

MINUTE RECORD

CITY OF WEEPING WATER PUBLIC HEARING/CITY COUNCIL PROCEEDINGS JANUARY 10, 2005

Mayor Howard Stubbendieck opened the public hearing regarding the special assessments in Street Improvement District No. 2003-1 at 5:45 p.m. on January 10, 2005 at City Hall. Members of the City Council answering roll were Bob McCaulley, Melody Falcone and Ray Frew. Absent: Larry Bauers.

Notice of the public hearing was given in advance thereof by publication in the Plattsmouth Journal for five consecutive weeks commencing with the December 9, 2004 edition and ending with the January 6, 2005 edition, as well as being posted in three public places in the city. Personal notice was also served upon all persons against whom special assessments may be levied.

Those in attendance for the purpose of the Special Assessment Public Hearing included Betty Harms, Richard Nichols, Farley Amick and Charles Spohr. Following review and explanation of the proposed schedule of assessments for Street Improvement District No. 2003-1, the public hearing was closed and the public hearing regarding the request of Martin Agena for a Conditional Use Permit was opened with all members of the council except Bauers answering roll.

Notice of the public hearing regarding the Conditional Use Permit and the regular monthly meeting was given in advance thereof by publication in the December 30, 2004 edition of the Plattsmouth Journal.

The request of Martin Agena for a Conditional Use Permit to establish a dog grooming business out of his home at 304 West M Street was presented for Council review. There being no public objection to the issuance of said Conditional Use Permit, the public hearing was closed, and the regular meeting was opened with all members of the Council except Bauers answering roll.

There being no objections to the proposed paving assessments for Street Improvement District No. 2003-1, a motion was made by Frew and seconded by McCaulley to adopt Resolution No. 05-1, which sets forth the levying of special assessments to pay for paving improvements on the lots and parcels of land in said Street Improvement District 2003-1. Upon roll call the vote, the following members of the City Council voted aye: McCaulley, Falcone and Frew. Nays: None. Absent: Bauers. The passage of the Resolution having been concurred in by a majority of all members elected to the Council was declared passed and adopted. A true, correct and complete copy of said resolution is on file at the City Clerk's Office.

Based on the recommendation of the Planning Board, a motion was made by McCaulley, seconded by Falcone to approve the application of Martin Agena for a Conditional Use Permit to establish a dog grooming business out of his home. Motion carried with McCaulley, Falcone and Frew answering roll.

Fire Chief, Earnest West was present to address several issues for the Fire Department, which included: notification of the settling of concrete under the garage door at the Fire Barn, which will be referred to the City Engineer to pursue the appropriate action; the budgeted five hand held radio/pagers were recently purchased. Motion by Falcone seconded by McCaulley to approve the Fire Department's membership in the Nebraska State Volunteer Firefighter's Association and pursue the appropriate life insurance coverage for the fire and rescue volunteers. Motion carried with all members of the Council voting aye. Motion by Frew seconded by Falcone to deny the application of Bryon Gewecke to the Fire Department. Motion carried with all members of the Council present voting aye. The following Ordinance was presented in regard to clarification of the existing billing authority for extrication and hazmat services provided by the Fire Department:

ORDINANCE NO. 543

AN ORDINANCE TO AUTHORIZE THE WEEPING WATER FIRE DEPARTMENT TO BILL FOR HAZMAT CLEANUP AND EXTRICATION SERVICES.

Motion by McCaulley seconded by Frew that the statutory rules be suspended so that Ordinance No. 543 might be introduced, read by title and adopted. Motion carried with McCaulley, Falcone and Frew voting aye. Nays: None. Said Ordinance will be posted in the manner provided by law, with a true, correct and complete copy of the Ordinance being on file in the City Clerk's Office.

It was agreed by the Council to pursue negotiations with Julie Donham to serve as Animal Control Officer.

The Monthly Police Activity Report was presented, in which it was noted that 186 hours were patrolled during the month. Discussion was held regarding problems with vehicles being left parked on city streets, creating snow removal problems, with the City Attorney agreeing to pursue the necessary legal action. Other items discussed were the need for an updated parking fine schedule and the need for monitoring speed at the south entrance to the city limits.

The Monthly Health Board Report resulted in the following: Hickey Trailer-Motion by Falcone seconded by Frew to pursue the abatement of nuisance process and pursue removal of the same. Motion carried unanimously. Meisinger properties-City Attorney to pursue legal action in District Court; Capps-Notice to Show Cause to be served; SENAHC and Taylor property-abatement process has been completed, pursue assessment on property. It was recommended that an ordinance be adopted which would limit the number of vehicles allowed on property, which was tabled for further review.

Following review of correspondence received from Galaxy Cablevision, it was agreed to pursue negotiations for the option of providing cable television services to all residents in the city limits.

Copies of the Monthly Water/Wastewater Report were distributed for review in the absence of Bruce Sorensen.

