

Regular City Council Meeting  
City Council Chambers

May 5, 2009  
7:00 p.m.

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

Press: Gothenburg Times - Beth Barrett

Also present: Shane Gruber, Larry Franzen, Dan Mayer, Larry Ault, Ken Christensen, Bob Nelson

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.

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

City Council minutes – April 21

Cemetery Board minutes – May 4

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

Kennedy moved, Aden seconded, allowing payment of the claims against the City, \$114,944.10, except #1868; Public Works Division \$84,239.09; and the April 30 payroll of \$33,455.79. Roll call vote: Yea – Whiting, Strauser, Aden, Kennedy. Nay - none.

Aden moved, Whiting seconded, allowing payment of claim #1868 to Quality Fire Extinguisher Service. Roll call vote: Yea – Strauser, Whiting, Aden. Nay – none

#### OPEN FORUM:

- Ken Christensen questioned the storm sewer capability on 22<sup>nd</sup> Street after the paving is finished. He's anxious about potential flooding since he already has water issues on the storage unit lot that's part of the apartment complex at 1108 22<sup>nd</sup> Street Administrator Clymer said discussion with the engineer revealed that a new storm sewer line would cost \$200,000 to \$300,000 therefore the paving and curbs on 22<sup>nd</sup> Street are designed to carry water to the east and west. It's not unusual to carry two or three blocks of water at a time.
- Larry Ault is unhappy that the City has prohibited removing salvage metal from the dumpsters at the shop that are part of the city-wide clean up. He's done it in the past and is offended that Mike's Sanitation can collect metal and white goods. At the least, Ault would like to contact people entering the dump site for any salvage metal they may have.

The City has prohibited 'dumpster diving' and loitering because of the danger to citizens and the liability to the City. Houchin is a franchised trash hauler with an insurance policy naming the city as an additional insured in the event of an accident. He has permission to collect white goods but has agreed not to enter the dumpsters or intercept anyone going there.

While the Council and administration approve recycling efforts they do not want to offend folks using the dump site or create a hazardous situation leaving the City open to liability. They also do not want to over-regulate the service being provided. There will be further discussion about allowing metal salvage before city-wide clean up next year.

- Plans for swimming pool drain updates have been approved by the State and the parts ordered. The repairs are extensive but by doing the work in-house the City will save thousands of dollars.
- Larry Franzen does not want the city to prohibit feeding ducks and geese at Lake Helen. Policing will be difficult and children love to feed them. Council feels people indicated at the public hearing that they want the park cleaned up and so will proceed as discussed at prior meetings. It's impossible to control the number of fowl there which has created the problem we now have.

Ordinance #847 will change zoning district designations and boundaries as a result of public hearing requests from Central NE Seed Co and Stone Hearth Estates and some general map corrections. Kennedy moved, Strauser seconded, to introduce Ordinance #847. Roll call vote: Yea – Whiting, Aden, Strauser, Kennedy. Nay – none.

Aden moved, Whiting seconded, to pass and approve Ordinance 845, regulating dumpsters on rights-of-way, on third and final reading. Roll call vote: Yea – Kennedy, Strauser, Whiting, Aden. Nay- none.

Kennedy moved, Strauser seconded, to pass and approve Resolution 2009-10 eliminating parking on the south side of 16<sup>th</sup> Street by the Ehmen Park playground equipment. Roll call vote: Yea – Whiting, Aden, Strauser, Kennedy. Nay – none.

Kennedy moved, Whiting seconded, introduction of Ordinance 848 regarding ducks and geese at Lake Helen. Roll call vote: Yea –Aden, Strauser, Whiting, Kennedy. Nay – none.

Aden moved, Kennedy seconded, approval of a one day license to sell beer, wine, and distilled spirits at the Firemen's Ball on June 27, 2009 and to block the street at the Fire Hall for the duration of the event, 1:00 p.m. to 1:00 a.m. Roll call vote: Yea – Strauser, Whiting, Kennedy, Aden. Nay - none.

Whiting moved, Strauser seconded, to pass and approve Resolution 2009-11 placing a stop sign on Jefferson Street at Avenue L. Roll call vote: Yea – Aden, Kennedy, Strauser, Whiting. Nay – none.

Aden moved, Strauser seconded, allowing payment of request #2 for \$117,506.70 to Paulsen's Inc by registered warrant for paving installation on Jefferson Street. Roll call vote: Yea – Kennedy, Whiting, Strauser, Aden. Nay – none.

Whiting moved, Aden seconded, allowing payment of request #1 for \$78,373.80 to Paulsen's Inc by registered warrant for paving on 5<sup>th</sup> Street. Roll call vote: Yea – Kennedy, Strauser, Aden, Whiting. Nay – none.

Strauser moved, Kennedy seconded, allowing payment of \$1746.08 to Miller and Associates by registered warrant for construction observation on Jefferson Street. Roll call vote: Yea – Aden, Kennedy, Strauser, Whiting. Nay - none.

Whiting moved, Strauser seconded, to adjourn the meeting at 7:55 p.m. Roll call vote: Yea – Kennedy, Aden, Strauser, Whiting. Nay – none. The next regular meeting will be May 29, 2009 at 7:00 p.m.

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Joyce Hudson, Mayor

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Connie L. Dalrymple, City Clerk