

ROLL CALL:

Present:		Not Present:
Mayor	Will Rahjes	
Council Members	Jeff Kennedy	
	J Buddenberg	
	Jay Richeson	
	Verlin Janssen	
City Attorney	Mike Bacon	
City Administrator	Gary Greer	
City Clerk	Misty Bussinger	

Press: *Gothenburg Leader* – Ellen Mortensen

Also present: Travis Miner-Police Officer, Doug Swanson-Building Inspector, Jesse Kincheloe, Bernie Straetker-Miller & Associates, Joe Wahlgren, Noah Dea- Park Director, Mike Aden, Tammy Nelson, Kim Hiskett and Erin Caldwell.

Mayor Rahjes 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 # 170.

Mike Aden discussed Special Use Permit # 170 – Be Kind Cottage LLC (Mike Aden) to have Airbnb, at 2203 Lake Avenue, currently zoned R-1.

Kennedy moved, Janssen seconded, to close the public hearing at 5:31 p.m. Roll call vote: Yea – Kennedy, Buddenberg, Richeson, Janssen. No – none. Motion carried.

Janssen moved, Kennedy seconded, to approve Special Use Permit # 170 – Be Kind Cottage LLC (Mike Aden) to have Airbnb, at 2203 Lake Avenue, currently zoned R-1. The permit will expire upon sale of the property. Roll call vote: Yea – Kennedy, Buddenberg, Richeson, Janssen. No – none. Motion carried.

CONSENT AGENDA:

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

- a) Council minutes -June 20
- b) Treasurer Report- June 2023
- c) Police Report – May
- d) Approve payment of \$4,216.78 from LB840 to Gothenburg Improvement Company for Curbtender Project.
- e) Approve payment of \$3,000.00 from LB840 to Gothenburg Improvement Company for GIC REDLG Loan.
- f) Park & Recreation Board Minutes – June 21
- g) Planning & Zoning minutes – July 11
- h) Building Permits – June
- i) Library Statistical Report- June
- j) Library Director's Report – June 13 through July 11
- k) Community Redevelopment Authority Minutes- July 12
- l) Cemetery Board Reports -June 2023
- m) Approve Application and Certificate for Payment #3-Final for \$281,179.60 to Nielsen Contracting for Industrial Park 3rd-Phase 1 Infrastructure 126-G1-004.

Roll call vote: Yea – Kennedy, Buddenberg, Richeson, Janssen. No – none. Motion carried.

CLAIMS:

