

## MINUTE RECORD

### CITY OF WEEPING WATER CITY COUNCIL PROCEEDINGS OCTOBER 10, 2005

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 10, 2005 at City Hall. Mayor Howard Stubbendieck called the meeting to order with Council Members Bob McCaulley, Melody Falcone and Ray Frew answering roll. Absent: None

Notice of the meeting was given in advance thereof by publication in the October 6, 2005 edition of the Plattsmouth Journal.

Minutes of the September 12, 2005 meeting were approved as written.

Mayor Stubbendieck recommended the appointment of Mitchell Miller to fill the vacant City Council position created by the resignation of Larry Bauers. Motion by Falcone, seconded by McCaulley to approve said recommendation. Motion carried unanimously. The Mayor then administered the Official Oath of Office for Mr. Miller, which was attested by the City Clerk.

Members of the Council were advised of a pending application for City Reuse Loan Funds and agreed to set a public hearing on Monday, October 24, 2005 at 5:00 p.m. at City Hall to consider said application.

Matt Pruss of Pruss Excavation expressed concerns over the handling of the final retainer payment for city lake improvements, after which the City Council agreed to seek proper reimbursement from the CLEAR funds.

Following discussion with representatives of Jacobson Helgoth Consultants regarding the Weeping Water Trail project, it was agreed to schedule a "kick off meeting" at 2:30 p.m. on Monday, October 24, 2005, which would commence at City Hall and include a walk-thru of the proposed project.

Copies of the Monthly Water/Wastewater Report were distributed for council review. PeopleService representative, Duane Grashorn, presented an amendment to the Operating and Maintenance Agreement, which proposes an approximate 3% increase in contract fees for the ensuing year. Motion by Frew, seconded by Miller to approve said Amendment. Motion carried unanimously.

The Monthly Police Activity Report was presented, in which it was noted that 195 hours were patrolled during the month with 14 citations and 21 warnings being issued.

Following review of the Monthly Maintenance Report and the assessment of equipment needs, a motion was made by McCaulley, seconded by Miller to pursue the purchase of a 1995 One Ton Truck, advertised at \$6,950, contingent upon inspection of the same, pursue the purchase of a straight steel plow blade at a cost of \$4,352 and the purchase of a “V” Blade for the Bobcat at a cost of \$2,600. Motion carried unanimously.

A report of Monthly Health Board activities resulted in the following: court dates have been set in Hickey, Meisinger and Wilson cases, verification of proper licensing of specific vehicles is pending, additional notice to be sent to the proper railroad authorities regarding the overhanging branches of trees along Garfield Street.

Chuck Cook provided an update of his recent meeting with the Avoca Village Board regarding the Agreement for Weeping Water Rescue Squad service.

The following Ordinances were presented:

**ORDINANCE NO. 549**

**AN ORDINANCE OF THE CITY OF WEEPING WATER, NEBRASKA, PROHIBITING OBSTRUCTIONS TO VISION AT STREET INTERSECTIONS IN THE CITY OF WEEPING WATER; PROVIDING FOR PENALTIES FOR VIOLATION AND PROVIDING FOR AN EFFECTIVE DATE; FOR REPEALING ALL ORDINANCES IN CONFLICT HEREWITH.**

**ORDINANCE NO. 550**

**AN ORDINANCE OF THE CITY OF WEEPING WATER, NEBRASKA, AMENDING SECTION 8-202, OF THE WEEPING WATER MUNICIPAL CODE, TO CHANGE THE HEIGHT ABOVE THE SURFACE OF A STREET AND SIDEWALK FOR THE TRIMMING OF BRANCHES OR LIMBS ON TREES; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS AND TO PROVIDE FOR AN EFFECTIVE DATE.**

**ORDINANCE NO. 551**

**AN ORDINANCE OF THE CITY OF WEEPING WATER, NEBRASKA, VACATING NOBLE HEIGHTS ADDITION TO THE CITY OF WEEPING WATER, CASS COUNTY, NEBRASKA, ALL IN THE CITY OF WEEPING WATER, CASS COUNTY, NEBRASKA.**

Motion by Frew, seconded by Falcone that the statutory rules be suspended so that Ordinances No. 549-551 might be introduced, read by title and adopted. Motion carried with McCaulley, Falcone, Miller and Frew voting aye. Nays: None. Said Ordinances will be posted in the manner provided by law, with a true, correct and complete copy of the Ordinances being on file in the City Clerk's Office.

Motion by Falcone, seconded by Miller to approve the application of the Chamber of Commerce for a Special Designated Liquor License to host a wine tasting event on December 3, 2005 during the annual “Come Home for Christmas” celebration. Motion carried with Falcone and Miller voting aye. Nays: McCaulley. Abstain: Frew.

Members of the Council were advised that the request to re-establish the property line markers, following the completion of the disposal site from the city lake project, has been completed.

Following review of the Cornerstone Energy's 2005 Choice Program, a motion was made by Frew, seconded by McCaulley to pursue the Fixed Price Option for the ensuing year. It was further agreed that the Clerk notify all city entities to strictly monitor energy conservation. Motion carried unanimously.

Monthly building permit activity included a permit being issued to R. Fornoff for construction of a garage.

As a result of a recent city-wide assessment, the Clerk was advised to notify those persons which are in violation of city regulations regarding intersection obstructions and proper height of branches overhanging city streets.

The suggestion to consider an ordinance prohibiting a sex offender from living within 2000 feet of a school, library, park, or day care center was discussed, with action being tabled for further review.

Correspondence received was presented for council review.

Motion by Falcone, seconded by McCaulley to accept the following claims:Salaries-6267.62; Alltel, util-564.88; Ameritas, emp ben-546.04; Aquila, util-139.44; EMS Billing, reimb-457.15; Farmers & Merchants Bank, whlg, box rent-1663.45; Nebr. Dept. of Revenue, sales tax, whlg-1753.52; OPPD, util-3300.90; Svoboda & Chebatoris, prof-300; United Healthcare, ins-1053.98; PeopleService, prof -10110.00; Cass County Refuse, serv-7000.00; CD purchases-25,000; Pool Loan pmt-25,000.00; J. Woolhiser, maint-407.32; Pruss Excavation, cap imp-2700.00; R. Ashlock, maint-800.00; Nebr. U.C. Fund, unemp-76.58; Banyon Data Systems, prof-2085.00; J. Donham, animal cont-206.83; Reliable, off sup-159.92; Keckler Oil Co., fuel, rep-393.28; Martin Marietta, sup-493.50; The Journal, publ-190.69; Cass County Sheriff, prof-2711.80; R. Dobesh-Degraff, trng-39.00; SE Community College, trng-678.00; Mobile Communication, rep-168.12; E. Bornemeier, trng-150.00; Linweld, sup-63.60; Alliance Medical, sup-361.93; Jacobson Helgoth, cap imp prof-513.69; Nielsen Fertilizer, sup-75.00; Bickford Electric, rep, cap imp-714.32; Ingram Library System, bks-439.51; J. Aronson, mlg-51.44; Country Home, bks-21.97; Taste of Home, bks-29.97; Better Home & Gardens, bks-22.00; Chamber of Commerce, mtg-6.00; Post Office, pstg-84.00; Bobcat of Omaha, rep-74.35; WW Express Lane, fuel-403.90; Dale P. Nielsen, rep-10.60; Cass County EMA, trng-20.00. Motion carried unanimously.

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

/s/ Howard Stubbendieck, Mayor

/s/ Kay Gerdes, City Clerk