

Regular City Council Meeting  
City Council Chambers

June 21, 2011  
7:00 p.m.

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

Also present: Shane Gruber, Delvin Seil, Ken Christensen, Tim Miller, Anne Anderson, Mr. & Mrs. Jerry Kranau, Jared Slagle

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.

Fritch moved, Strauser seconded, approving the consent agenda that included:

City Council minutes - June 7  
Treasurer's Report - May  
Board of Adjustment minutes - June 17

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

Whiting moved, Strauser seconded, allowing payment of claims against the City, \$95,597.98; Public Works Division \$275,813.94; and the June 9 payroll of \$39,730.20. Roll Call vote: Yea - Fritch, Strauser, Whiting. Nay - none. Absent and not voting - Kennedy.

Community Comments:

West Central Development District honored Connie Dalrymple as their 2011 Clerk of the Year.

Tim Miller, representing the Roping Club, spoke to the Council about utility payments at the rodeo grounds. The Club struggles financially and the \$200 - \$300 annual utilities strain their budget. He asked about other non-profit organizations.

Administrator Clymer reported that in researching other non-profit organizations it was found that the Legion Ball field does not pay utilities but all others are metered and pay general service rates.

Atty. Bacon informed the Council that State law requires uniformity in rates; all customers must be treated equally in the category they are in. We cannot give away services, it's all public money.

Further discussion was had and ultimately the request was denied and Council directed that all non-profit accounts be reviewed for compliance with law.

After receiving a complaint about trees obstructing the alley at 2101 Ave F, Mr. and Mrs. Jerry Kranau were notified to prune or remove the trees. Kranau's appeared before Council saying the trees were 35 - 40 years old and were planted closer to the lot line than they should have been; however, they provide a windbreak and privacy, as well as aesthetics for their property. They have pruned the trees even more since meeting with Administrator Clymer and Shane Gruber and would like to keep them as is. Trimming them back to the property line could kill the trees. They have discussed the trees with neighbors and trash haulers and all agree that the alley is much more open now.

Administrator Clymer provided photos of the alley and trees and Gruber said getting a maintainer through is tight. Council members would like to look at the trees and alley and will discuss it further on July 5.

After last meeting's discussion on the traffic situation at 4th Street and Lake Avenue, Administrator Clymer provided information from the Department of Roads regarding the 1st Street intersection at Lake Avenue. He also contacted the State regarding the status of a traffic study. According to the State, a traffic study would have to reveal need for traffic lights in four areas: 8-hour vehicular volume, 4-hour vehicular volume, peak hour vehicular volume, and crash experience. The results of their analysis did not find the traffic volume at the 1st Street intersection to satisfy the minimum criteria for each of the volume-related warrants. Based on this study the intersection characteristics do not justify the installation of a traffic signal. Presumably, the same information would be true at 4th Street.

Ken Christensen requested a copy of the volume numbers and requirements.

Chamber Director Anne Anderson requested use of 10th Street from Lake Avenue east to the alley for the Farmer's Market. The Market will set up at 4:00 and be open from 4:30 p.m. - 6:30 p.m. on Thursdays from July 14 through September 29. The Chamber is checking with their insurance carrier on the need for special event insurance.

Whiting moved, Fritch seconded, to allow the use of 10th Street for the Farmer's Market, and street barricades, as requested. Roll call vote: Yea - Strauser, Fritch, Whiting. Nay - none. Absent and not voting - Kennedy.

In conjunction with the Harvest Festival, the Kid's Parade will be September 16 on 16th Street south on Avenue G to 14th and back to 16th on Avenue F. The main parade will be September 17 on Highway 47 from 11th Street to 27th Street. Chamber Director Anne Anderson has prepared an application to the Department of Roads for a special event on the state highway system. Council must review and approve the application which will accept the conditions set forth in LB589, to provide insurance and to hold the state harmless of any damages or injuries during the event. Since a part of the City's policy includes \$400 for special events the additional insurance will be approximately \$550 plus \$50 for the Kid's Parade.

Whiting moved, Strauser seconded, approving the proposed September 16th Kid's Parade route and the September 17th Harvest Festival parade route and the application to the Nebraska Department of Roads to hold the parade and activities on NDOR right-of-way. The City will meet all signage regulations and provide the additional insurance as required by the State. Roll call vote: Yea - Fritch, Strauser, Whiting. Nay - none. Absent and not voting - Kennedy.

Claims for sewer damage resulting from the June 12, 2010 rain event were received from eight property owners totaling \$261,547.67. The only action taken will be to forward the claims to the insurance company.

On June 15 approximately 45 citizens and City officials met with the Army Corps of Engineers regarding potential flood issues resulting from snow melt in the mountains and rainfall. The Corp has put together a study for 10-year to 50-year flood events. The City, Dawson County Civil Defense Director, and federal resources continue to monitor the study on the Corp's web site. At this time flooding is much worse in the east part of the state where Plattsmouth is having trouble with the sewer plant because of flood waters.

Strauser moved, Fritch seconded, to adjourn the meeting at 7:42 p.m. Roll call vote: Yea - Whiting, Fritch, Strauser. Nay - none. The next regular meeting will be July 5, 2011.

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Joyce Hudson, Mayor

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Connie L. Dalrymple, City Clerk