

Regular City Council Meeting
City Council Chambers
7:00 p.m.

March 19, 2013

Present: Mayor –	Joyce Hudson	Absent:	Council member Jeff
Whiting			
Council members	Jeff Kennedy		
	Duane Oliver		
	Tim Strauser		
City Administrator	Bruce Clymer		
City Attorney	Mike Bacon		
City Clerk / Treasurer	Connie L. Dalrymple		

Press: *Gothenburg Times* - Beth Barrett

Also present: Blaine and Steve Peterson, Rick Zarek, Delvin Seil

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.

The purpose of the first public hearing was to consider an application for Community Development Block Grant funds in the amount of \$41,500 to be used as a loan to assist in the purchase of equipment IN establishment of an optometric business. The equipment will be the security for the loan. Of the grant, \$2900 will be used for administration of the grant. An additional \$128,000 bank loan will be used by Kimberly Johnson for start-up costs of the business. The Downtown Revitalization Committee has recommended approval of the loan.

Brief discussion was had and a motion made by Kennedy, seconded by Strauser, to close the hearing at 7:05 p.m. Roll call vote: Yea – Oliver, Strauser, Kennedy. Nay – none. Absent and not voting – Whiting.

Oliver moved, Strauser moved, to approve the application for \$41,500 CDBG funds as presented. Roll call vote: Yea – Oliver, Kennedy, Strauser. Nay – none. Absent and not voting – Whiting.

The hearing on a request from the City for \$3800 in Community Development Block Grant downtown revitalization funds was taken up at 7:06 p.m. The funds will be used for the restoration of a wall at the corner of Lake Avenue and Highway 47.

Brief discussion was had and a motion made by Kennedy, seconded, by Strauser, to close the public hearing at 7:07 p.m. Roll call vote: Yea – Oliver, Strauser, Kennedy. Nay – none. Absent and not voting – Whiting.

Kennedy moved, Oliver seconded, to approve the application for \$3800 as presented. Roll call vote: Yea – Strauser, Oliver, Kennedy. Nay – none. Absent and not voting – Whiting.

The public hearing on a proposed application for a Community Development Block Grant was taken up at 7:08 p.m. The City's request is for \$11,475 to be used for development of a downtown revitalization assessment plan to improve and rehabilitate the downtown area. This assessment must be completed before we can apply for \$300,000 under Phase II to make improvements.

Discussion was had and a motion made by Strauser, seconded by Kennedy, to close the hearing at 7:10 p.m. Roll call vote: Yea – Oliver, Kenney, Strauser. Nay – one. Absent and not voting – Whiting.

Strauser moved, Kennedy seconded, approving the application for \$11,475 in CDBG Downtown Revitalization grant funds as proposed. Roll call vote: Yea – Oliver, Kennedy, Strauser. Nay – none. Absent and not voting – Whiting.

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

City Council minutes – March 5

Planning & Zoning Commission minutes – March 11

Roll call vote: Yea – Oliver, Strauser, Kennedy. Nay - none. Absent and not voting – Whiting.

Kennedy moved, Oliver seconded, allowing payment of claims against the City, \$29,332.70; Public Works Division \$408,498.59; and the March 7 payroll of \$34,589.19. Roll Call vote: Yea – Strauser, Oliver, Kennedy. Nay - none. Absent and not voting – Whiting.

Community Comments:

- Blaine Peterson expressed his concern regarding liability of the sidewalk in front of his store. When there is no car for older people to lean on, they need something to help them step onto the curb then the sidewalk. Another person fell a few weeks ago. Administrator Clymer said, and the Council concurred, this is a priority for the new Downtown Revitalization Funds being applied for.

The City received \$3768.27 return on investment from ACE. ACE prefers the money be designated to a particular project. Last year was the cemetery kiosk. Discussion was had on various options such as Lake Helen restoration, Building Blocks doors, match for the DTR grant or rehabilitation of the corner at Lake Avenue and Hiway 30. Following discussion a motion was made by Oliver, second by Kennedy, to use the funds for the rehabilitation of the Lake Avenue / Highway 30 corner. Roll call vote: Yea – Strauser, Kennedy, Oliver. Nay – none. Absent and not voting – Whiting.

