

ROLL CALL:

Present:	Not Present:
Mayor	Joyce Hudson
Council Members	Jeff Kennedy
	J Buddenberg (Entered 5:38)
	Jay Richeson
	Verlin Janssen
Assistant City Attorney	Colten Venteicher
City Administrator	Gary Greer
City Clerk	Misty Bussinger

Press: *Gothenburg Leader* – Ellen Mortensen

Also present: Mark Franzen, Joe Humphrey, Will Rahjes, Nate Wyatt, Wendell Brott

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.

PUBLIC HEARINGS:

A public hearing was opened at 5:30 for the Special Use Permit #166 and Resolution No. 2022-7 Redevelopment Plan for Wearparts Redevelopment Project.

Nate Wyatt announced the consolidation of 3-4 locations and expansion of Wearparts at the Industrial Park. Mark Franzen announced that the expansion will include an 80,000 square foot facility and thanked the community for being so supportive.

Joyce Hudson announced that the Nebraska diplomats has awarded Gothenburg as Community of the Year. Hudson announced Matt Williams was also awarded Diplomat of the Year.

Greer discussed Special Use Permit # 166 – Wendell and Kathy Brott (WCK Inc.) to build fence in excess of 42", at 901 Ave I, currently zoned I-1.

Richeson moved, Kennedy seconded, to close the public hearing at 5:36 p.m. Roll call vote: Yea –Kennedy, Richeson, Janssen. No – none. Absent and not voting-Buddenberg. Motion carried.

Janssen moved, Richeson seconded, to approve Special Use Permit # 166 – Wendell and Kathy Brott (WCK Inc.) to build fence in excess of 42", at 901 Ave I, currently zoned I-1. The permit will expire upon sale of the business. Roll call vote: Yea –Kennedy, Richeson, Janssen. No – none. Absent and not voting-Buddenberg. Motion carried.

Greer discussed Resolution No. 2022-7 Redevelopment Plan for Wearparts Redevelopment Project. The purpose of the hearing was to complete the tax increment financing process by approving bonds in the amount of \$500,000 and \$250,000.00 for 15 years.

Richeson moved, Kennedy seconded, to close the public hearing at 5:37 p.m. Roll call vote: Yea –Kennedy, Richeson, Janssen. No – none. Absent and not voting-Buddenberg. Motion carried.

Janssen moved, Richeson seconded, to approve Resolution No. 2022-7 Redevelopment Plan for Wearparts Redevelopment Project. Roll call vote: Yea –Kennedy, Richeson, Janssen. No – none. Absent and not voting-Buddenberg. Motion carried.

CONSENT AGENDA:

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

- a) Council Minutes –August 2
- b) Police Report -July
- c) Park & Recreation Minutes – July 26
- d) Building Permits – July
- e) REDLG Reuse Minutes -August 15
- f) Library Statistical Report- July
- g) Cemetery Board Minutes- August 2
- h) Treasurer Report- July
- i) Approve payment of \$6,000.00 to Miller & Associates for 2023 Street Improvement 126-A1-042.
- j) Approve payment of \$1,635.00 to Eickmeier Construction Inc and Goth-HR-20 for OOR 18-HO-33071.
- k) Approve payment of \$2,890.00 to Eickmeier Construction Inc and Goth-HR-19 for OOR 18-HO-33071.
- l) Approve payment of \$452.50 to CDS Inspection for OOR 18-HO-33071.
- m) Approve Drawdown #6 for OOR 18-HO-33071.
- n) Approve Community Redevelopment Authority Minutes- August 11

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

CLAIMS:

Kennedy moved, Richeson seconded, allowing payment of claims against for the General Fund \$60,657.10; Enterprise Fund \$407,685.69; August 10 payroll of \$53,232.52; and Payroll Transmittals of \$23,051.30. Roll call vote: Yea –Kennedy, Richeson, Janssen. No – none. Absent and not voting-Buddenberg. Motion carried.

Claims Codes: Bu- Building Upkeep, Eq-Equipment, Ex-Expense, Ma-Maintenance, Mi-Mileage, Misc-Miscellaneous, Re-Repairs, Se-Service, Su-Supplies, Ut-Utilities, CI-Capital Improvement, GU-Grounds Upkeep, Reim-Reimbursement, Tax-Tax, Ps-Personnel, Du-Dues.

