

Regular City Council Meeting  
City Council Chambers

June 4, 2019  
5:30 p.m.

Present: Mayor –	Joyce Hudson	Not present – Council member Jay Richeson
Council members	Jeff Kennedy	
	Verlin Janssen	
	Randy Waskowiak	
City Administrator	Bruce Clymer	
City Clerk	Brandi Kloepping	
City Attorney	Mike Bacon	

Press: *Gothenburg Times* – Eric Viccaro

Also present: Barry Holbrook, Shane Gruber, Shane & Sabrina Bryant, Deb Egenberger, Roxanne Whiting.

Mayor Hudson opened the meeting at 5:30 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, Kennedy seconded, approving the consent agenda that included:

Council Minutes – May 21

Police Report – May

Library Director's Report – March 12, 2019 – May 13, 2019

Roll call vote: Yea - Waskowiak, Kennedy, Janssen. No - none. Absent and not voting – Richeson.

Waskowiak moved, Kennedy seconded allowing payment of claims against the City, \$41,158.74, except # 60419008 & 60419034; Public Works Division \$114,102.25; and the May 22 payroll of \$35,754.07. Roll call vote: Yea – Janssen, Kennedy, Waskowiak. No - none. Absent and not voting – Richeson.

Waskowiak moved, Janssen seconded, allowing payment of #60419008 & 60419034. Roll call vote: Yea – Janssen, Waskowiak. Abstain – Kennedy. No – None. Absent and not voting – Richeson.

Community Comments: None

Barry Holbrook, who is the family life pastor at The Crossing, would like to have a family fun day in the park. They would like to do free hot dogs and cotton candy. He said that this is not to promote The Crossing, but to bring families of Gothenburg together. They requested to have a bounce house, but the bounce houses have been turned down in the past due to liability issues and so many lines running through the park.

Janssen moved, Kennedy seconded, to allow them to have the family fun day in Ehmen Park on July 13<sup>th</sup>, as long as there is no bounce houses. They can put a banner up the day of the event. Roll call vote: Yea – Waskowiak, Kennedy, Janssen. No – None. Absent and not voting – Richeson.

Discussion was taken up about the alley at 1720 Avenue M. If the city abandons it, they can't use the area for new easements in the future. The alley won't be opened, but the Council is not sure whether to vacate the alley and reserve easements because that becomes difficult to obtain the easements. Statute states you have to vacate the whole alley (not a portion) or close the alley, maintain ownership and sell property. The council wants to get a survey done and will decide how to move forward.

Janssen moved, Waskowiak seconded, to approve third and final reading of Ordinance 975 regarding parked cars on city right of way. Roll call vote: Yea – Kennedy, Waskowiak, Janssen. No – None. Absent and not voting – Richeson.

Waskowiak moved, Kennedy seconded, to appoint Brent Block to the Cemetery Board. Roll call vote: Yea – Janssen, Kennedy, Waskowiak. No – None. Absent and not voting – Richeson.

Janssen moved, Waskowiak seconded, to allow the September 21 Harvest Festival parade as proposed. The State Department of Roads will be notified of the event and in doing so the City acknowledges the following:

- a.) The event is within the corporate limits of the City of Gothenburg. The City will assume control of highway N-47 from 27<sup>th</sup> Street to 9<sup>th</sup> Street on September 21, 2019 from 8:00 a.m. to 1:00 p.m.
- b.) The City of Gothenburg accepts the legal duty to protect the highway property from any damage that may occur arising out of the special event and the state shall not have any such duty during the time the city is in control of the property.
- c.) The City of Gothenburg accepts the duty to protect the public from damage, injury, or death in making use of the state highway system for the special event, and the state shall not have such statutory or common law duty during the time the, city, is in control of the property.
- d.) The City of Gothenburg acknowledges that it accepts the duties set out in subsection 2 of LB589/N.R.S. 39-159, and if a claim is made against the state, shall indemnify, defend, and hold harmless the state from all claims, demands, actions, damages, and liability, including reasonable attorney's fees, that may arise as a result of the special event.
- e.) During the time of the event, the City will be responsible for placing appropriate traffic devices including warnings, closure, and detour, etc. as required by the Manual on Uniform Traffic Control Devices.

Roll call vote: Yea – Kennedy, Waskowiak, Janssen. Nay – none. Absent and not voting – Richeson.

Deb Egenberger with the Chamber stated the Senior Center would like to bring a corn hole tournament to the Harvest Festival activities. Peterson's would like to do a beer garden in the fenced in area behind the store. The event would close off 10th street from Avenue D about half way down. Deb has asked First State Bank to use their parking lot, the theater will have restrooms for getting the SDL, and Peterson's grass area will all be used. Other businesses in the area have expressed approval with this and the corn hole tournament itself will be in the street. This will take place late afternoon Saturday to the evening. Party in the Park will be held on Friday afternoon to evening in Ehmen Park as usual. The arts in the park will be brought back to the park on Saturday after the parade. The Lion's Club will hold a breakfast Sunday morning and Worship will take place in Ehmen Park. The streets will be closed throughout the weekend on 15<sup>th</sup> and 16<sup>th</sup> between Lake Avenue and Avenue F and Avenue F between 15<sup>th</sup> and 16<sup>th</sup>. The Chamber purchases event insurance and will have additional insured certificate sent to the city.

Janssen moved, Waskowiak seconded, to allow the activities for Harvest Festival September 20-22 with the street closures to be determined and no bounce house allowed. Roll call vote: Yea – Kennedy, Waskowiak, Janssen. No – None. Absent and not voting – Richeson.

Kennedy moved, Janssen seconded, to approve the Farmer's Market at Ehmen Park on Thursdays from July 11<sup>th</sup> to September 12<sup>th</sup> with banners put up in the mornings as they have done in the past. Roll call vote: Yea – Waskowiak, Janssen, Kennedy. No – None. Absent and not voting – Richeson.

Waskowiak moved, Janssen seconded, to adjourn the meeting at 6:18 p.m. Roll call vote: Yea – Kennedy, Janssen, Waskowiak. No – None. Absent and not voting – Richeson.

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Joyce Hudson, Mayor

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Brandi Kloepping, City Clerk