

MINUTE RECORD

CITY OF WEEPING WATER PUBLIC HEARING/CITY COUNCIL PROCEEDINGS SEPTEMBER 11, 2006

Council President Ray Frew, in the absence of Mayor Howard Stubbendieck, opened the public hearing regarding the proposed budget and the special hearing to set the final tax request at 5:45 p.m. on September 11, 2006 at City Hall with the following members of the Council answering roll. Bob McCaulley, Melody Falcone and Mitch Miller.

Notices of the budget hearing, the special hearing to set the final tax request and the monthly meeting notice were given in advance thereof by publication in the September 7, 2006 edition of the Plattsmouth Journal.

Members of the Council reviewed the proposed budget requesting a total of \$190,029.25 in property taxes, which represents a calculated levy before exemptions of .425455 for the ensuing fiscal year. There being no public objection to the proposal presented, the budget hearing and the hearing to set the final tax request were closed, and the regular monthly meeting was opened noting the absence of Mayor Howard Stubbendieck, but the presence of all other members of the City Council. The location of a posting of the Nebraska Open Meetings Act was noted. Minutes of the August 7, 2006 meeting were approved as written.

Motion by Miller seconded by McCaulley to adopt Resolution No. 06-06, which approves the setting of the property tax request at a different amount than the prior year tax request. Motion carried with all members of the council present voting aye.

The following Ordinance was presented: ORDINANCE NO. 557
AN ORDINANCE TO ADOPT THE BUDGET STATEMENT TO BE TERMED THE ANNUAL APPROPRIATION BILL; TO APPROPRIATE SUMS FOR NECESSARY EXPENSES AND LIABILITIES; TO PROVIDE FOR AN EFFECTIVE DATE. Motion by Falcone, seconded by McCaulley that the statutory rules be suspended so that Ordinance No. 557 might be introduced, read by title and adopted. Motion carried with McCaulley, Falcone and Miller 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.

Motion by McCaulley, seconded by Falcone to transfer the necessary funds from the general fund for public works, public health, safety, cultural and recreational needs. Motion carried with all members of the council present voting aye.

Motion by Falcone, seconded by Miller to designate Heartland Community Bank and Farmers and Merchants Bank, both in Weeping Water, NE as the City's depositories for the ensuing year. Motion carried with all members of the council present voting aye.

Ben Day of Olsson Associates reported on the firm's findings, following an investigation of a claim of water damage to a building located in the area of the "Downtown Revitalization Project". It was noted that the findings conclude that the water entered the basement of the building from an expansion joint between the building face and the sidewalk and were not due to faulty construction. It was further noted that the contractor maintained the caulking joints during the warranty period of the project, but at this point, maintaining said caulking is the responsibility of the property owners. The Clerk advised that all owners of property located within the "Downtown Revitalization Project" have been notified of the same.

The Community Development Block Grant awarded to the city for a water system study was discussed and will be pursued upon the release of the appropriate documentation for release of funds.

Under Open Forum, Jim Rhedin discussed community concerns in regard to uncompleted street repairs, railroad crossing conditions, unregistered vehicles, and property conditions with the council agreeing to review photographs, assess the situations and pursue the appropriate measures. Laura Parson presented concerns with the conditions of the alley which provides the

only access to her residence, with the council agreeing to assess the situation and pursue a feasible solution to the problems existing.

The monthly Police Activity Report was presented for council review, in which it was noted that 199 hours were patrolled during the month with 14 warnings and 10 citations being issued. Issues of vandalism, skateboarding in the streets and noise complaints were addressed, which the Sheriff's Department agreed to monitor.

Motion by McCaulley, seconded by Miller to approve the application of Joshua Hanes to the Rescue Squad, having completed the ride-a-long program, and the application of Larry Bauers as an available EMT for the daytime shift, as he currently works within the Weeping Water district and has the proper authorization from his employer. Motion carried unanimously.

Copies of the Monthly Water/Wastewater Report were distributed to members of the Council for review. Motion by Miller seconded by McCaulley to approve renewal of the proposed Operation and Maintenance Agreement with PeopleService. Motion carried unanimously.

Rob Bauers presented the Monthly Maintenance Report and addressed the following issues: follow-up on tree/overhanging limb inspection- letters of non-compliance to be sent to appropriate parties; consideration of moving the playground area at the ball field to a different area for safety reasons, which will continue to be pursued; the need to hire someone to clean out the ditch by the horseshoe courts in order to adequately maintain said area; and the desire to pursue improvements at the basketball courts, but recent abuse and vandalism of the area deter progress for improvements. It was agreed, however to purchase the paint for painting of the court lines in said area and make the necessary repairs to the driveway.