General Fund Claims: ALLO COMMUNICATIONS LLC \$12.00 Ut; CENTER POINT LARGE PRINT \$250.60 Su; DAWSON COUNTY REGISTER OF DEEDS \$52.00 Misc; DYNAMIC DISTRIBUTION \$1,709.67 Misc; GALL'S LLC \$1,271.98 Eq; HUSKERS ILLUSTRATED \$64.95 Su; INGRAM BOOK COMPANY \$378.22 Su; JOHN DEERE FINANCIAL / FARM PLAN \$266.64 Eq, Re, Su; LIBRARY \$144.33 Misc; PLATTE VALLEY GLASS & TRAILERS \$160.00 CI; Straight Line Construction \$8,000.00 CI; SYNCB / AMAZON \$243.18 Su; USA Blue Book \$850.53 Re; Yanda's Pro Audio & Video \$1,142.45 Ma; Alexander Ballmer \$200.00 Se; AMAZON CAPITAL SERVICES \$836.71 Re, Su; ARAMARK \$59.57 Se; BACON, VINTON, & VENTEICHER LLC \$990.58 Se; Black Hills Energy \$134.29 Ut; BRODART CO. \$9,405.00 Se; CASELLE, INC. \$310.00 Ex; COUNTRY PARTNERS COOPERATIVE \$6,658.77 Ex; CUBBY'S CORPORATE OFFICE \$244.50 Ex; DAWSON PUBLIC POWER DISTRICT \$355.00 Ex; EASTSIDE ANIMAL CENTER \$320.00 Misc; GOTHENBURG DISCOUNT PHARMACY \$18.49 Su; GOTHENBURG TIRE & SERVICE \$42.50 Re; HICKEN LUMBER CO. \$62.47 Ma, Su; HINTON LOCK & ALARM \$156.00 Ma; Honey Bee Cleaning Services LLC \$340.00 Se; KIRK'S TRENCHING & SEPTIC SERVICE \$450.00 Se; LOGAN CONTRACTORS SUPPLY INC \$4,290.00 Ma; MILLER & ASSOCIATES \$411.48 Ci; OLIVER CONSULTING SERVICES, INC \$1,942.50 Se; PAULSEN INC \$632.69 Ma; PETERSON'S SUPERMARKET \$64.85 Su; PLATTE VALLEY COMMUNICATIONS \$1,648.00 Eq; PUBLIC WORKS DIVISION \$7,360.09 Ut; Quadient Finance USA, Inc \$999.02 Ex; SYNDICATE PUBLISHING LLC \$227.00 Misc; TRYON WELDING \$875.00 Re, Ma; VAN DIEST SUPPLY CO \$3,262.00 Ma; VISION CARE DIRECT \$730.48 Ps; WERNER'S SPRINKLERS INC. \$923.75 Re; YMCA OF THE PRAIRIE \$1,180.00 Ps; HARTFORD GROUP BENEFITS \$979.81 Ps.

Enterprise Fund Claims: ALLO COMMUNICATIONS \$238.65 Ut; ASHLEY GROENE \$132.19 Misc; BELLS CONSTRUCTION & CURB GRINDING \$340.00 Ma; CNA SURETY \$175.00 Misc; FARMACY CHEMICAL \$186.26 Ma; JOHN DEERE FINANCIAL/FARM PLAN \$230.73 Ma, Re, Su; SERVI TECH, INC. \$128.15 Se; STRAIGHT LINE CONSTRUCTION \$12,000.00 CI; STUART C IRBY CO \$525.54 Ma; CITY OF GOTHENBURG \$167.90 Reim; AMAZON CAPITAL SERVICES \$256.77 Ma; ARAMARK \$124.23 Se; BLACK HILLS ENERGY \$115.73 Ut; CASELLE, INC. \$945.00 Ex; CITY OF GOTHENBURG \$64,489.88 Ex, Ps, Misc, Tax; COUNTRY PARTNERS COOPERATIVE \$2,386.17 Ex; DUTTON-LAINSON COMPANY \$352.22 CI; EAKES OFFICE SOLUTIONS \$109.74 Su; FASTENAL COMPANY \$133.54 Ma; HICKEN LUMBER CO. \$28.86 Ma; ISLAND SUPPLY WELDING CO. \$164.33 Re; MILLER & ASSOCIATES \$3,316.52 CI; NEBRASKA PUBLIC POWER \$300,251.30 Ut; OLIVER CONSULTING SERVICES, INC. \$23.75 Re; ONE CALL CONCEPTS, INC. \$99.04 Ma; PAULSEN BUILDING & SUPPLY \$338.50 Re; PETERSON'S SUPERMARKET \$335.32 Se; PUBLIC WORKS DIVISION \$12,830.18 Ut; S & S AUTO PARTS INC. \$434.93 Ma, Re; SYNDICATE PUBLISHING LLC \$240.00 Misc; T&R ELECTRIC SUPPLY COMPANY INC. \$4,645.56 CI; THE GOTHENBURG TIMES \$106.50 Misc; TRYON WELDING \$450.00 Re; USA BLUEBOOK \$1,123.82 Re, Ma; WESCO DISTRIBUTION INC \$259.38 CI, Ma.

Payroll Transmittals: INTERNAL REVENUE SERVICE \$15,251.79 Ps; EMPOWER RETIREMENT \$7,301.98 Ps; NEBRASKA CHILD SUPPORT \$327.24 Ps; Credit Management Servic \$170.29 Ps.

Buddenberg entered 5:38 p.m.

#### COMMUNITY COMMENTS:

Greer stated the budget work session is August 23rd.

