

Present: Mayor –	Joyce Hudson
Council members	Jeff Kennedy
	Randy Waskowiak
	Jay Richeson
	Verlin Janssen
City Administrator	Bruce Clymer
City Attorney	Mike Bacon
City Clerk/Treasurer	Brandi Kloepping

Press: *Gothenburg Times* - Ellen Mortensen

Also present: Attorney Colten Venteicher, Shane Gruber, AJ Whiting, Mary Meisinger, Noah Larson, Kaylee Wahlgren, Robert Gerald, Chris Haggert, Ed Schrock.

Mayor Hudson opened the meeting and public hearings 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.

Janssen moved, Richeson seconded, to approve the consent agenda that included:

- City Council minutes – September 5, 6
- Treasurer’s Report – August
- Planning & Zoning minutes – July 11
- Building permits report – July & August

Roll call vote: Yea – Kennedy, Waskowiak, Richeson, Janssen. Nay – None.

Kennedy moved, Waskowiak seconded, allowing payment of claims against the City \$79003.86, except # 91917029 for \$4.10 to Gothenburg Irrigation; Public Works Division \$531,199.33; and the September 6 payroll of \$35,195.08. Roll call vote: Yea – Janssen, Richeson, Waskowiak, Kennedy. Nay – None.

Waskowiak moved, Kennedy seconded, allowing payment of #91917029 to Gothenburg Irrigation. Roll call vote: Yea – Janssen, Waskowiak, Kennedy. Nay – None. Abstain – Richeson.

Community Comments:

- Administrator Clymer mentioned Ira Suhr resigned last Friday and there will be an ad in the paper for her 46 years served.
- Administrator Clymer wants to set a time for the Retreat on Thursday, September 28th; it will be at 8:00 a.m.
- Administrator Clymer also said Avenue J is now open.

AJ Whiting, student council president, wants to bring the parade back to downtown for Homecoming. They would like to go down Avenue G to allow the elementary students and Building Blocks children to view the parade and have the pep rally back at the school. The parade would begin at 1:45 on October 6th. Mary Meisinger wanted to know if the students could park the floats on Avenue I after the parade during the pep rally. Council would like all floats parked on 16th Street. Candy is ok as long as not throwing it from the floats. Noah Larson asked the Council if they would split the insurance cost with the school. The Council agreed to pay half and the school needs to pay their half to the City Clerk.

Kennedy moved, Waskowiak seconded, to pass and approve Ordinance #943 regarding alcoholic beverages by 16 years or older, on third and final reading. Roll call vote: Yea – Janssen, Richeson, Waskowiak, Kennedy. Nay – None.

Janssen moved, Richeson seconded, to pass and approve Ordinance #944 regarding alcoholic beverages and occupation taxes, on third and final reading. Roll call vote: Yea – Kennedy, Waskowiak, Richeson, Janssen. Nay – None.

Richeson moved, Kennedy seconded, to pass and approve Ordinance #945 regarding alcoholic beverages licensee requirements, on third and final reading. Roll call vote: Yea – Janssen, Waskowiak, Kennedy, Richeson. Nay – None.

Waskowiak moved, Janssen seconded, to pass and approve Ordinance #946 regarding alcoholic beverages acquisition & possession, on third and final reading. Roll call vote: Yea – Kennedy, Richeson, Janssen, Waskowiak. Nay – None.

Kennedy moved, Waskowiak seconded, to pass and approve Ordinance #947 regarding alcoholic beverages retail sales, on third and final reading. Roll call vote: Yea – Janssen, Richeson, Waskowiak, Kennedy. Nay – None.

Janssen moved, Richeson seconded, to pass and approve Ordinance #948 regarding City Council members, on third and final reading. Roll call vote: Yea – Kennedy, Waskowiak, Richeson, Janssen. Nay – None.

Richeson moved, Kennedy seconded, to pass and approve Ordinance #949 regarding criminal mischief, on third and final reading. Roll call vote: Yea – Janssen, Waskowiak, Kennedy, Richeson. Nay – None.

Waskowiak moved, Kennedy seconded, to pass and approve Ordinance #950 relating to gambling, on third and final reading. Roll call vote: Yea – Richeson, Janssen, Kennedy, Waskowiak. Nay – None.

Richeson moved, Janssen seconded, to pass and approve Ordinance #951 regarding public ways, on third and final reading. Roll call vote: Yea – Waskowiak, Kennedy, Janssen, Richeson. Nay – None.

Janssen moved, Richeson seconded, to pass and approve Ordinance #952 regarding prostitution, on third and final reading. Roll call vote: Yea – Kennedy, Waskowiak, Richeson, Janssen. Nay – None.

Kennedy moved, Waskowiak seconded, to pass and approve Ordinance #953 regarding dead or diseased trees, on third and final reading. Roll call vote: Yea – Janssen, Richeson, Waskowiak, Kennedy. Nay – None.

Waskowiak moved, Richeson seconded, to pass and approve Ordinance #954 regarding vehicle operation, on third and final reading. Roll call vote: Yea – Kennedy, Janssen, Richeson, Waskowiak. Nay – None.

Janssen moved, Kennedy seconded, to pass and approve Ordinance #955 regarding weeds, litter and stagnant water, on third and final reading. Roll call vote: Yea – Richeson, Waskowiak, Kennedy, Janssen. Nay – None.

