

## MINUTE RECORD

### CITY OF WEEPING WATER CITY COUNCIL PROCEEDINGS OCTOBER 9, 2006

The regular meeting of the Mayor and City Council of the City of Weeping Water was convened in open and public session at 6:00 p.m. on October 9, 2006 at City Hall. Mayor Howard Stubbendieck called the meeting to order and announced the location of a posting of the Nebraska Open Meetings Act. Council members answering roll were Bob McCaulley, Mitch Miller and Ray Frew. Absent: Melody Falcone.

Notice of the meeting was given in advance thereof by publication in the October 5, 2006 edition of the Plattsmouth Journal. Minutes of the September 11, 2006 meeting were approved as written.

Under Open Forum Jon Carey presented a request to consider closing all or a portion of the east-west alley between "M" Street and the creek, with action being tabled to consider safety concerns and utility easements.

Scott Walters provided a brief presentation regarding his candidacy for Cass County Sheriff in the upcoming election.

The Monthly Police Activity Report was presented in which it was noted that 199 hours were patrolled during the month.

A review of monthly fire activities resulted in the following: Motion by Miller, seconded by McCaulley that due to the fact that within the last two months two workers compensation claims have been filed on behalf of a fire volunteer as a result of breathing difficulties following response to a call, that claimant be restricted from entering any smoke filled areas for a period of one year from the date of the most recent claim. Motion carried unanimously. Due to recent complaints regarding minors in the presence of a burn training site, and specific traffic citations of fire personnel a motion was made by McCaulley, seconded by Frew that the Fire Department be notified of the need to develop or reinforce policies/procedures regarding equipment usage, training, job descriptions, security and safety and report back to the City Council. Motion carried unanimously.

The Monthly Water/Wastewater Report was presented by Bruce Sorensen. He advised that the new Operating and Maintenance Agreement represented a 4.1% increase in compensations, which is based on the Consumer Price Index for all Urban Consumers. An update on the proposed radio read meter system was provided.

Following discussion regarding Mike Spohr's request that the City Council reconsider the decision to abandon the Weeping Water Trail Project, a motion was made by Frew, seconded by McCaulley to pursue the necessary measures to reinstate the Weeping Water Trail Project with a new engineering firm. Motion carried unanimously.

Melody Falcone entered the meeting at 7:15 p.m.

Following review of the Monthly Maintenance Report, the following actions were taken: Motion by Frew, seconded by Miller to approve the proposal for crack and joint sealing of various streets in the amount of \$11,500 and asphalt overlay of specific areas in need of repair in the amount of \$3,600. Motion carried unanimously. Motion by McCaulley, seconded by Frew to authorize the Maintenance Superintendent to pursue the most feasible method of replacing the tie retaining wall behind the Community Building. Motion carried unanimously. Action on the purchase of a pressure washer was tabled for further review.

A report of Monthly Health Board activities resulted in the following: update on pending court action on Meisinger and Thomas properties; City Attorney to file Notice to Show Cause on Eckley property and pursue nuisance abatement procedure on G. Wiles property, as no evident progress was made on said properties; City Attorney to provide follow-up letter on Wessels Trailer Court property to continue clean up efforts; Report of State Fire Marshall on B. Taylor property with condemnation action tabled for further review; action tabled on railroad property and Lorenzo property, due to the fact that some progress had been made on said properties.

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.

Discussion was held regarding the unauthorized use of the Community Building as concern was expressed by council members regarding the use of the said building for unlawful gambling activities. Upon a motion made by Miller, seconded by McCaulley, it was resolved that the Community Building shall not be used for unauthorized activities, namely gambling. Motion carried with McCaulley, Miller and Frew voting aye. Abstain: Falcone.

Members of the Council were updated on the revised rate schedule for rescue squad services, noting that the Rescue Chief approved the proposed rates in Column 2, with the exception of the non-transport charge, which was deleted.

Water drainage concerns in the east-west alley from East Street to Randolph Street between Elm Street and the Creek were addressed, with the Council agreeing to post appropriate signage and assess the area prior to the next meeting to propose a feasible option for improvements.

Motion by Frew, seconded by Falcone to approve Olsson Associate's Agreement For Professional Services for the Municipal Water System Study Project. Motion carried unanimously.

In regard to economic development issues, it was agreed to pay \$300 toward the annual cost to continue the website for Weeping Water currently provided by WireBilt Company, subject to the Chamber of Commerce agreeing to share equal costs. The request to place an ad in the Southeast Nebraska Tourism Guide was denied. Copies of the newly developed Weeping Water Brochures which the Chamber of Commerce recently completed with the help of funds from the Cass County Visitor's Promotion Committee were distributed for council review.

Motion by Miller, seconded by Falcone to approve the application of the Chamber of Commerce for a Special Designated Liquor License for a wine/microbrew tasting event on December 1,

2006 during a portion of the “Come Home For Christmas” celebration. Motion carried with McCaulley, Falcone, and Miller voting aye. Nays: None. Abstain: Frew.

Monthly Building Permit activity included: Platte River Pelletizing-bagging building; PCS Phosphate Co., Inc-shipping control room, and a Misc. Permit: J. Buffington-fence.

Monthly correspondence, which included information regarding SOS/Initiative 423, was presented for council review.

Motion by McCaulley, seconded by Miller to accept the following claims: Salaries-6294.94; OPPD, util-3599.01; Windstream, util-457.37; Alltel, util-91.41; Aquila, util-138.35; Svoboda & Chebatoris, prof-805.94; Farmers & Merchants Bank, whlg, bk s/c-1682.27; Nebraska Dept. of Revenue, sls tx, whlg-1941.96; Ameritas, emp ret-585.62; Cass County Refuse, reimb-7800.00; PeopleService, prof-10434.00; United Healthcare, ins-1268.17; Kansas State Bank, equip pmt-770.62; Marquette Bank, equip pmt-31156.25; Sales Tax Fund disbursement for com. Imp-35,000; Water Bond payment-2810.00; CD Purchases-22000.00; Nebr. U.C. Fund, unemp-113.90; Chamber of Commerce, mtg-12.00; J. Donham, animal control-150.05; T. Meyers, resc trng-176.70; Electric Fixture & Supply, rep-85.12; Banyon Data Systems, prof-2310.00; IIMC, dues-125.00; The Journal, publ-190.69; Reliable Office Supply, off sup-144.67; Miller Monroe Farrell, ins-100.00; Nebr. Municipal Clerk’s Assoc., due-20.00; Keckler Oil Co., fuel-274.20; Nielsen Fertilizer, sup-135.50; Olsson Associates, prof-321.93; Tri County Small Engine, rep-41.59; Cass County Sheriff, prof-2711.80; Express Lane, fuel-225.28; SCC Continuing Education, trng-105.75; Alliance Medical, sup-10.40; Shaffer Communications, equip-334.40; E. Bornemeier, trng-423.00; Linweld, sup-34.80; D. Henley, maint-80.00; Consumer Report, bks-26.00; Good Housekeeping, bks-23.97; Quill, off sup-58.74; Baker & Taylor Books, bks-369.70; Meeske Hardware, rep/maint-495.26; Dale Nielsen Inc., rep/maint-2800.47; Bickford Electric, rep-48.94; Great Plains One Call, serv.-7.07; Accumed, reimb-316.22. Motion carried unanimously.

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

/s/ Howard Stubbendieck, Mayor

/s/ Kay Gerdes, City Clerk