

Regular City Council Meeting
City Council Chambers

July 5, 2011
7:00 p.m.

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
Police Officer	Aaron Pelzer

Press: *Gothenburg Times* - Beth Barrett

Also present: Mr. & Mrs. Jerry Kranau, Doug Swanson, Bob Nelson, Larry Franzen, Adam Finke, Shawn Boyd, Sharon Meyer, Terry Biers, Mr. & Mrs. Don Miller, Jill Rubenthaler, Kenneth Rieker, Anne Anderson.

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 - June 21
- Cemetery Board report - April thru June
- Board of Adjustment minutes - June 17

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

Kennedy moved, Strauser seconded, allowing payment of claims against the City, \$69,090.20 except #1202 and #1323; Public Works Division \$84,384.85; and the June 23 payroll of \$39,834.08. Roll Call vote: Yea - Fritch, Whiting, Strauser, Kennedy. Nay - none.

Kennedy moved, Fritch seconded, allowing payment of claim #1202 to Blasé-Strauser Memorial Chapel and #1323 to T & T Corp. Roll call vote: Yea - Whiting, Kennedy, Fritch. Nay - none.

Discussion was had on the proposed electrical project to convert overhead electric services to underground services in the easement between Grand Crescent and Highland Drive from Lake Ave to Ave F. Similar projects in other areas may be completed on an annual schedule and as budget allows.

- Larry Franzen: suggested that there be a larger incentive than the \$500 currently allowed because most homeowners receive no real benefit by going underground other than not having their property disturbed by line or pole repair which seldom or never happens. If they do put their service underground, the owners should upgrade to a 200 amp service which involves more

cost. Homeowners can use their current breaker box but it makes more sense to change now for future needs, such as a furnace, and this will increase the cost. In some cases it will not be simple; due to patios or sprinkler systems in the yard.

- Bob Nelson: If the service is already underground, there is no cost to the homeowner? He feels the cost assistance is a fair compromise but doesn't feel as a tax payer he should have to help pay for others what he paid for himself years ago.

- Mayor Hudson: If a homeowner chooses to stay overhead, the pole and service line become the homeowner's property and any future repair or replacement is their responsibility.

Administrator Clymer suggested the possibility of paying the fees incrementally on utility bills.

Council agreed the City assistance with the cost is a one-time offer. Homeowners must participate in the program now to get the cost assistance which will be for the underground only, not any system upgrades the homeowner might decide to include. The city would contract with a company to bore the lines instead of trenching them and the City would do the rest of the work. Council member Fritch felt it important to continually maintain infrastructure. Repairs are inconvenient.

Kennedy moved, Whiting seconded, to proceed with the burial of overhead power lines between Grand Crescent and Highland Drive from Lake Avenue to Avenue F. Roll call vote: Yea - Strauser, Fritch, Whiting, Kennedy. Nay - none.

Strauser moved, Fritch seconded, to amend the Public Works Division Policies and Procedures to a one-time contribution of 75% of the cost to convert from overhead to underground electrical service. Maximum contribution will be \$750. The homeowner can choose to keep their overhead service but the pole and service lines will become the sole property of the homeowner and they will bear the cost of any future repairs or replacement. Roll call vote: Yea - Whiting, Kennedy, Strauser, Fritch. Nay - none.

Discussion continued from the prior meeting on the alley encroachment at 2101 Avenue F. Kraunau's have trimmed the trees further but feel and more trimming will risk the tree. They agree to maintain the trees in at least the present condition. The trash haulers are satisfied with the current improvements and neighbors Terry Biers and Mr. & Mrs. Don Miller spoke in favor of allowing the Kraunau's to keep the trees.

Council agreed to allow the trees to remain if they are kept trimmed but cautioned that all residents need to keep the alleys clear. It's easier for those using the alleys and for the city to maintain them. There are ordinances in place to govern this it shouldn't be Council discussion on an individual basis.

Administrator Clymer reviewed the results of the traffic study from the State relating to 1st Street at Highway 47. Undoubtedly, similar statistics would apply to the 4th Street intersection.

Fritch moved, Whiting seconded, introduction of Ordinance 867 adopting the 2011 National Electric Code as the minimum requirement for electrical service in Gothenburg. Roll call vote: Yea - Strauser, Kennedy, Whiting, Fritch. Nay - none.

Kennedy moved, Whiting seconded, to approve the Special Designated License requested by Monte Kenning of OK Bottle Shoppe for a July 25, 2011 Business After Hours event at Eastside Animal Center, 805 Avenue I. Roll call vote: Yea - Strauser, Whiting, Fritch, Kennedy. Nay - none.

According to a recent discussion with County Surveyor Jake Ripp, locating property stakes is considered by law to be surveying. Therefore, some towns do not provide the service at all. Administrator Clymer asked Shawn Boyd to speak to Council regarding the continuing practice of locating property stakes.

Shawn provided state statutes that describe land surveying to include locating or naming property stakes. Such a practice is a violation of statute and a misdemeanor. His company can provide the service within a week or less, usually 2 - 3 days.

Building Inspector Doug Swanson reported that both Kearney and North Platte require the property owner to expose their property stakes before any building permit is issued. If they can't, they must have a survey. The City gives the owner permission to build based on the plat the homeowner provides. If the property location is wrong, resulting in a structure in the wrong place, it's the owner's responsibility to correct it. The \$20 fee Gothenburg charges is too little to cover the amount of time spent looking for property stakes, and often the request is based on neighbor conflict, not construction.

Atty. Bacon's opinion is that locating stakes is statutorily wrong. The subject will be discussed on July 19.

Strauser moved, Whiting seconded, to adjourn the meeting at 8:30 p.m. Roll call vote: Yea - Fritch, Kennedy, Whiting, Strauser. Nay - none. The next regular meeting will be July 21, 2011.

Joyce Hudson, Mayor

Connie L. Dalrymple, City Clerk