

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

Absent: Council member Jeff Whiting

Also present: Shane Gruber, Reed Miller, Terry Jessen, Diana Unterseher, J & Pam Buddenberg, Tiffany Tiedeman, Delvin Seil, Ross Ostergard

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 hearing was to consider an amendment to the Redevelopment Plan for Terry's Business Park. The amendment provides two things:

1. adds Lot 5 on the west to the subdivision and plan
2. allows implementation of a 1% occupation / sales tax on all sales within the subdivision. It is allowed as part of the tax increment financing law for 'enhanced employment areas' to assist in paying for water, sewer, and paving infrastructure. Collections are limited to 20 years.

The Planning & Zoning Commission approved the amended plan at their meeting on July 1.

Kennedy moved, Strauser seconded, to close the hearing at 7:04 p.m. Roll call vote: Yea - Aden, Strauser, Kennedy. Nay - none. Absent and not voting - Whiting.

Discussion was had and a motion made by Strauser, seconded by Aden, to pass and approve Resolution 2010-6, the amended Redevelopment Plan for Terry's Business Park. Roll call vote: Yea - Kennedy, Aden, Strauser. Nay - none. Absent and not voting - Whiting.

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

- City Council minutes - June 15
- Treasurer's Report - May
- Planning & Zoning Commission minutes- July 14
- Police Report - June

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

Kennedy moved, Aden seconded, allowing payment of claims against the City, \$108,744.14, except #1920; Public Works Division \$81,840.26; and the June 24 payroll of \$39,787.73. Roll Call vote: Yea - Strauser, Aden, Kennedy. Nay - none. Absent and not voting - Whiting.

Strauser moved, Aden seconded, allowing payment of claim #1920 to Kennedy Landscape Services for \$183.62. Roll call vote: Yea - Kennedy Aden, Strauser. Nay- none. Absent and not voting - Whiting.

Open forum:

- Terry Jessen informed Council that while he appreciates the recycling program, he has been informed by Schaben Sanitation that they cannot handle the volume of cardboard Jessen is bringing them. Peterson's was kind enough to take three pick-up loads to Kearney for them.
- Ross Ostergard suggested the former Fiesta Foods building be used as a pool room or skating rink for the youth. Problems would include management and funding.
- Joe Davis' pit bull dog was on a chain when another dog came at him. When the owner tried to separate the dogs, he was bitten, resulting in a citation to Davis. He is willing to comply with the ordinance regarding potentially dangerous dogs but is unable to find the insurance coverage required and asked if there was any way around that portion of the statute. Atty. Bacon would like to review statutes, then will visit with them at a later date about the possibility of a bond in lieu of insurance.
- There was a ground breaking ceremony at the site of the Jefferson Square construction last week.
- There will be a transportation plan hearing on July 27 at 7:00 p.m. at the library.

Aden moved, Kennedy seconded, allowing payment of \$16,359.39 to Schemmer Inc for work on the transportation study. Roll call vote: Yea - Strauser, Kennedy, Aden. Nay - none. Absent and not voting - Whiting.

Reed Miller of Miller & Assoc. reported on the progress of the sewer system study. The study is underway with assistance of a NEPA grant and should be complete within a couple months. It's taken longer than originally planned because an extension was given by the State to allow completion of the new line the City installed east of Avenue I. Information should reflect current conditions, not what existed before the new line. The flow monitoring and a basis map are complete and the homes experiencing sewer back up have been plotted on the map. They've found no defects in the system but still want to televise the system, particularly in suspect areas further south, in an effort to determine where the water comes in during downpours. The sewer system handles routine usage easily but cannot handle extraordinary events, such as the May rain event which caused water to back up into manholes, then into homes and buildings.

Some communities require a check valve on every service, such as the one he brought as an example. They work by preventing water from moving backward in the lines. It has a water tight lid that can be opened to determine if anything, such as toys or rags, has gotten stuck at the valve, holding it open. The seal can also be replaced. They can be installed in the yard or a lower level floor, in new or existing structures.

The Department of Environmental Quality will give emergency relief to dump sewer into the river, but the ten inches of rain came too fast for that to occur. The law does not allow sewer discharge into an open ditch. It can be pumped with a permit from DEQ. Water infiltration exists everywhere and there are guidelines as to how much is allowed but the City does not exceed those limits normally.

