

Special City Council Meeting
City Council Chambers

October 30, 2012
7:00 p.m.

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|------------------------|---------------------|
| 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: Jerri Beyea, Kylee Beyea, Anne Anderson, Duane Oliver, Cressy Daharsh, Jim Mann, Eric Most, Matt Langley, Rosalie Tederman, Mike Libich

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 public hearing continued from October 16 on a request for a special use permit for *The Crossing Fellowship* was taken up at 7:00 p.m. The request is for a church and family life center to be constructed south of Hilltop Estates along Avenue M.

After several meetings and a work session the Council is in agreement that the project, as envisioned, is good and the location is good, but they do not see what they feel they need to know to make a decision. They do not want to dictate to *The Crossing* what they should do but would rather *The Crossing's* desires be presented for approval. The special use permit application is based on a vision of *The Crossing Fellowship* and is a challenge for the Council to offer a motion with specific requirements. A drawing of the proposed structures would be helpful. Questions coming to the Council members are: How will the building look? Will it be a pole barn with metal siding, or brick, or lap siding? Will the roof be metal or asphalt shingles, pitched, or flat? How will the structures and paving affect the water run off onto the neighborhood? Council member Fritch really doesn't want to specify, he just wants to know what the plans are. Council doesn't want to require them to spend great sums of money when less will do.

Eric Most, representing *The Crossing*, said the site plan is not just a vision, it's a plan, and they felt the questions sent to them for the work session were answered. They are looking for specific direction on what the Council expects before investing in an architectural drawing. They cannot do a cost analysis until the architectural plan is done and they don't want to misrepresent their intentions to the Council. Their intent is for a facility that complements the community and neighborhood, by design and materials. It will not be a metal 'shop'. He had hoped Council would say for example, to have a metal roof, which is close to the cost of asphalt shingles, or to

require asphalt shingles which also fits the neighborhood. Their architect says there will be no more water run off than the property has in its natural state.

Discussion was had on proposed stipulations for a motion to approve the special use permit that both parties could be comfortable with. At 7:46 p.m. Strauser moved to close the public hearing and Fritch seconded the motion. Roll call vote: Yea – Kennedy, Whiting, Fritch, Strauser. Nay – none.

Fritch moved, Strauser seconded, to approve Special Use Permit 2012-1 for *The Crossing Community Fellowship Center* as proposed, with the following stipulations:

- The site plan as provided is acceptable as a general plan for the development of the area and all building permits shall be approved using the plan. Construction of all buildings is not to exceed 60,000 total square feet.
- This Special Use Permit will allow the construction of a community center and an auditorium to be used for religious purposes, child day care, preschool, and athletic center, subject to the proper building permits being acquired.
- Access to the area shall be from Avenue M. The drive(s) must be hard surfaced from Avenue M to the property line.
- 23rd Street will not be opened as part of this Special Use Permit.
- The applicant will, for each phase of construction, devise or enlarge, as the case may be, a storm water runoff retention cell which will discharge no more water into drain ways as the property would do in a state of nature. Such retention cell shall be maintained in perpetuity.
- Screening or buffers between the land acquired by *The Crossing* and neighbors shall require a review by the City Engineer at the time of application for a building permit. If there is an issue with regard to the screening or buffers between the City Engineer and *The Crossing*, the City Council will review the permit and make the final decision.
- Each building on the site shall maintain a 50-foot setback from the property line.
- Buildings shall comply with the current requirements for metal buildings in the C-1 zoning regulations. That is: *All street exposed exteriors of metal buildings in the C-1 District that are in the core business district area, which is from Avenue D to Avenue G, and 8th Street (Highway 30) to 11th Street, shall provide a nonreflecting exterior siding which is or simulates wood, stucco, or masonry.*

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

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

City Council minutes – October 16

Treasurer's Report – September

Treasurer's Report – FY 2011-12

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

Kennedy moved, Fritch seconded allowing payment of claims against the City, \$49,941.57; Public Works Division \$89,879.46; and the October 25 payroll of \$35,484.88. Roll Call vote: Yea – Whiting, Strauser, Fritch, Kennedy. Nay - none.

Community Comments:

- Administrator Clymer has received notice from Nebraska Department of Environmental Quality that they have approved funding their portion of the Lake Helen reclamation project.
- Council had no objection to Chamber Director Anne Anderson's request to use Lake Avenue between 9th and 10th Streets for the Holiday Magic events on December 6 from 5:00 – 7:00 p.m. The Jingle Bell parade will leave the fire hall at 5 p.m., go south on Avenue F to 9th Street and then go west to Gothenburg State Bank corner.

Jeff Whiting, speaking as president of the Angel's Softball Assoc., asked Council to consider expansion of the concession stand at the 4-plex. He would like to see the Angel's organization assist in some way.

Cressy Daharsh is the Angels concession manager and explained that the area is so small that no more than two can easily work there at one time. There is no storage and the enclosed area is very hot in the summer. The Angels organization has run concessions for all uses of the 4-plex, Angels, the high school team, and summer recreation, and the funds are used to support Angels softball. It buys uniforms, pays tournament fees, etc. Larry Mustard started the team and it was his belief that all girls that wanted to play ball should be able to without financial stress. Other communities require very high fees for the girls to play and we've been able to avoid that with the concession work.

There is \$25,000 in the Recreation Fund budget for renovations to the concession stand and Administrator Clymer had prepared a drawing that showed a possible layout with expanded sales area, storage, and covered patio areas. He also feels it would be best to have an engineer prepare a design for bid specifications if Council decides to move forward.

Council directed Administrator Clymer to contact Miller and Assoc. about constructing something within our financial parameters.

The *Municipal Electric Interests Group Agreement and Resolution* was tabled to the next meeting.

The current electric bucket truck is a 1999 model with 70,000 miles and 10,115 hours on the motor. According to information from the Electric Foreman, prices for a new truck are set to increase 6% – 7% in January and the tool boxes will increase 3% – 4%. Truck costs at the present time are \$115,000 to \$117,000 and will take nine months to build. He would like to keep the current truck for tree trimming unless we get a good trade-in value. There is \$115,000 in the budget.

Council allowed the administration to prepare specifications and seek bids for a new bucket truck. Bids will request a cost with trade-in of the current model and without trade-in.

Strauser moved, Whiting seconded, approving Change Order #1 for \$533 on the Lake Avenue project. Roll call vote: Yea – Fritch, Kennedy, Whiting, Strauser. Nay – none.

Fritch moved, Kennedy seconded, allowing payment of the final request to Paulsen's Inc. on the Lake Avenue project. Payment will be by registered warrant. Roll call vote: Yea – Whiting, Strauser, Kennedy, Fritch. Nay – none.

Kennedy moved, Strauser seconded, to accept the Certificate of Substantial Completion on the Lake Avenue Project. Roll call vote: Yea – Fritch, Whiting, Strauser, Kennedy. Nay – none.

Strauser moved, Kennedy seconded, to adjourn the meeting at 8:17 p.m. Roll call vote: Yea – Whiting Strauser, Fritch, Kennedy. Nay - none. The next regular meeting will be November 20, 2012.

Joyce Hudson, Mayor

Connie L. Dalrymple, City Clerk