Greer stated the city summer party is scheduled for August 17<sup>th</sup> at 6:00 p.m.

#### DISCUSSION ITEMS:

Assistant City Attorney Venteicher acted as hearing officer and stated that the purpose of the meeting was to hold a determination hearing on a potentially dangerous dog owned by Karma Bohlen. Karma Bohlen wasn't present to respond to the case

Venteicher stated he will start with the evidence regarding the City's case. Venteicher stated the council had received incident report July 10, 2022 at 1821 Ave B, a citation was issued for Dog at Large, then a copy of the potentially dangerous dog notification was provided to the Bohlen once determined the dog to be potentially dangerous. Bohlen did provide written notice of appeal within the time frame which was also provided to council.

Venteicher asked Joe Humphrey a Police Officer for the City to provide some testimony. Humphrey stated a 26-year-old male was bit on the leg while driving by on motorcycle. It didn't break the skin but that was because the boot took most of the bite. Humphrey also state the city has also received another incident on August 11<sup>th</sup> regarding the same dog chasing a girl in which she fell. The dog is a german short hair approximately 3 years old.

Venteicher stated that there is a distinction between a dangerous dog and a potentially dangerous dog and having a dangerous dog is prohibited within city limits. Potentially dangerous dog under Ordinance 90.031 is defined as a dog that, when unprovoked inflicts bites on a human or domestic animal either on public or private property, or chases or approaches a person upon the streets, sidewalks or any public grounds in a menacing fashion or apparent attitude of attack; or any dog with a known propensity, tendency or disposition to attack unprovoked, to cause injury or to otherwise threaten the safety of humans or domestic animals. Venteicher states based on the dog was unprovoked and bit a human the Ordinance in this case has been met.

Kennedy moved, Richeson seconded to uphold the determination that the dog is a Potentially Dangerous Dog. Roll call vote: Yea –Kennedy, Buddenberg, Richeson, Janssen. No – none. Motion carried.

Greer discussed Proposed Preliminary Plat for Gothenburg Industrial Park First. Lot 2 Block 2 is where Wearparts will build, and Lot 1 Block 1 is where the lift station is and where the Industrial Park sign will go.

Kennedy moved, Janssen seconded to approve Proposed Preliminary Plat for Gothenburg Industrial Park First. Roll call vote: Yea –Kennedy, Buddenberg, Richeson, Janssen. No – none. Motion carried.

Greer discussed Proposed Final Plat for Gothenburg Industrial Park First. This is the first phase.

Janssen moved, Richeson seconded to approve Proposed Final Plat for Gothenburg Industrial Park First. Roll call vote: Yea –Kennedy, Buddenberg, Richeson, Janssen. No – none. Motion carried.

Venteicher discussed Amendment to Memorandum of Understanding for Gothenburg Impact Center. This amendment reflects the change for the school committing to \$1,500,000 instead of \$900,000.

Janssen moved, Kennedy seconded to approve Amendment to Memorandum of Understanding for Gothenburg Impact Center. Roll call vote: Yea –Kennedy, Buddenberg, Richeson, Janssen. No – none. Motion carried.

Greer discussed Resolution 2022-6 Municipal Annual Certification of Program Compliance 2022. This is annual requirement to receive highway funds.

Richeson moved, Janssen seconded to approve Resolution 2022-6 Municipal Annual Certification of Program Compliance 2022. Roll call vote: Yea –Kennedy, Buddenberg, Richeson, Janssen. No – none. Motion carried.

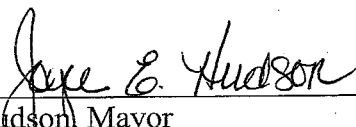
Venteicher discussed Resolution 2022-8 Addendum to 2018 Blight Study to Planning Commission for review of Substandard and Blighted for Community Development Law. This addendum is to include Hudson Landing now that it has been annexed.

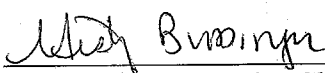
Kennedy moved, Janssen seconded to approve Resolution 2022-8 Addendum to 2018 Blight Study to Planning Commission for review of Substandard and Blighted for Community Development Law. Roll call vote: Yea –Kennedy, Buddenberg, Richeson, Janssen. No – none. Motion carried.

Venteicher discussed Resolution 2022-9 Boltcraft LLC REDLG Revolving Loan Application and Loan Agreement for \$75,000.00. This is a 3-year loan at 0% with a 1% servicing fee.

Janssen moved, Kennedy seconded to approve Resolution 2022-9 Boltcraft LLC REDLG Revolving Loan Application and Loan Agreement for \$75,000.00. Roll call vote: Yea –Kennedy, Buddenberg, Richeson, Janssen. No – none. Motion carried.

Buddenberg moved, Richeson seconded, to adjourn the meeting at 5:56 p.m. Roll call vote: Yea –Kennedy, Buddenberg, Richeson, Janssen. No – none. Motion carried

  
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Joyce Hudson, Mayor

  
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Misty Bussinger, City Clerk