

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

Press: *Gothenburg Times* - Beth Barrett

Also present: Shane Gruber, Jay Lewis, Ed Wuehler, Mike Thomalla, J.P. Thomalla, Rita Thomalla, Pastor Rick Rehmert, Pastor Mark Borchardt, Doug Viter, Tim Schmeeckle, Mike Houchin, Harold Peterson, Randy Burge, Steve Walker, Cherry Alger, Allen Weidman, Travis Houchin, Jason & April Headley, Chris Spencer, Tim Lauer, Karla Bryant, Dr. David Hult, Ernie Schmidt, Harold Peterson, Ryan O'Hare

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.

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

- City Council minutes - March 15 & 28
- Tree Board minutes - March 23
- Minutes of Elected Officials retreat - March 26

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

Kennedy moved, Fritch seconded, allowing payment of claims against the City, \$111,244.40; Public Works Division \$185,747.47; the March 17 payroll of \$31,819.49 and the March 31 payroll of \$32,177.07. Roll Call vote: Yea - Strauser, Whiting, Fritch, Kennedy. Nay - none.

Community Comments:

- Atty. Bacon reported receiving a request from Frito-Lay to pay their loans of approximately \$800,000 early. Payment is pending confirmation from the trustee of the bonds.

The second reading of Ordinance #861 regarding liquor hours of sale was made and Mayor Hudson noted that the proposal is to extend hours of sale for all classifications of licenses to 1:00 a.m. Monday thru Saturday and from noon until 10:00 p.m. on Sunday. These hours are within State guidelines but not extended till 2:00 a.m. as allowed by State law. Anyone wishing to comment may do so by stating their name and concern but it will not be a rebuttal period.

Harold Peterson: Opposed. He provided a list of 40 signatures opposing the extension and feels that nothing good happens after midnight. He also offered several driving citations for excessive drinking from the court news as published in the *Gothenburg Times*.

Pastor Borchardt: Opposed for several reasons: 1. Once extended, the propensity exists to extend the hours again, probably to the 2 a.m. allowed by law. 2. There is no indication of community gain in extending hours of sale. 3. The council is the elected representatives of the community as a whole. He suggests putting the question to a public vote if there is no unity of decision on the Council.

Pastor Rehmert: Opposed. He agrees with Pastor Borchardt that there is no public benefit. He quoted the results of extended hours of sale on Detroit, MI. Britain also extended hours several years ago and is now revisiting the issued due to alcohol related violence.

Dr. David Hult: Opposed. He sees alcohol as a safety issue relating to his experience in emergency rooms.

Chris Spencer: Opposed. He sees no benefit to changing the hours. When he moved to Gothenburg, alcohol hours of sale was not listed as a reason to move here.

Ernie Schmidt: Opposed. He asked if the increase in revenue to the City is worth the price the City will pay for the result of increased hours.

Doug Viter: The result of the city survey question of increasing hours of sale to 2 a.m. was overwhelming opposed. The Council should respect the majority.

Cherry Alger: As a business owner, she would like the option of the same hours of sale as the package stores. If hours are extended to 1 a.m. as in surrounding towns, customers will not be driving there after closing time here.

Steve Walker: He requests the change for his customers, the golfers, and tournaments. Pool leagues are often not done until midnight or 12:30 a.m. He is not there to sell to drunks. He pays taxes to keep his business going and wants to meet the needs of people.

Karla Bryant: Opposed. According to the newspaper uniformity among the license classes is an issue. We don't have to expand hours to be uniform. There are other beverages besides beer at 1:00 a.m. She doesn't want them driving on local streets either.

Council Member Fritch: Feels we need to be consistent with the hours so everyone is the same.

Council Member Kennedy: Feels Gothenburg doesn't have to be the same as surrounding towns but also feels that all businesses are important to Gothenburg and the opportunities should be the same. The original question was 2:00 a.m. He was opposed to that then and is now. He does not see the hours as a detriment but does see a benefit to some businesses and some residents.

Council Member Whiting: As a business owner he understands the request for extended hours and also knows and understands the opposition. He does not understand why all classes of licenses aren't the same. At 11:00 p.m. last night one bar was not open but if one business wants to stay open till 1:00 a.m. that should be ok.

Council Member Strauser: He's had numerous people express opposition to him but no one has contacted him that is for extended hours. He doesn't feel that just because someone else does, is a reason to do it here (in reference to hours in surrounding communities). We can set ourselves apart from other areas.

Council Member Fritch proposed an amendment to the ordinance setting hours at noon to 10 p.m. on Sunday, 6 a.m. to 11:45 p.m. Monday thru Thursday and 6 a.m. to 1 a.m. on Friday and Saturday.

Atty. Bacon explained that an amendment would have to be carried over for a week before it can be voted upon. Final reading could be suspended at the next meeting.

Fritch moved to amend the ordinance per his proposal. The motion died for lack of a second.

Kennedy moved, Whiting seconded, to advance Ordinance 861 to third and final reading. Roll call vote: Yea - Fritch, Whiting, Kennedy. Nay - Strauser.

