

Regular City Council Meeting
3, 2009
City Council Chambers
7:00 p.m.

March

Present: Mayor – Joyce Hudson
Council members Jeff Kennedy
Tim Strauser
Jeff Whiting
City Administrator Bruce Clymer
City Clerk Connie L. Dalrymple
City Attorney Mike Bacon

Absent: Council member Jim Aden

Press: Gothenburg Times - Beth Barrett

Also present: Shane Gruber, Chad Sander, Mr. & Mrs. Gary Garner, Travis Mason, Louis Bovitz, Jeanne Janssen

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.

The public hearing scheduled for 7:00 p.m. regarding a reuse loan was not opened and was removed from the agenda.

Kennedy moved, Whiting seconded, to approve the consent agenda that included:

City council minutes – February 17

Treasurer's report - January

Roll call vote: Yea - Strauser, Kennedy, Whiting. Nay - none. Absent and not voting – Aden.

Kennedy moved, Strauser seconded, allowing payment of the claims against the City, \$72,253.90, except #1308; Public Works Division \$125,792.71; and the February 12 and 19 payrolls. Roll call vote: Yea – Whiting, Kennedy, Strauser. Nay - none. Absent and not voting – Aden.

Kennedy moved, Strauser seconded, allowing payment of claim #1308 to Runza. Roll call vote: Yea – Strauser, Kennedy. Nay – none. Absent and not voting – Aden.

OPEN FORUM:

- Administrator Clymer reported receiving a membership reimbursement of \$2726.17 from ACE. Gothenburg has received a total of \$19,113 in reimbursements. He suggested this year's money be earmarked for ground cover for the 4-plex ball fields.
- Administrator Clymer attended the League of Municipalities Mid-Winter Conference and received a handbook for elected officials. The book covers a variety of municipal topics.

- Attorney Bacon congratulated Shane Gruber on receiving the Pony Express Rider Award and thanked him for all he does.
- On March 4 at 3:00 p.m. the City will be presented an NPPD Economic Development Award for attraction of Dayton-Phoenix Corp. Award presentation will be in the Council Chambers.

Nebraska statutes require the City to have a current emergency water plan. Administrator Clymer has reviewed the proposed plan with Chief Olson, Travis Mason of Miller & Assoc. and Shane Gruber. Discussion was had and a motion made by Kennedy, seconded by Whiting, to pass and approve Resolution 2009-4 adopting the Water Emergency Plan as proposed. Roll call vote: Yea – Strauser Whiting, Kennedy. Nay – none. Absent and not voting – Aden.

Travis Mason informed Council there is the possibility of a grant through the State Revolving Loan Fund for a study of the municipal water system similar to the one currently taking place on the sewer system. The maximum grant is \$15,000 on project estimated at \$25,000 - \$30,000. Applications are due April 3. Notification and award will be around June.

Such a study would be required for any future water grants. Since there will be funds from the stimulus process it's a good time to begin planning for future improvements and this study could reveal upcoming water issues. Most of our water lines are very old and one criticism received during last summer's sewer issues in the east part of town was that no improvements had ever been made and there was no plan to do any even with the continued growth of the town. Some areas are still undersized 4" lines.

Strauser moved, Whiting seconded to pass and approve Resolution 2009-5 authorizing signature of the grant application for a water study and all documents relative thereto. Roll call vote: Yea - Kennedy, Whiting, Strauser. Nay – none. Absent and not voting – Aden.

Travis also reported the de-watering wells are being drilled on Avenue I in preparation for the sewer line replacement. This will be a slow process, taking at least a month. He anticipates additional grant funds and lower interest rates due to the federal stimulus funding for infrastructure.

Following Atty. Bacon's review, a motion was made by Whiting, seconded by Strauser, to authorize signature of the contract with the Department of Economic Development for the Owner Occupied Housing Rehabilitation grant. Roll call vote: Yea – Kennedy, Strauser, Whiting. Nays- none. Absent and not voting – Aden.

The Nebraska Rural Water Association has conducted a study of our water rates by considering operating costs and user fees from the 2005 thru 2007 audits. He also used the industry standard of 12% for capital costs and arrived at a need for \$351,712 revenue. Rates to achieve that revenue are instituted in a two year structured rate increase. Year one is included in the proposed ordinance.

The cost of the Avenue I sewer replacement amortized over 10 years presents a 5% increase in sewer rates. According to the Department of Environmental Quality, rates must produce revenue sufficient to meet the loan payments. Such a rate would be \$30.20 as was proposed earlier.

During discussion it was noted that the water fund is surviving and the proposed 12% increase in rates would primarily be to build funds for future needs. With the current economic downturn this increase could be too aggressive even though it's compatible with other communities. It was the consensus that the sewer rates increase because of the need to meet the state loan payments but the water rates should not be changed; therefore an amendment ordinance will be filed with the Clerk.

Whiting moved, Kennedy seconded, introducing Ordinance 843 regarding water and sewer rates. Roll call vote: Yea – Strauser, Kennedy, Whiting. Nay – none. Absent and no voting – Aden.

Kennedy moved, Strauser seconded, approving renewal of Maintenance Agreement #56 with the Department of Roads. Roll call vote: Yea – Whiting, Strauser, Kennedy. Nay – none. Absent and not voting – Aden.

Gary Garner asked to be allowed to block entrance to the alley from 16th Street to his property at 1021 16th for a family reunion at his home in June. The reunion and all activities will be on private property but due to the number of children he'd rather people could not access the alley from 16th. Those properties to the west of him will have alley access and there is a turn around behind his property to exit the alley.

Lengthy discussion was had on the liability to the City for blockading public streets and alleys, and allowing private activities such as weddings on public property. Council also discussed developing a policy and application process for such requests.

Whiting moved, Strauser seconded, to allow the Garner's request because it does not inhibit public use of either 16th Street or the alley south of the Street. Roll call vote: Yea – Kennedy, Strauser, Whiting. Nay – none. Absent and not voting – Aden.

Kennedy moved, Whiting seconded, to adjourn the meeting at 8:07 p.m. Roll call vote: Yea - Strauser, Whiting, Kennedy. Nay – none. Absent and not voting – Aden. The next regular meeting will be March 17 at 7:00 p.m.

Joyce Hudson, Mayor

Connie L. Dalrymple, City Clerk