

MINUTE RECORD

CITY OF WEEPING WATER PUBLIC HEARING/CITY COUNCIL PROCEEDINGS SEPTEMBER 12, 2005

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 12, 2005 at City Hall with the following members of the Council answering roll. Bob McCaulley, Melody Falcone, and Ray Frew. Absent: Larry Bauers.

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 8, 2005 edition of the Plattsmouth Journal.

Members of the Council reviewed the proposed budget requesting a total of \$185,394.39 in property taxes, which represents a calculated levy before exemptions of .434158 for the ensuing fiscal year. Larry Bauers entered the meeting at 6:15 p.m. 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 with all members of the Council answering roll.

Minutes of the August 8, 2005 meeting, were approved as written.

Motin by Frew, seconded by McCaulley to adopt Resolution No. 05-12, 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 voting aye.

The following Ordinance was presented: ORDINANCE NO. 548
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 McCaulley, seconded by Falcone that the statutory rules be suspended so that Ordinance No. 548 might be introduced, read by title and adopted. Motion carried with McCaulley, Falcone, Bauers 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.

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 unanimously.

Motion by Bauers seconded by McCaulley 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 unanimously.

Herb Kraeger addressed the Council to discuss the current Agreement between the Village of Avoca, the Avoca Rural Fire Board and the City of Weeping Water for rescue squad services provided by the Weeping Water Rescue Squad, with no action being taken.

Members of the Fire Department addressed the Council with the following issues: legalities in relinquishing the 1947 Ford Pumper Truck, which required further research, flushing and painting of fire hydrants, to be completed by the Fire Department, and budget issues. Following discussion on the use of the Hotsy Pressure Washer, which was purchased by the Fire Department with funds from donations and fundraisers, it was agreed that members of the department who have donated time for maintaining the fire trucks be allowed to personally use said equipment, under the strict monitoring of Fire Department officials. It was noted that Aaron Eckley will be assuming the position of Fire Chief, as Earnest West is moving and has resigned from the Department.

The Monthly Police Activity Report was presented, in which it was noted that 182 hours were patrolled during the month.

The Monthly Water/Wastewater and Maintenance Reports were presented for council review.

Monthly Health Board Activity included the following: court dates set for Meisinger and Wilson; default judgment to be filed in regard to removal of Hickey trailer; progress made on yard clean up of R. Wolfe property; begin abatement process for removal of overhanging tree branches on property along South Garfield Street, which is owned by the railroad; pursue results of recent assessment of Nichols property; and pursue the necessary measures for compliance with city building/zoning regulations regarding accessory buildings and trailer occupancy. It was noted that issues with other previously addressed properties have met compliance.

It was agreed to proceed with making arrangements to complete a survey of the property to be annexed that lies south of Spur 13K to the Weeping Water Creek and runs west to Highway 50.

The City Attorney provided recommendations for a proposed ordinance which relates to overhanging branches and obstructions at intersections, and an ordinance vacating the platted Noble Heights Addition, which was never developed, and was authorized to proceed with preparation of the ordinances for consideration at the October meeting.

It was noted that the survey of the former city refuse disposal site has been completed and negotiations with PCS Phosphate officials, for access to said area, will commence in hopes of relocating the brush disposal site and to provide a site for disposal of grass clippings and leaves.

An inspection of the "Downtown Revitalization Project" was completed by city employees, as the one year warranty on said project expires September 25, 2005. Minor areas of concern which will be addressed with the City Engineer were: cracked concrete by street light in front of

Keckler Oil Co., and by the fire hydrant on the corner of Eldora and Elm Street, caulking along building fronts, a small area of chipped railing, and the entrance of the fire barn.

Consultant Agreements between the city and Jacobson Helgoth Consultants for the Weeping Water Trail Project were presented for review and executed by the Mayor.

An update on the completion of the City Lake Improvements was provided noting that a request has been made by Pruss Excavation to relinquish the \$3,500 retainer fee. As the grading of the waste disposal site did not meet approval, a motion was made by Bauers, seconded by Falcone to pursue the removal of the massive amounts of rock from said area and deducts costs for the same from the requested retainer fee. Motion carried unanimously.

