

Regular City Council Meeting
City Council Chambers

October 6, 2015
7:00 p.m.

Present: Mayor –	Joyce Hudson
Council members	Jeff Kennedy
	Randy Waskowiak
	Verlin Janssen
	Jay Richeson
City Administrator	Bruce Clymer
City Attorney	Mike Bacon
City Clerk / Treasurer	Connie L. Dalrymple

Press: *Gothenburg Times* - Beth Barrett

Also present: Chuck Drake and Josh Stewwart of Downey Drilling, Inc., Ken Curry and Chris Hegert of NE Public Power District, Joe Richeson of Gothenburg Irrigation, Kim Slack, Linda Crisman, Ken Christensen.

Mayor Hudson opened the meeting 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.

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

City Council minutes – September 15 & 16
Treasurer's Report – August
Board of Adjustment minutes – September 25
Police Report - September

Roll call vote: Yea – Waskowiak, Richeson, Kennedy, Janssen. Nay – none.

Kennedy moved, Waskowiak seconded, allowing payment of claims against the City, \$100,661.30; Public Works Division \$117,042.46; and the October 8 payroll of \$36,426.37. Roll Call vote: Yea – Janssen, Waskowiak, Kennedy. Nay - none.

Community Comments:

- Administrator Clymer reported sending 37 notices for trees that need to be trimmed or removed.
- We've been notified that our CDBG Owner Occupied Housing grant was not funded.

Nebraska Public Power has been working for two years to shape new wholesale agreements. They are focusing on carbon free power generation for the future. Carbon free generation climates will include wind, solar, geothermal and hydro. Additional sources include nuclear, coal, and gas / oil. They are currently in a very solid financial status and are striving for zero percent product rate increase over the next several years.

There are two 20 – year contract options available. Option A keeps costs low and Option B carries a 3% premium rate because it removes NPPD's ability to plan ahead for debt service and construction needs.

NPPD's service to its customers includes storm recovery and operations assistance, equipment and parts access, engineering services, equipment testing and troubleshooting, training programs, economic development and energy efficiency programs.

Discussion was had and it was decided to consider the agreement options at either the October 20 or November 2 meeting.

Waskowiak moved, Janssen seconded, to pass and approve Resolution 2015-12 establishing park rules and regulations. Roll call vote: Yea – Richeson, Kennedy, Janssen, Waskowiak. Nay – none.

Kennedy moved, Janssen seconded, to pass and approve Ordinance 922 expanding the Fire Limits on third and final reading. Roll call vote: Richeson, Waskowiak, Janssen, Kennedy. Nay – none.

Richeson moved, Kennedy seconded, to pass and approve Ordinance 923 prohibiting the discharge of fireworks within the Fire Limits of Gothenburg on third and final reading. Roll call vote: Yea – Janssen, Waskowiak, Kennedy, Richeson. Nay – none.

Richeson moved, Waskowiak seconded to pass and approve Ordinance 924 prohibiting the discharge of fireworks in certain areas of Gothenburg, on third and final reading. Roll call vote: Yea – Kennedy, Richeson, Waskowiak, Janssen. Nay – none.

Award contract for improvements to northeast corner of Highway 30 and 47 was removed from the agenda and not discussed.

One bid was received from HAB Aquatic Solutions in the amount of \$98,640 for the alum treatment at Lake Helen. The Department of Environmental Quality has provided funds to cover the cost and HAB is ready to begin as early as next week if approval is given.

Kennedy moved, Waskowiak seconded, approving the bid from HAB Aquatic Solutions as presented. Roll call vote: Yea – Richeson, Janssen, Waskowiak, Kennedy. Nay – none.

The Police Dept. and crew have been using pyrotechnics to scare away geese and ducks at the lake. The geese have left but there are still some ducks. Administrator Clymer has authorized the Police Dept. use the same procedure to discourage the turkey buzzards that have taken up residence in the trees at 22nd Street and Ave F.

