

Regular City Council Meeting
City Council Chambers

September 3, 2019
5:30 p.m.

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

Press: *Gothenburg Times* – Eric Viccaro
Gothenburg Leader – Ellen Mortensen

Also present: Matt Langley, Brandi Coufal, Ken Christensen, Richie Linegar, Will Rahjes, Officer Chris Walkemeyer.

Mayor Hudson opened the hearing and 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.

Will Rahjes, chairman of the Citizen Advisory Review Committee, stated they met on August 12th, 2019 and there was a balance of \$290,828.02 in the economic development sales tax fund. They had 3 suggestions:

- Implement a formal closure process
- Have a formal checklist for required information
- Amendment to change from business plan to a business plan and/or vision statement

The CARC meets every 6 months to oversee the applications and loan process.

Richeson moved, Janssen seconded, to close the public hearing at 5:32 p.m. Roll call vote: Yea – Kennedy, Janssen, Richeson. No – None. Absent and not voting – Waskowiak.

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

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

Kennedy moved, Richeson seconded, allowing payment of claims against the City, \$43,962.02; Public Works Division \$199,148.11; and the August 28 payroll of \$36,803.08. Roll call vote: Yea – Janssen, Richeson, Kennedy. No - none. Absent and not voting: Waskowiak

Community Comments:

- Hazardous Waste Collection is at the City Shop on September 14, 12:30 – 2:00.

Richeson moved, Kennedy seconded, to approve the renewal of Nebraska Bar & Grill Class C liquor license. Roll call vote: Yea – Janssen, Kennedy, Richeson. No – None. Absent and not voting – Waskowiak.

Contract agreement between City and W Design for Sun Theater renovation project and agreement from Miller's for Construction Management were taken off the agenda.

Mayor Hudson recommended Linda Rodine to take the place of Mike Teahon on the Board of Adjustment.

Janssen moved, Kennedy seconded, to appoint Linda Rodine to the Board of Adjustment. Roll call vote: Yea – Richeson, Kennedy, Janssen. No – None. Absent and not voting – Waskowiak.

Kennedy moved, Richeson seconded, to appoint Brandi Coufal as a part-time police officer. Roll call vote: Janssen, Richeson, Kennedy. No – None. Absent and not voting – Waskowiak.

Janssen moved, Richeson seconded, to approve payment of \$845.41 to CDS Inspection for OOR 16-HO-33067. Roll call vote: Yea – Kennedy, Richeson, Janssen. No – None. Absent and not voting – Waskowiak.

Richeson moved, Kennedy seconded, to approve payment of \$1,800.00 to GOTH08 & Eickmeier Construction, Inc. Roll call vote: Yea – Janssen, Kennedy, Richeson. No – None. Absent and not voting – Waskowiak.

Kennedy moved, Janssen seconded, to approve payment of \$3,961.00 to GOTH16 & Solid Rock Construction. Roll call vote: Yea – Richeson, Janssen, Kennedy. No – None. Absent and not voting – Waskowiak.

Richeson moved, Janssen seconded, to approve payment of \$3,053.08 to GOTH01 & DeMilts Construction. Roll call vote: Yea – Kennedy, Janssen, Richeson. No – None. Absent and not voting – Waskowiak.

Janssen moved, Kennedy seconded, to approve Drawdown #11 for OOR – 16-HO-33067 for \$9,659.49. Roll call vote: Yea – Richeson, Kennedy, Janssen. No – None. Absent and not voting – Waskowiak.

Mayor and council decided to wait 10 minutes for Officer Walkemeyer to make it to the meeting on the potentially dangerous dog rather than proceeding with it at the next meeting.

Officer Walkemeyer joined the meeting at 5:48 p.m.

Officer Walkemeyer stated he's been an officer here for 4 ½ years and on August 8, 2019 he was called to 1303 Avenue A for a report that their rabbits had been killed. Casey Newbrey and Tiffany Donner had seen some husky dogs at the residence and the rabbits were mutilated. While the officer was there, the dogs came back and headed south. They couldn't catch the dogs, but Tiffany was able to get a picture of them, but you could only see one well. The officer did some research and found that Mr. Linegar does own 2 dogs resembling the dogs that were at 1303 Avenue A.

Walkemeyer then talked to Linegar whom stated they weren't his dogs. The officer didn't see the rabbits as the owners had disposed of them, but there were blood spots and the hutch was broken. The owners didn't see the dogs with the rabbits. Attorney Venteicher stated that no one has registered more than 1 dog of that type in town and they can't find anyone that has more than one type in the area. Linegar had stated the dogs were located in the house. Walkemeyer took pictures of Linegar's fence line and there are holes that were recently dug, some were covered and others were not. Walkemeyer noted about 2 hours later, there was another incident in the 300 block of 9th Street that 2 dogs were killing a cat with the same descriptions as the other residents described. There was fur in the area of the situation, but no cat as the person stated they ran off with the cat.

Linegar stated that he was home until 10:00 p.m. and had brought the dogs in at 8:00 and they were left inside at that time. Venteicher stated that even with no witnesses, the council can go off circumstantial evidence. They are the only 2 Husky's registered in the area. Linegar said his dogs are not dangerous and many friends bring other animals over including a Chihuahua. Based on Walkemeyer's sighting, he can only say the light one is the one he saw that night at the Newbrey/Donner residence. Linegar did not have his dogs registered before this incident and didn't have their rabies shots. It was mentioned that Linegar hadn't registered or gotten a rabies shot on his last dog that was deemed potentially dangerous.

Kennedy moved, Janssen seconded, to move forward with deeming the dogs potentially dangerous. Roll call vote: Richeson, Janssen, Kennedy. No – None. Absent and not voting – Waskowiak.

Janssen moved, Richeson seconded, to adjourn the meeting at 6:06 p.m. Roll call vote: Yea – Kennedy, Richeson, Janssen. No – None. Absent and not voting – Waskowiak.

Joyce Hudson, Mayor

Brandi Kloepping, City Clerk