric Most, Mike Earll, Shane Gruber, members of GHS speech class Kiara Matthews, Osman Farah, Donavan Mayers, Drew Franzen, Josh Olson, Hunter Brimm, Skyler Chancellor, Matthew Schmeckle, Sergio Escobar, Jacob Barkmeier, Austin Carlton

Mayor Hudson opened the meeting and public hearings 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 first public hearing was on a request from Mike Earll for Special Use Permit #133 to operate a limited mechanical shop at his home at 1135 Ave G, an R-2 zoned area. He also builds rat rods as a hobby for personal use and sale. The planning & Zoning Commission held a hearing on the request on April 12.

Mr. Earll said about 25% of his income is done from his garage and consists of small auto mechanic work such as brake jobs. The biggest share of his work is away from his garage and consists of sales. He does build rat rods for personal use and sale but they are a limited part of the business. He has a commercial property in mind he may be able to move to. He occasionally has an empty car body on the property that he is working on and he's trying to find a way to get them into his back yard.

Following brief discussion on parking requirements, the public hearing was closed at 7:06 p.m. on a motion made by Waskowiak, seconded by Janssen. Roll call vote: Yea – Kennedy, Richeson, Janssen, Waskowiak. Nay – none.

Motion was made by Janssen seconded by Richeson, approving Special Use Permit #133 as requested by Mike Earll with the following conditions:

- Other properties should not be impacted by a business in a R-2 district, therefore:

All vehicles that are being worked on or are at the place of business to be worked on shall be placed either upon his property; or parked directly in front of his property (if service is complete or the vehicle is waiting to be serviced).

All personal vehicles shall be placed either upon his property, or parked directly in front of his property, and not displaced by vehicles parked in the alley, or car parts, etc.

- The public alley should not be impacted by either vehicles parked in the alley or car parts, etc. being stored along the alley.
- The residence should not have car parts, vehicle body parts, etc. being stored in the open. All parts, etc. should be either within the garage or other alternatives may include an area behind a fenced-in enclosure.

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

The public hearing on a request from Eric Most of The Crossing Fellowship for Special Use Permit #134 to construct a church building at 2302 Ave M from was taken up at 7:07 p.m.

Ken Christensen expressed a concern about drainage saying that water runoff already collects at the intersection on 22nd Street and then moves east to back up at the apartment complex at 1108 22nd Street. He would prefer the water go east from the proposed construction site onto Ave L then south.

Administrator Clymer met with Eric Most of The Crossing Fellowship and Travis Mason of Miller & Assoc. earlier this week. Travis will review the plans for storm water runoff. There are plans for a detention pond south of 23rd Street at Avenue L and the property design will be for water to go southeast to the detention pond then into the ditch. Once Miller & Assoc. have completed their plan review they will provide information to the Council. For that reason, Mr. Most has requested the hearing be held open until the May 17 meeting.

Council had no objection to the request and the hearing will be continued on May 17.

The public hearing on a request from Alvin Poen for Special Use Permit #135 to operate an auto repair shop at 114 W 3rd Street, an R-3 zoning district, was taken up at 7:12 p.m.

The Planning & Zoning Commission has also held a public hearing on this request. Mr. Poen was present with this attorney, Brennan Malcom, and said he has plenty of property and he will erect a fence to enclose vehicles and parts.

Brief discussion was had and a motion made by Richeson, seconded by Kennedy, to close the public hearing at 7:15 p.m. Roll call vote: Yea – Janssen, Richeson, Kennedy, Waskowiak. Nay - none.

Janssen moved, Richeson seconded, approving Special Use Permit #135 as requested by Alvin Poen with the following conditions:

- Other properties should not be impacted by a business in a R-3 district, therefore:
All vehicles that are being worked on or are at the place of business to be worked on, shall be placed either upon his property; or parked directly in front of his property (if service is complete or the vehicle is waiting to be serviced).

All personal vehicles shall be placed either upon his property, or parked directly in front of his property.

- The residence should not have car parts, vehicle body parts, etc. being stored in the open. All parts, etc. should be either within the garage or other alternatives may include an area behind a fenced-in enclosure.

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

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

City Council minutes – April 5 & April 11
Building Permit report - March
Police Report - March
Treasurer's Report - March
Cemetery Sexton report – January thru March 2016
Planning & Zoning Commission minutes – April 12

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

Kennedy moved, Waskowiak seconded, allowing payment of claims against the City, \$36,194.64, except #2318; Public Works Division \$358,131.18, except #2035, and the April 7 payroll in the amount of \$37,081.71. Roll call vote: Yea – Richeson, Janssen, Waskowiak, Kennedy. Nay – none.

Waskowiak moved, Kennedy seconded, allowing payment of claim #2318 to Gothenburg Irrigation in the amount of \$31.60 and claim #2035 to Gothenburg Irrigation in the amount of \$2,820.00. Roll call vote: Yea – Janssen, Kennedy, Waskowiak. Nay – none.

Community Comments:

- Mayor Hudson welcomed the students from the GHS Speech class.
- Administrator Clymer thanked Nebraska Public Power District for the new clock in Council Chambers. It was given in appreciation for our wholesale contract with them.

Janssen moved, Kennedy seconded, to pass and approve Ordinance 930 regarding tree topping and trimming, on third and final reading. Roll call vote: Yea – Richeson, Waskowiak, Kennedy, Janssen. Nay – none.

A resolution was proposed that will prohibit bus parking on Avenue I between 13th Street and 17th Street near the school complex. Several years ago a fence was constructed on the south side of 16th Street west of Ave I, and concrete sidewalks installed and buses transporting students to football and track events were encouraged to park along that street. Avenue I is an emergency route to the hospital, even though it's not much wider than normal width. When buses park there it's impossible to see oncoming traffic from 16th Street.

Chief Olson agreed using today's track meet as an example of buses parking on both sides of Avenue I and pedestrian traffic trying to cross the street. There are safer places for the buses to park.

Council member Janssen also agreed because he had to be half way into the intersection from 16th Street to see traffic coming from the south. He also asked if large vans should be included and Chief Olson said a 15 passenger school van is considered a bus by statute.

Ken Christensen agreed with the proposal to prohibit bus parking on Avenue I.

Administrator Clymer is unsure how the school sees the situation but he feels Avenue I parking is dangerous and 16th Street is safer for buses.

Kennedy moved, Richeson seconded, to pass and approve Resolution 2016-3 prohibiting bus parking on Avenue I between 13th and 17th Streets. Roll call vote: Yea – Kennedy, Waskowiak, Richeson, Janssen. Nay – none.

Waskowiak moved, Kennedy seconded, to adjourn the meeting at 7:23 p.m. Roll call vote: Yea – Janssen, Richeson, Waskowiak, Kennedy. Nay - none. The next regular meeting will be May 3, 2016.

Joyce Hudson, Mayor

Connie L. Dalrymple, City Clerk