Atty. Bacon noted that the final vote would be April 19. If citizens wish to change the ordinance, they can do so by the petition process. Council has time to adopt or submit it to a special or general election.

Kennedy moved, Whiting seconded, to advance Ordinance 862 regarding sexual predator residency requirements to third and final reading. Roll call vote: Yea - Fritch, Strauser, Whiting, Kennedy. Nay - none.

Mike and Travis Houchin of Mike's Sanitation asked Council to consider a rate increase due to fuel rates. Dan's Sanitation has requested a 3% increase with the option for additional increases later if fuel prices continue to rise.

Discussion was had and a motion made by Strauser, seconded by Kennedy, instructing Atty. Bacon to draft an ordinance increasing trash fees \$.50 / month. Roll call vote: Yea - Whiting, Franzen, Kennedy. Nay- none.

Dawson County Relay for Life chairperson April Headley is planning a fundraising event for June 25th. They are hosting a car show and would like to close 15th Street between Lake Avenue and Avenue F from 8:00 a.m. to 4:00 p.m. If they have too many cars for 15th Street, they would like to use 16th Street between Lake Avenue and Avenue F.

Fritch moved, Strauser seconded, approving the Relay for Life request as presented. Roll call vote: Yea - Kennedy, Whiting, Strauser, Fritch. Nay - none.

Ed Wuehler asked Council to consider extending the hours for shooting fireworks from 10 p.m. to 11 p.m. June 25 thru July 3. Most communities are 11 p.m. and it's not very dark at 10:00.

J.P. and Mike Thomalla also commented there are still ballgames going at 10:00 and fireworks are for only 10 days where truck, dog, and other noises continue all night. The Firemen's Ball also shoots fireworks at the end of the dance.

Council members Kennedy and Whiting also commented that initially 10 p.m. sounded good but in July it's still light at 10:00. Therefore, Kennedy moved and Whiting seconded, to have Atty. Bacon draft an ordinance changing the fireworks curfew from 10 p.m. to 11 p.m. June 25 thru July 3. There will be no change in hours for July 4. Roll call vote: Yea - Franzen, Strauser, Whiting, Kennedy. Nay - none.

The 2009-10 audit of City and Public Works Division accounts was available for review. Page 1 contains the auditor's opinion that all is in order. Net assets, total and breakdown, were provided. Since the auditor was unable to be present, the audit can be held and any questions can be answered on the 19th.

Franzen moved, Whiting seconded, to accept the 2009-10 audit as presented. Roll call vote: Yea - Strauser, Kennedy, Whiting, Franzen. Nay - none.

Administrator Clymer reported on the types of heat pump systems in town and that 12 are non-metered residential 'pump and dump' systems. According to a well organization web site a heat pump system uses 7200 to 21,000 gallons of water per day while an average household uses 300 to 400 gallons per day. Discussion was had on the issue of water use and requirements for closed loop systems, metering the water, or having the customer install a well. Dumping into the storm sewer is not a problem, dumping into the sanitary sewer system is a problem because all that water then goes through the waste treatment plant. He would like to send a questionnaire to heat pump owners regarding the type of system they use to better gauge information on water use. Council agreed to the questionnaire.

At the last meeting Council discussed an ordinance for ATV / UTV use on City streets. Atty. Bacon has drafted the ordinance but eliminated ATV's because the State defines them as 3-wheelers. The ordinance will allow UTV's but they must have a flag, headlights and tail lights, and travel no more than 30 mph. Golf carts are prohibited by state statute except in parades.

Kennedy moved, Fritch seconded, introduction of Ordinance 863 regarding use of UTV's on City streets. Roll call vote: Yea - Whiting, Strauser, Fritch, Kennedy. Nay - none.

One bid was received to plant 45 trees from I-80 to 10th Street on Highway 47. The grant will pay one-half the total project. The City's match will come from Central Platte Natural Resources District and in-kind labor match from city employees.

Fritch moved, Strauser seconded, accepting the bid of \$17,240 from Kennedy Landscaping for the TNT grant. Roll call vote: Yea - Whiting, Fritch, Strauser. Nay - none.

At a meeting the Clerk attended recently it was recommended that published meeting notices not include the agenda because the agenda is never complete at publication time but is often assumed complete. It's best to include a statement that "*the agenda is kept continually current and available for public inspection at the office the Clerk*". Discussion was had and it was decided to discuss it further at the next meeting.

Whiting moved Fritch seconded, authorizing Mayor Hudson to execute the Memorandum of Understanding regarding Taproot, Inc, allowing purchase of property and expansion of Eastside Animal Center with the anticipation of tax increment financing. Roll call vote: Yea - Kennedy, Strauser, Fritch, Whiting. Nay - none.

Strauser moved, Whiting seconded, to adjourn the meeting at 8:50 p.m. Roll call vote: Yea - Kennedy, Strauser, Whiting, Fritch. Nay - none. The next regular meeting will be April 19, 2011.

Joyce Hudson, Mayor

Connie L. Dalrymple, City Clerk