Richeson moved, Kennedy seconded, allowing payment of claims against for the General Fund \$216,072.71; Enterprise Fund \$583,936.67; June 28 payroll of \$58,829.85; July 12 payroll of \$58,793.94; and Payroll Transmittals of \$124,193.14. Roll call vote: Yea - Kennedy, Buddenberg, Richeson, Janssen. No - none. 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 \$367.31 Ut; AT&T Mobility II LLC \$600.90 Ut; CARD SERVICES \$2,998.22 Ex, Ma; GALL'S LLC \$98.63 Ex; INGRAM BOOK COMPANY \$414.95 Ma; Jensen Publishing Inc \$26.00 Su; JIM / SUE LANDON dba RAINBOW CARPET \$85.00 Se; JOHN DEERE FINANCIAL / FARM PLAN \$941.32 Su, Re, Bu, Su; LANE'S BODY SHOP \$95.00 Re; LIBRARY \$60.29 Ex; MARC MROCZEK \$100.00 Ex; OCLC, INC \$2,323.22 Ex; SITEONE LANDSCAPE SUPPLY LLC \$86.00 Su; STERICYCLE, INC. \$152.26 Ex; WEST CENTRAL NE DEVELOPMT DIS \$4,200.00 Du; Blue Cross Blue Shield \$97,280.64 Ps; MARC MROCZEK \$25.19 Ex; HARTFORD GROUP BENEFITS \$1,086.85 Ps; INTERNAL REVENUE SERVICE \$143.58 Tax; Alexander Ballmer \$160.00 Se; AMAZON CAPITAL SERVICES \$885.58 Su, Ex, Eq, Ma; ARAMARK \$113.10 Se; BEVERLY BOGLE LOUTHAN, P.C. \$600.00 Se; Black Hills Energy \$138.51 Ut; CASELLE, INC. \$313.75 Se; CENTRAL PLAINS LIBRARY SYSTEM \$10.00 Ex; COUNTRY PARTNERS COOPERATIVE \$4,277.94 Ex; CROUCH RECREATION, INC \$66,133.00 CI; Crown Services \$1,000.00 Se; CUBBY'S CORPORATE OFFICE \$94.19 Ex; DAWSON PUBLIC POWER DISTRICT \$325.25 Ut; DOLLAR GENERAL \$38.40 Su; EAKES OFFICE SOLUTIONS \$551.54 Ex, Su; EASTSIDE ANIMAL CENTER \$11.50 Ma; ELECTRICAL ENGINEERING & EQUIPMENT \$33.36 CI; FARMACY CHEMICAL \$120.34 Ma; FIREWORKS UNLIMITED, INC \$6,004.80 Misc; FRANZEN INC. \$520.00 Bu; FYR-TEK \$213.32 Re; GOTHENBURG TIRE & SERVICE \$1,259.48 Re, Ex; HICKEN LUMBER CO. \$884.03 CI, Su, Re; HOMETOWN LEASING \$186.49 Ex; Honey Bee Cleaning Services LLC \$380.00 Se; IDEAL LINEN \$72.18 Se; ISLAND SUPPLY WELDING COMPANY \$190.85 Su; Jones Automotive \$177.31 Re; KIRK'S TRENCHING & SEPTIC SERVICE \$400.00 Ex, Se; NEBRASKA SALT & GRAIN \$1,710.26 Ma; NORTH PLATTE POLICE DEPARTMENT \$3,250.00 Se; OLIVER CONSULTING SERVICES, INC \$2,479.75 Se; PAULSEN INC \$829.73 Ma; PETERSON'S SUPERMARKET \$29.71 Su; Pinpoint Communications \$391.28 Ut; PLATTE VALLEY COMMUNICATIONS \$506.25 Re; PONY EXPRESS CHEVROLET \$153.52 Re; PUBLIC WORKS DIVISION \$6,507.57 Ut; Quadient Finance USA, Inc \$1,000.00 Ex; S & S AUTO PARTS INC. \$623.85 Re, Su; SYNDICATE PUBLISHING LLC \$151.54 Ex; T & T CORPORATION \$360.00 Se; TITAN MACHINERY \$157.50 Re; TK Elevator Corporation \$388.47 Se; VITER SERVICES, INC \$75.00 Gu; YMCA OF THE PRAIRIE \$1,278.00 Ps.

Enterprise Fund Claims: ALLO COMMUNICATIONS \$237.58 Ut; AT & T MOBILITY II LLC \$202.58 Ut; CARD SERVICES \$2,228.92 Ex, Su; GATOR ROAD REPAIR, INC \$396.57 Re; JOHN DEERE FINANCIAL/FARM PLAN \$375.75 Ma, Su, Re, CI; MEAD LUMBER \$2,099.99 Eq; MIKE OSTERGARD \$110.00 Reim; MUNICIPAL SUPPLY, INC. \$70.29 Ma; NEBRASKA DEPT OF ENVIRONMENT & ENERGY \$400.00 Ex; NEBRASKA POWER REVIEW BOARD \$640.16 Ex; SERVI TECH, INC. \$168.00 Se; STERICYCLE, INC. \$152.25 Se; AMAZON CAPITAL SERVICES \$637.35 Su, Ex; ARAMARK \$280.31 Se; BLACK HILLS ENERGY \$123.90 Ut; CASELLE, INC. \$941.25 Se; CITY OF GOTHENBURG \$121,233.92 Ps, Ex, Tax, Ma, Ex, Ps; COUNTRY PARTNERS COOPERATIVE \$3,191.99 Ex; DAN'S SANITATION, INC \$6,307.55 Reim; DUTTON-LAINSON COMPANY \$2,834.81 CI; EAKES OFFICE SOLUTIONS \$584.80 Ex; ELECTRICAL ENGINEERING & EQUIPMENT COMPA \$19,709.78 Ma, CI; ESSENTIAL SCREENS \$62.50 Se; FARMACY CHEMICAL \$60.16 Ma; GOTHENBURG IRRIGATION \$1,016.00 Ma; GOTHENBURG TIRE & SERVICE \$461.00 Ex, Re; HICKEN LUMBER CO. \$346.66 Su, Ex; HIRERIGHT SOLUTIONS INC. \$100.30 Ex; ISLAND SUPPLY WELDING CO. \$115.20 Ma; JOHNSON SERVICE COMPANY \$5,109.25 Ma; NEBRASKA PUBLIC POWER \$292,728.86 Ut; NEBRASKA SALT & GRAIN \$4,371.39