Ordinance 883, increasing utility rates, was introduced at the March 5 meeting. There has been no response from the public and since the ordinance is to be effective March 1 we need to waive the third reading. Therefore, Council member Kennedy moved that the statutory rule requiring reading on three different days be suspended. Council member Strauser seconded the motion

and on roll call vote, the following members voted “Yea”: Oliver, Strauser, Kennedy. “Nay” – none. Absent and not voting – Whiting.

Mayor Hudson declared the motion adopted by a three-fourths vote of the Council that the statutory rule suspended for consideration of said ordinance. Ordinance 883 was then read by title, whereupon Council member Strauser moved for final passage and Council member Oliver seconded the motion.

Mayor Hudson asked the question “*Shall Ordinance 883 be passed and adopted?*” On roll call vote the following Council members voted “Yea”: Kennedy, Oliver, Strauser. “Nay”: none. Absent and not voting – Whiting.

Mayor Hudson declared Ordinance 883 adopted and signed it in the presence of the Council and the clerk attested the signature.

Dawson County contacted Administrator Clymer requesting reimbursement of \$20,968.75 of KENO funds paid to the City since 2010. An error was discovered in calculating the amount due at the County level. We can reimburse by lump sum or they will withhold our KENO proceeds until the amount is paid.

Office personnel noticed the increase and credited it to an additional business offering KENO. Administrator Clymer questioned the County, and the County questioned the State on the formula being used. The Stat reviewed and approved what was being prepared. Ultimately the error was at the County level and the City was overpaid.

Kennedy moved, Oliver seconded, authorizing repayment of \$20,968.75 to the Dawson County KENO Fund. Roll call vote: Yea – Strauser, Oliver, Kennedy. Nay – none. Absent and not voting – Whiting.

Kennedy moved, Strauser seconded, to pass and approve Resolution 2013-4 re-designating the core downtown blighted. The area goes from east of the sale barn site on Ave I west to All Points Co-op, north from Highway 30 to 11th Street. The designation is made for application for the downtown revitalization grant.

Delvin Seil asked that the Council not to change downtown lighting. It needs to be bright for people to see.

Strauser moved, Kennedy seconded, to pass and approve Resolution 2013-5 authorizing Mayor Hudson to sign the application and documents relative to the Community Development Block Grant. Roll call vote: Yea – Oliver, Kennedy, Strauser. Nay – none. Absent and not voting – Whiting.

After the Gothenburg State Bank expanded and the City installed handicap parking spaces, the diagonal parking area on 9th Street west of Lake Avenue was reduced. Steve Peterson asked Council to consider installing diagonal parking between 9th and 10th Streets on the west side of Avenue D. People are reluctant to use the parallel parking there because the curb is high and the

passenger door cannot be opened. Angle parking has been placed on Ave D south of 9th Street and north of 10th Street. It was most recently installed on Avenue I at the school. Peterson's offered to move the landscaping in the right-of-way to the east side of the street just north of Peterson's store, where they would partially hide phone a natural gas boxes. The parking situation needs to be addressed in the near future.

Rick Zarek, owner of the property art 902 Ave D, agreed that there can never too much parking and is sympathetic to the parking issue. There are three businesses in his building and none of the employees park on the street. They use the bank parking lot south of the business or park further north on Ave D.

He's noted the busiest time is around 5:00 p.m. Even then there are six to 10 parking spaces within a half block of the grocery store. He still sees the value of green spaces downtown and would like to keep it if possible. At most, four spots would be gained by angle parking on the west side of Ave D.

Mayor Hudson asked if it's possible to have Peterson's employees use the parallel spots on the west side because there would not be passengers trying to exit the car along the curb. That would leave more spaces in the parking lot for customers. She has also notices that sometimes vehicles with trailers use the parallel spots on the west side.

Steve asked if the curb could be trimmed down and the bushes trimmed back a little. Zarek will talk to someone about trimming the shrubs for better curbside access.

Strauser moved, Kennedy seconded, approving Mayor Hudson's recommended appointment of Cindy Cooper to the Cemetery board, and Kim Slack and Nate Baker to the Tree Board. Roll call vote: Yea – Oliver, Kennedy, Strauser. Nay – none. Absent and not voting – Whiting.

Strauser moved, Kennedy seconded, to adjourn the meeting at 7:55 p.m. Roll call vote: Yea – Oliver, Kennedy, Strauser. Nay - none. Absent and not voting – Whiting. The next regular meeting will be April 2, 2013.

Joyce Hudson, Mayor

Connie L. Dalrymple, City Clerk