Normal flow for Gothenburg maxes at 650,000 gallons / day. The City far exceeded plant capacity for two days in May. The waste plant is designed to handle a maximum of 1.6 million gallons per day. All seven pumps worked at capacity and pumped 2.3 million gallons and water still came out the manholes. One hundred gallons per capita is the rule of thumb in Nebraska. If the televising reveals more than normal infiltration, those lines could be relined rather than dug up and replaced. Installing enough large pipes to handle any and all extraordinary water events is not feasible.

In answer to questions raised Miller replied that:

- Rain history has been considered in the study. Unusual rains in 2008, and since then, have raised the ground water level. Prior to that, we experienced a drought lasting several years.
- Parker-Tech is Gothenburg's largest water user but they were not operating during the May rain event.
- It's difficult to quantify heat pump discharge such as that from the new school. Waste plant flows were up in 2007, 2008, 2009.
- It is true most of the water / sewer system is old and there's been lots of addition but the City tries to be pro-active. They've installed interceptor lines and diverted water by installing an additional 15 inch crossing to the waste plant on the east side of town and the new line east of Avenue I.
- The city cannot just install bigger and more pumps in the waste plant because the state requires that everything that goes through the plant be treated before being discharged into the river.
- Yes, if citizens install valves, water could back up to the next home because sewer and water run by gravity to seek the lowest level.

Last winter, monitoring lines were set up and left in place for 30 days. The City crew checked them daily and found everything from sand to diapers in the lines. There are approximately 15 miles of water and sewer main. When the study is complete in a couple months, Miller & Assoc will recommend televising the lines. That must be done when the water level is high.

The City will not install water check valves on private property. Council has not discussed contributing to the installation or providing valves. Installation and maintenance of water valves is the property owner's responsibility just like backflow devices on sprinkler systems. Reed Miller also said he is not aware of any municipality that installed valves for citizens.

Most of the sewer lines in town are six inch clay tile, going into eight inch pipe, then into 15 inch lines to the waste plant. There is no design defect in the City system. The study process will not reveal issues with private lines, such as broken, cracked, or age deterioration.

Kennedy moved, Aden seconded, allowing payment of \$7500 to Faith Chapel on the Downtown Revitalization Project. Roll call vote: Yea - Strauser, Aden, Kennedy. Nay - none. Absent and not voting - Whiting.

The proposed user fees resolution adds:

- an initial fee of \$250 and annual renewal fee of \$100 for potentially dangerous dogs per Section 90.03(d) of the Municipal Code.
- increases annual dog licenses to \$6 prior to January 31 of each year and \$16 after January 31. The \$1 increase is to be submitted to the State of Nebraska.
- provided \$15 fee for non-campers to dump camper sewage at Lafayette Park
- \$25 fee for non-campers dumping 500 gallons or more at the waste plant

Kennedy moved, Aden seconded, to pass and approve Resolution 2010-7 updating the fees resolution. Roll call vote: Yea - Strauser, Aden, Kennedy. Nay - none. Absent and not voting - Whiting.

Strauser moved, Kennedy seconded, allowing payment of \$5,549.91 to Hometown Furniture Plus on the Downtown Revitalization Project. Roll call vote: Yea - Aden, Kennedy, Strauser. Nay - none. Absent and not voting - Whiting.

Aden moved, Kennedy seconded, approving revised Drawdown #10 and payment of \$1922 to Dr. Graff and \$12,500 to First Presbyterian Church (\$5000 for energy and \$7500 for façade improvement). All are Downtown Revitalization Projects. Roll call vote: Yea - Strauser, Kennedy, Aden. Nay - none. Absent and not voting - Whiting.

Strauser moved, Aden seconded, allowing payment of \$570.30 to the *Gothenburg Times* on the Downtown Revitalization Project. Roll call vote: Yea - Kennedy, Aden, Strauser. Nay - none. Absent and not voting - Whiting.

Kennedy moved, Strauser seconded, to adjourn the meeting at 8:26 p.m. Roll call vote: Yea - Aden, Strauser, Kennedy. Nay - none. Absent and not voting - Whiting. The next regular meeting will be July 20, 2010.

Joyce Hudson, Mayor

Connie L. Dalrymple, City Clerk