CI, Gu; NMC, INC. \$8,274.19 Re; OLIVER CONSULTING SERVICES, INC. \$761.25 Ex; ONE CALL CONCEPTS, INC. \$124.52 Misc; PAULSEN BUILDING & SUPPLY \$106.20 Ma; PERFORMANCE TRUCK \$7.37 Re; PINPOINT COMMUNICATIONS \$118.73 Ut; PUBLIC WORKS DIVISION \$10,300.02 Ut; S & S AUTO PARTS INC. \$466.02 Re, Su; SCHABEN SANITATION INC. \$43,565.87 Reim; SCHABEN'S SANITATION-RECYCLING \$731.22 Reim; STATE HEALTH LAB \$60.00 Se; STUART C IRBY CO \$1,603.60 CI; SYNDICATE PUBLISHING LLC \$643.76 Ex; WESCO DISTRIBUTION INC \$49,874.85 Ma, CI.

Payroll Transmittals: INTERNAL REVENUE SERVICE \$35,781.89 Ps; NEBRASKA DEPARTMENT OF REVENUE \$18,630.32 Ps; EMPOWER RETIREMENT \$16,617.86 Ps; AFLAC \$620.24 Ps; NEBRASKA CHILD SUPPORT \$1,389.263 Ps; Healthcare MMKT \$47,955.43 Ps; South Dakota Division of C \$363.70 Ps; Healthcare Cafeteria \$2,403.76 Ps; Gothenburg United Fund \$50.00 Ps; Credit Management Service \$380.68 Ps.

COMMUNITY COMMENTS:

City Attorney Mike Bacon thanked the mayor, council, and city employees for all their help preparing for the Meadowlark announcement.

DISCUSSION ITEMS:

Bernie Straetker-Miller & Associates discussed Change Order #1 for Gothenburg Industrial Park 3rd-Phase I 126-G1-040. The change order was for \$87,926.46 in which a majority for earthwork.

Richeson moved, Kennedy seconded, to approve Change Order #1 for Gothenburg Industrial Park 3rd-Phase I 126-G1-040. Roll call vote: Yea –Kennedy, Buddenberg, Richeson, Janssen. No – none. Motion carried.

Bernie Straetker-Miller & Associates discussed the Certificate of Substantial Completion for Gothenburg Industrial Park 3rd-Phase I 126-G1-040.

Janssen moved, Richeson seconded, to approve the Certificate of Substantial Completion for Gothenburg Industrial Park 3rd-Phase I 126-G1-040. Roll call vote: Yea –Kennedy, Buddenberg, Richeson, Janssen. No – none. Motion carried.

Jesse Kincheloe discussed Application for Special Event Permit from The Burg for use of multiple city areas for The Burg Weekend scheduled for July 28-30.

Kennedy moved, Janssen seconded, to approve Special Event Permit from The Burg for use of multiple city areas for The Burg Weekend scheduled for July 28-30. Roll call vote: Yea – Kennedy, Buddenberg, Richeson, Janssen. No – none. Motion carried.

Noah Dea discussed Application for Special Event Permit from James McCoy and Lydia Travis use of Lake Helen for wedding scheduled for September 16th.

Kennedy moved, Janssen seconded, to approve Application for Special Event Permit from James McCoy and Lydia Travis use of Lake Helen for wedding scheduled for September 16th. Roll call vote: Yea –Kennedy, Buddenberg, Richeson, Janssen. No – none. Motion carried.