Motion by Frew, seconded by Falcone to approve the applications of Troy McCaulley, Marc Cappen, and Mindy L. McCaulley for entry into the Rescue Squad Ride-A-long program. Motion carried unanimously.

Copies of the Sales Tax Committee Report were presented for review, in which it was noted that recommendations for use of sales tax revenue for the ensuing year included: payment on an existing loan which was established for 2004 pool improvements, provide a portion of the annual loan installment due on the 2003 Fire Truck, pursue the acquisition of a city auditorium, and repair the rock pillars at the west entrance to the ball field to include the addition of lighting, incorporating some type of memorial to Weeping Water veterans, and adding similar pillars at the east gate entrance, if funds allow. Said recommendations met with full council approval.

Motion by Bauers, seconded by McCaulley to change the due date for payment of water/sewer/garbage bills to the first day of the month following billing. Motion carried unanimously.

The suggestion of utilizing the Nebraska Basic Code of Ordinances was discussed, but tabled for further review.

Copies of the local disaster procedures were distributed to city officials for review and reference, should the need arise. An assessment of various hurricane relief efforts resulted in the agreement that individual commitment of monetary funds would prove most beneficial.

Motion by Frew, seconded by Falcone to approve the revised City/School Responsibility Agreement regarding the maintenance of Memorial Field. Motion carried unanimously. It was noted that the school is pursuing the acquisition of a combination baseball/football score board to be located at the east end of the football field, replacing existing scoreboards, which met with full council approval.

Discussion was held regarding the annual request from the Day Trust Fund, which will be pursued.

Correspondence received was presented for council review.

Monthly building activity included: Building Permit: Dale Nielsen-garage; John Bauers-garage; Misc. Permit: Kim Kastens-fence.

Larry Bauers submitted notice of his resignation from the City Council effective September 12, 2005. The Clerk was advised to pursue the necessary procedures in order to fill the council vacancy.

Motion by Falcone, seconded by Frew to accept the following claims: Salaries-10960.31; Alltel-625.04; Ameritas, emp ben-570.00; Aquila, util-183.87; Farmers & Merchants Bank, whlg, s/c-2526.71; Nebr. Dept. of Revenue, sales tax, whlg, recyc fee-1476.14; OPPD, util-3848.77; Svoboda & Chebatoris, prof-1055.42; United Healthcare, ins-1053.98; PeopleService, prof-10110.00; Cass County Refuse, reimb-8543.50; Paving Bond pmt-29185.00; Jordan Surveying, serv-500.00; Ingram Library Service, bks-391.20; Great Plains One Call, serv-10.49; Post Office, pstg-74.00; J. Donham, animal cont-84.80; H. McCrory, maint-300.00; Bureau of Animal Industry, permit-150.00; The Journal, publ-135.08; Nebr. Municipal Clerk's Ass'n, dues-20.00; K. Gerdes, mlg-18.63; Chamber of Commerce, mtg-6.00; Nebraska Life, adv-202.50; Hoss's Lawn Care, maint-135.00; Mogensen Garage, rep-253.64; Nebr. Machine Co., rep-54.66; Meeske Hardware, rep, maint-570.78; Meeske Auto, rep-12.61; Menards, cap imp-502.47; Hamilton Equipment, equip-650.00; WW Express Lane, fuel, sup-391.39; Keckler Oil, fuel, rep, pstg mtr-552.78; Cass County Sheriff, prof-2711.80; Midland Telecom, maint-73.30; Alliance Medical, sup-369.03; D. Nielsen, rep-2032.19; Coca Cola Co., sup-228.00; Jacobson Helgoth, prof-1181.69; M & M Portable Toilets, maint-12.33; Rishel & Pfieffer, prof-550.00. Motion carried unanimously.

Motion by Bauers, seconded by McCaulley to adjourn. Motion carried unanimously.

/s/ Howard Stubbendieck, Mayor

/s/ Kay Gerdes, City Clerk