Richeson moved, Waskowiak seconded, to pass and approve Ordinance #956 regarding animals, on third and final reading. Roll call vote: Yea – Kennedy, Janssen, Waskowiak, Richeson. Nay – None.

Kennedy moved, Waskowiak seconded, to pass and approve Ordinance #957 regarding elections, on third and final reading. Roll call vote: Yea – Janssen, Richeson, Waskowiak, Kennedy. Nay – None.

Discussion was had on the Trash Hauler's Franchise Agreement. The agreement would renew for three years and during Clean City week the rate would be \$200 per pull and can be increased in the three years if needed. The City would be responsible for landfill charges. The City would also like to add that each franchisee will place a roll off on a three month basis to be rotated. The rate would also be \$200 for each pull when the city calls, to help keep the city clean and keep trash in container. It would be monitored with a camera and have signage with rules.

Robert Gerald with Schaben Sanitation didn't think this would be a good idea because you wouldn't be able to keep people from using it rather than taking large loads to the landfill themselves.

The City would use the same rules as Clean City week and those recycling would have somewhere to throw a last minute non-recyclable rather than on the ground. If the roll off does not work out, it can be removed after each of the Trash Hauler's has their turn.

Janssen moved, Kennedy seconded, to approve the Trash Hauler's Franchise Agreement per Mike Bacon's approval of signage wording. Roll call vote: Yea - Waskowiak, Richeson, Kennedy, Janssen. Nay – None.

Chris Haggert with Nebraska Public Power District discussed the agreement with NPPD regarding transfer of power purchase under Public Utility Regulatory Policies Act (PURPA) from renewable energy sources. Haggert went through the recent rate, reasons for stability and the PURPA waiver agreement. Haggert said PURPA requires a utility to purchase the output of a renewable energy qualified facility (QF) at full avoided wholesale cost. They typically include wind and solar projects. NPPD and consenting customers filing to Federal Energy Regulatory Commission (FERC) the purchase obligation transfer from wholesale

customer to NPPD for QF's 26 KS – 20,000 KW and termination of purchase obligation for QF's > 20,000 KW.

Janssen moved, Kennedy seconded, to approve the PURPA agreement with NPPD. Roll call vote: Yea – Waskowiak, Richeson, Kennedy, Janssen. Nay – None.

Ed Schrock introduced himself and discussed the direction of NPPD and his involvement on the NPPD board.

Janssen moved, Richeson seconded, to approve Pay Request #3 for 2017 Street Improvements to Paulsen Inc. for \$87,010.20. Roll call vote: Yea – Waskowiak, Kennedy, Richeson, Janssen. Nay – None.

Administrator Clymer received 1 proposal for the Lead based paint contract for OOR project #16-HO-33067 from CDS Inspections & Beyond, Inc. CDS has worked with Miller's on several projects and \$18,000 will be paid for by the grant at \$1,500 per home for no more than 12 homes.

Kennedy approved, Waskowiak seconded, to approve the contract for lead based paint to CDS Inspections & Beyond. Roll call vote: Yea – Richeson, Janssen, Waskowiak, Kennedy. Nay – None.

Administrator Clymer received 1 proposal for the Housing Management contract for OOR project #16-HO-33067 from CDS Inspections & Beyond, Inc.

Janssen approved, Richeson seconded, to approve the contract for housing management to CDS Inspections & Beyond. Roll call vote: Yea – Waskowiak, Kennedy, Richeson, Janssen. Nay – None.

A claim was filed for a sidewalk injury for a young girl. Statute requires a settlement be noted in public record. The insurance settlement regarding tort claim for Liliana Venegas was acknowledged.

Administrator Clymer wants to get the new school speed zone section codified in the municipal code.

Richeson introduced Ordinance #958 entitled:

AN ORDINANCE AMENDING TITLE VII, CHAPTER 73, SCHEDULE II, SPEED LIMITS, SCHEDULE III SCHOOL SPEED ZONES, AND DELETING SCHEDULE IV. SCHOOL CHILDREN LOADING ZONES; GOTHENBURG CODE OF ORDINANCES REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

and moved that statutory rule requiring reading on three different days be suspended. The motion was seconded by Council member Waskowiak. Roll call vote: Yea – Janssen, Kennedy, Waskowiak, Richeson. Nay – None. Mayor Hudson declared the motion adopted by full vote of the Council and the statutory rule suspended for consideration of said ordinance. The ordinance was then read by the title whereupon Council member Kennedy moved for final passage and Council member Janssen seconded the motion.

Mayor Hudson asked the question “*Shall Ordinance #958 be passed and adopted?*” Roll call vote: Yea – Richeson, Waskowiak, Janssen, Kennedy. Nay – None. Mayor Hudson declared Ordinance #958 adopted and signed it in the presence of the Council and the Clerk attested the signature.

Waskowiak moved, Richeson seconded, to adjourn the meeting at 8:19 p.m. Roll call vote: Yea – Janssen, Kennedy, Richeson, Waskowiak. Nay – None. The next regular meeting will be October 3rd, 2017.

Joyce Hudson, Mayor

Brandi Kloepping, City Clerk