Joe Wahlgren discussed Application for Special Event Permit from Joe Wahlgren for use of Lake Helen for Livin Out Loud scheduled for August 20th.

Janssen moved, Buddenberg seconded, to approve Application for Special Event Permit from Joe Wahlgren for use of Lake Helen for Livin Out Loud scheduled for August 20th. Roll call vote: Yea –Kennedy, Buddenberg, Richeson, Janssen. No – none. Motion carried.

City Attorney Mike Bacon 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 Kim Hiskett which was in the care of Tammy Nelson.

Bacon stated he will start with the evidence regarding the City's case. Bacon stated the incident report was for June 13, 2023, a copy of the potentially dangerous dog notification was provided to Tammy Nelson once determined the dog to be potentially dangerous. Tammy Nelson did provide written notice of appeal within the time frame which was also provided to the council.

Bacon asked Travis Miner a Police Officer for the City to provide some testimony. Miner stated a chocolate lab (Cocoa) escaped the fence and attacked a shih tzu (Cloe) which was on a chain. Bacon provided the council with pictures of the injury to Cloe's eye. Miner stated the dog was not registered and had no rabies records.

Tammy Nelson, Kim Hiskett and Erin Caldwell stated that Cocoa has never had any problems in the past and is a very friendly dog. Nelson stated the dog had never got out of the fence before. Caldwell stated that she was unsure what happened but ran to get dog and Cocoa had Cloe by the neck.

Bacon read 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, Janssen seconded, to close the appeal hearing. Roll call vote: Yea –Kennedy, Buddenberg, Richeson, Janssen. No – none. Motion carried.

Janssen moved, Kennedy seconded, to deny appeal for Potentially Dangerous Dog – Tammy Nelson. Roll call vote: Yea –Kennedy, Buddenberg, Richeson, Janssen. No – none. Motion carried.

Greer introduced Ordinance 1024 Vacate 6th street between 1st and 2nd Avenue and 14th Street and 15th Street in Vails Villa Addition. This was previously passed but the legals were incorrect and the 14th/15th was added.

Richeson moved, Janssen seconded that statutory rule requiring reading on 3 different days be suspended for introduced Ordinance 1024 Vacate 6th street between 1st and 2nd Avenue and 14th Street and 15th Street in Vails Villa Addition. Roll call vote: Yea –Kennedy, Buddenberg, Richeson, Janssen. No – none. Motion carried. Mayor Rahjes declares motion adopted by vote of Council and statutory rule suspended for consideration of Ordinance 1024.

Clerk Bussinger read Ordinance 1024 Vacate 6th street between 1st and 2nd Avenue and 14th Street and 15th Street in Vails Villa Addition. AN ORDINANCE VACATING A PORTION OF THE STREET OF THE CITY OF GOTHENBURG; DESCRIBING THE BOUNDARIES THEREOF; RESERVING TITLE TO SAID PORTION OF VACATED STREET; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE.


Richeson moved, Buddenberg seconded to approve final passage of Ordinance 1024 Vacate 6th street between 1st and 2nd Avenue and 14th Street and 15th Street in Vails Villa Addition. Roll call vote: Yea –Kennedy, Buddenberg, Richeson, Janssen. No – none. Motion carried.

Greer discussed Resolution 2023-9 League Association of Risk Management for Property, Casualty, & Workers Compensation Insurance for 2023-2024. This is a renewal of insurance.

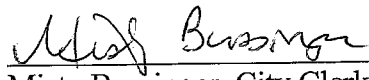
Janssen moved, Richeson seconded to approve Resolution 2023-9 League Association of Risk Management for Property, Casualty, & Workers Compensation Insurance for 2023-2024. Roll call vote: Yea –Kennedy, Buddenberg, Richeson, Janssen. No – none. Motion carried.

Greer discussed the Proposed Budget Schedule for 2023-2024 with the council.

Buddenberg moved, Richeson seconded, to adjourn the meeting at 6:13 p.m. Roll call vote: Yea –Kennedy, Buddenberg, Richeson, Janssen. No – none. Motion carried.



Will Rahjes, Mayor



Misty Bussinger, City Clerk