A report of monthly Health Board activities resulted in the following: updated assessment of Meisinger vehicles; action pending on removal of trailers from trailer court; City Attorney to begin abatement process on conditions of Eckley property; City Attorney to send notices to appropriate property owners regarding trees/brush along S. Commercial Street; City Attorney to pursue notification of the Union Pacific Railroad regarding the conditions of several parcels of property; and pursue the State Fire Marshall for possible condemnation of the B. Taylor property.

Following a lengthy discussion, a motion was made by McCaulley, seconded by Miller to abandon the proposed Weeping Water Trail Project, terminate the Consulting Agreement with Jacobson Helgoth Consultants and authorize the City Attorney to proceed with legal notification of appropriate parties. Motion carried unanimously. Discussion was held regarding the possibility of the city constructing an appropriate concrete trail around the city lakes with a small pedestrian bridge crossing the lakes, which will continue to be pursued.

Uncompleted street repairs, relocation of the brush disposal site, and renovation of the limestone pillars at the entrance of the ball field were discussed with action being tabled for further review.

The Clerk advised that the new Nebraska Basic Code of Ordinance books have been completed and are available for appropriate distribution.

Following review of an updated recommended rate schedule for rescue squad services, a motion was made by McCaulley, seconded by Miller to recommend the rates listed in Column 2 and setting the non-transport charge at \$50, subject to approval by the Rescue Chief. Motion carried unanimously.

Street and alley water drainage concerns near "M" and South East Streets were addressed and will be evaluated for possible recommendations.

Due to complaints received and safety concerns, the Clerk was advised to send a letter to the school recommending that school personnel utilize the available school parking lots rather than on-street parking.

Motion by Falcone, seconded by McCaulley to approve the sign permit requested by the Congregational Church and to waive fees for the same. Motion carried unanimously.

Unauthorized use of the Community Building was discussed with the Council agreeing to change the locks to the building and to post appropriate notices that all building usage must be scheduled through the City Clerk's Office.

Monthly Building Permit Activity included the following: Miscellaneous Permits: Randy Fletcher-accessory building; Melissa Hanna-fence; and Mark Tittsworth-accessory buildings.

Unlicensed pets and other pet complaints were discussed and will continue to be pursued.

Correspondence received was presented for Council review.

Motion by Falcone, seconded by Miller to accept the following claims: Salaries-10842.80; Alltel, util-91.47; Ameritas, emp ret-607.32; Aquila, util-150.24; Farmers & Merchants Bk, whlg & s/c-2514.43; Kansas State Bank, equip pmt-770.62; Nebr. Dept. of Revenue, whlg, recycle fee, sls tx-846.34; OPPD, util-3969.61; Svoboda & Chebatoris, prof-780.00; United Healthcare, ins-1268.17; Windstream, util-527.15; PeopleService, prof-10,434.00; Cass County Refuse, reimb-8655.75; Bond Payment-28547.50; Keckler Oil Co., fuel, rep, pstg-708.02; Chamber of Commerce, mtg-12.00; Meeske Hardware, rep/maint-460.79; K. Gerdes, mlg-40.05; The Journal, publ-173.17; L. Fleming, maint-95.00; Business Forms & Acctg, off sup-119.47; R. Frew, mlg-28.48; Nebr. Dept. of Agriculture, lic fees-150.00; Meeske Auto Parts, rep-44.50; Cass County Sheriff, prof-2711.80; Lifeguard, eqp pmt-3252.67; Coca Cola Co., sup-58.80; Lawn Order, rep-119.31; Baker & Taylor Books, bks-404.90; J. Aronson, reimb-79.98; WW Public Library, sup reimb-70.00; D. Henley, maint-100.00; Roto Snake, rep-85.00; J. Donham, animal cont-193.93; Stubbendick Implement, rep-7.84; WW Express Lane, fuel, sup-213.06; Xerox Corp., maint-15.00; Dale P. Nielsen, rep-51.97; EMS Billing, reimb-139.83; Mutual of Omaha, resc reimb-542.00; Great Plains One Call, serv-10.10; Frenzel Trenching, maint-130.00; Alliance Medical, sup-741.16; Rishel & Pfeifer, prof-600.00. Motion carried unanimously.

Motion by McCaulley, seconded by Miller to adjourn.

Kay Gerdes, City Clerk

Raymond Frew, Acting Mayor