Following discussion of the proposed One and Six Year Street Improvement Plan, it was agreed to maintain the existing projects that have not yet been completed, with the exception of eliminating the removal of the median circle in Oak Court, as requested by adjoining property owners. It was further agreed to extend the project of enlarging the turning radii at Elm Street and "F" Street to include the widening of Elm Street one block south and the widening of "F" Street one block east; to extend the project of milling and placing 2" asphalt overlay on "P" Street from South East Street to include the distance of the existing pavement to the east; and to add the milling and 2" asphalt overlay of Eldora Avenue from Chicago Street to Garfield Street. The public hearing for the proposed One and Six Year Street Improvement Plan was set for Monday, February 14, 2005 at 5:45 p.m.

A preliminary proposal for replacing the limestone pillars at the west entrance to the ballpark was discussed, with the council agreeing to pursue fixing only what is broken, changing the caps on the pillars to match the sign and to check on obtaining electrical power for lighting capabilities.

The following Ordinance was presented: ORDINANCE NO. 544

AN ORDINANCE OF THE CITY OF WEEPING WATER, NEBRASKA, AMENDING SECTION 1-901 RELATING TO COMPENSATION FOR MUNICIPAL OFFICIALS TO ALLOW ADDITIONAL COMPENSATION FOR MEMBERS OF THE GOVERNING BODY WHEN ATTENDING SPECIAL MEETINGS OF THE CITY COUNCIL; AND TO PROVIDE FOR THE DATE UPON WHICH THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

Motion by Falcone seconded by Frew that the statutory rules be suspended so that Ordinance No. 544 might be introduced, read by title and adopted. Motion carried with McCaulley, Falcone and Frew voting aye. Nays: None. Said Ordinance will be posted in the manner provided by law, with a true, correct and complete copy of the Ordinance being on file in the City Clerk's Office.

In regard to the City Lake Improvement project, the proposed Certificate of Substantial Completion was approved and signed by the Mayor; the engineer recommendation of payment to Pruss Excavation Company in the amount of \$35,797.43 was revised to \$33,497.43 to adequately cover the costs of completion of the disposal area grading and seeding this coming summer; the proposed change order for costs to repair the weir structure was tabled for further review, as it was felt that costs for the same should be guaranteed by the contractor.

The Clerk informed members of the council that the Library has met the state accreditation guidelines and has been awarded state aid for the fiscal year 2005 in the amount of \$735. It was also noted that recent approval of grants included \$710 from the Nebraska Library Commission to assist in providing services to children and young adults and \$4,000 from the Nebraska Green Space Stewardship Initiative to assist with the Weeping Water Public Library Landscaping project.

Clarification of zoning issues included the fact that the city would require a Miscellaneous Building Permit for the construction of a farm storage facility located in the city jurisdiction.

Following review of correspondence and legal issues a motion was made by McCaulley, seconded by Falcone to approve the following claims: Salaries-6029.92; OPPD, util-2431.49; Alltel, util-586.31; Aquila, util-1003.97; Ameritas, emp ret-583.72; Farmers & Merchants Bank, whlg/sc-1647.70; Nebraska Department of Revenue, whlg, sales tax-1118.56; Svoboda and Chebatoris, prof-829.50; Nebraska U.C. Fund, unemp-2.01; United Healthcare, ins-1053.98; Omaha Standard Truck, equip-7233.00; Lawn Order, serv-200.00; Dokter Trucking, serv-408.00; Chamber of Commerce, mtg, dues-52.00; Farmers & Merchants Bank, loan pmt-40,305.02; PeopleService, prof-10992.00; Cass County Refuse, reimb-8295.29; The Journal, publ-133.26; Keckler Oil, fuel, rep, pstg mtr-497.93; Meeske Auto Parts, rep-158.72; Weeping Water Express Lane, fuel-253.11; Larry Sorensen Trucking, sup/trkg-217.21; Cass County Sheriff, prof-2711.80; Linweld, sup-28.55; Alliance Medical, sup-147.98; Shaffer Communications, rep-6.75; Hauschild Construction, lake imp-162.50; Jacobson Helgoth Consultants, prof-2426.25; Dale P. Nielsen Inc., rep-167.15; Ingram Library System, bks-432.53; Bickford Electric, rep-291.53; Miller Monroe Co., ins-25.00; J. Markham, fire sec'y-36.00; Business Forms & Acctg, sup-82.95; Chuck Cook, sup reimb-41.36; EMS Billing, reimb-589.72; Fire Extrication-Haz Mat Billing, reimb-143.00; Great Plains One Call, serv-2.00; Frenzel Trenching, rep-210.00. Motion carried unanimously.

Motion by Falcone seconded by McCaulley to adjourn. Motion carried unanimously.

Kay Gerdes, City Clerk

Howard Stubbendieck, Mayor