Two proposals were received for the new well at Lake Helen:

Downey Drilling	\$29,648.00
Gothenburg Irrigation	\$34,855.90

Gothenburg Irrigation proposed using a shot perforation procedure to efficiently stop phosphorus from migrating into the new well.

Mr. Drake of Downey Drilling said their bid was submitted based on state requirements for decommissioning the current well but they can get a company to do the shot perforation if we want it done. To do that they will need guidelines such as how much cement to pump in. The State does not require this procedure but it's not a bad idea.

Considerable discussion was had on what the shot perforation procedure is and how it works. Ultimately a motion was made by Janssen, seconded by Waskowiak, to accept the \$34, 855.90 proposal for a new well offered by Gothenburg Irrigation. Roll call vote: Yea – Kennedy, Waskowiak, Janssen. Nay – none.

Request 'stop work' order 1107 25th Street was removed from the agenda and not discussed.

At the present time the alley in Block 19 of Hiles & Reynolds Addition is platted but unopened. There is currently a fence in the alley separating the Crisman and Slack properties. Linda Crisman has requested the alley be vacated. She thought it had been vacated around 1983 but has been unable to find documentation to verify that Ron Crisman and Burton Slack came before the Council to request it or that action had been taken by the Council. There is no ordinance on file.

Kim Slack has constructed storage units on his property and would like the alley opened.

According to Atty. Bacon the alley is a public asset and resource and he does not recommend surrendering it because there may be a future need for it. We should not allow structures on public property and now that the situation has been brought to City attention, Council should take action to correct it. Options are 1. Abandon the alley and the fence can remain.

2. Don't abandon the alley and require the fence be removed.

3. Open the alley and gravel / maintain it although we don't have to and it will remain city right-of-way. Open the alley but restrict driving and choose not to maintain it as an alley.

Since the alley dead-ends on the west, the City is not interested in opening it at this time but is not interested in vacating it either. There are presently no utilities in the alley way but the City does not allow structures on its right-of-ways. Mayor Hudson feels if the alley is not utilized, it's not right to ask City employees to maintain it.

Ultimately it was decided in looking to the future, to not vacate the alley and not to improve it by graveling or grading. Both Crisman and Slack must remove their portions of the fence in a timely fashion.

Council member Richeson left the meeting and a motion was made by Janssen, seconded by Kennedy, to approve Drawdown #9 on the DTR project and payment to Blue Stem Graphics in the amount of \$7500. Roll call vote: Yea – Waskowiak, Janssen, Kennedy. Nay - none. Absent and not voting- Richeson.

Council member Richeson returned to the meeting and a motion was made by Janssen seconded, by Waskowiak, authorizing signature of the renewal of Maintenance Agreement #56 with the Department of Roads. Roll call vote: Yea – Kennedy, Waskowiak, Janssen, Richeson. Nay – none.

Jen Wolf of Dawson Area Development suggests the Council think about possibilities for use of the unallocated funds in the DTR grant. Some ideas are to repair downtown sidewalk areas or pave the parking area along the alley east of city hall. We will need a public hearing to reroute those funds.

All agreed to proceed with a public hearing on October 20.

Janssen moved, Kennedy seconded, allowing payment of \$74,403.68 to TL Sund for Ave I sidewalk installation. Roll call vote: Yea – Richeson, Waskowiak, Kennedy, Janssen. Nay – none.

Waskowiak moved, Janssen seconded, authorizing signature of the Certificate of Compliance and addendum with the Department of Roads. Roll call vote: Yea – Richeson, Janssen, Waskowiak, Kennedy. Nay – none.

Waskowiak moved, Kennedy seconded, to adjourn the meeting at 8:38 p.m. Roll call vote: Yea - Janssen, Richeson, Kennedy, Waskowiak. Nay - none. The next regular meeting will be October 20, 2015.

Joyce Hudson, Mayor

Connie L. Dalrymple, City Clerk