

## MINUTE RECORD

### CITY OF WEEPING WATER CITY COUNCIL PROCEEDINGS DECEMBER 13, 2004

The regular meeting of the Mayor and Council of the City of Weeping Water was convened in open and public session at 6:00 p.m. on December 13, 2004 at City Hall. Mayor Howard Stubbendieck called the meeting to order with Councilmembers Melody Falcone, Larry Bauers and Ray Frew answering roll. Absent: Bob McCaulley.

Notice of the meeting was given in advance thereof by posting in three public places in the city on December 9, 2004.

Minutes of the November 8, 2004 meeting were approved as written.

Copies of the Monthly Maintenance Report were distributed, in the absence of Rob Bauers, noting activities completed during the month. Discussion of the need to purchase a push mower with a bagger and a snow blower was held, with action being tabled.

Bruce Sorensen presented the Monthly Water/Wastewater Report and added that he just received notification that the results of the annual nitrate testing were well within compliance.

A report of Monthly Health Board Activity included: Capps property-progress made—continue to monitor; Taylor property—city to pursue clean up at owner's expense; Wilson-as owner is making attempt, continue monitoring; Meisinger properties-City Attorney to request his attendance at January meeting, as time frame for compliance has expired; SENAHC property-Motion by Bauers, seconded by Falcone to adopt Resolution No. 04-20, which declares said property as a public nuisance and orders remedy of the situation. Motion carried unanimously.

Under Open Forum, Tom Stander discussed renovations to the limestone pillars at the west entrance to the ball field, with action being tabled.

The Monthly Police Activity Report was presented, in which it was noted that 192 hours were patrolled during the month with 31 calls of service, 9 citations and 3 warnings being issued. Motion by Frew, seconded by Falcone to approve the request of the Sheriff's Department to install a computer in the Weeping Water Police Office, at the expense of the Sheriff's Department. Motion carried unanimously.

The Nebraska Firefighters Association membership, door replacement at various city facilities and the City/School Responsibility Agreement for maintenance of the ball field were all tabled for further review.

An assessment of property owners who were notified to trim trees was made, with the Clerk being advised to send a reminder letter to the few who have not yet responded.

Members of the Council were advised the Notice of Hearing on Special Assessments, which is scheduled for January 10, 2005, has been submitted for five publications and copies of the notice have been either delivered or sent to all persons against whom special assessments may be levied. Motion by Bauers, seconded by Frew to set the interest rate to be applied to assessments as they become due at 7% per annum and to authorize the Cass County Treasurer to pursue collection of the special assessments. Motion carried unanimously.

The Clerk was advised to send letters of appreciation to W-M Farms, % Rob Meisinger for the donation of sod for the gazebo/park area, to Chuck & Dixie Dobbs for donating the funds for the gazebo, to Meeske-Ace Hardware for donating the decorative lamp post and to OPPD for installing the banners and the Christmas light brackets.

Discussion was held regarding insufficient completion of the application of asphalt millings to specific streets, with the Clerk being advised to notify the contractor of the need to repair areas as needed and apply the sealer as weather permits.

In regard to the City Lake Improvement Project, a motion was made by Frew, seconded by Bauers to approve Change Order No. 4, for an additional cover for the aeration system pump housing unit resulting in a net increase of the contract price of \$355. Motion carried unanimously. Discussion was held regarding specific items which need to be addressed prior to approval of the contractor's final payment.

Members of the Council were advised that preliminary notification of approval of the revised "Weeping Water Trail" application has been received. It was noted that recommendation was made to approach the NRD for possible cash match assistance. It was also noted that the Day Trust Fund allocated the city \$10,000 to be used for said trail.

Notice from Galaxy Cablevision advising of a basic service rate increase of \$2.30 effective January 1, 2005 was presented for council review. Discussion was held regarding stipulations in the Franchise Agreement requiring the availability of cable television service within the city limits, with the City Attorney agreeing to correspond with the proper authorities to assure compliance with the terms of the Franchise Agreement.

The Clerk distributed copies of the current One and Six Year Street Improvement Plan for the members of the Council to review prior to the January meeting, at which time a more detailed approach will be made to plan for the proposed plan for the ensuing year.

It was noted that the U.S. Department of Homeland Security's Federal Emergency Management Agency recently awarded Multi Hazard Flood Map Modernization funds to the Nebraska Department of Natural Resources to update and revise the Flood Insurance Rate Maps for several areas, which included the City of Weeping Water.

The Clerk advised that the necessary documentation has been submitted to the Nebraska Department of Revenue for implementation of the 1% local sales and use tax option, to become effective April 1, 2005.

Notice was received from the Nebraska Department of Revenue that the State Tax Commissioner has amended the City of Weeping Water's population, due to recent annexation, from the previously certified count of 1,103 to 1,107.

Motion by Bauers, seconded by Falcone to approve the following bids received for city equipment, which had been declared as excess property: Alan Frenzel-\$1300 for sand spreader; Jeff Hahn-\$20 for snow blade and \$40 for mower. Motion carried unanimously.

Anita Carr submitted a letter of resignation for her services as Animal Control Officer, as she is moving out of state. Options for future animal control were discussed and tabled for further review.

It was noted that Shawn Capps has been released from the Fire Department roster and that Randy Jones and Justin Backhaus were approved on the "Ride-a-long Program" to the Rescue Squad, which met with full council approval.

Insurance requirements required by Ash Grove Cement Company for the leased ballpark ground were discussed, with the City Attorney agreeing to pursue an amicable agreement.

Correspondence received was presented for review and discussion.

As part of the annual reorganization meeting, acknowledgement was made that Ray Frew and Robert McCaulley were re-elected to the City Council. The Mayor recommended the following appointments and standing committees for the ensuing year, which met with full council approval: Maintenance Supt.-Robert W. Bauers Jr.; City Clerk/Treasurer-Kay Gerdes; City Attorney-Firm of Svoboda & Chebatoris; City Engineer-Olsson Associates; Water/Sewer Maintenance-contracted through PeopleService; Law Enforcement-contracted through the Cass County Sheriff's Department; Mayor-Howard Stubbendieck; City Council-Robert McCaulley, Larry Bauers, Melody Falcone and Ray Frew; Council President-Ray Frew; Water/Sewer Committee-Melody Falcone and Robert McCaulley; Streets and Alleys Committee-Ray Frew and Larry Bauers; Finance Committee-Mayor, Clerk and City Council members. A review of the list of City Boards and Commissions was made, in which it was noted that the following have agreed to term reappointments: Pool Board-Rachel Mason and Diane Vice; Planning Board-Mike Spohr; Housing Authority-Keith Hammons; Library Board-Bill Duff. Linda Fleming and Teresa Bauers agreed to serve terms on the Pool Board, replacing Carol Sorensen and Vickie Switzer, respectively. It was agreed to establish a Long Range Planning Committee to combine two members of the City Council and the Community Economic Development Committee to establish long range planning goals for recommended use of a portion of the city sales and use tax revenue.

Members of the Council were advised that a sign/canopy permit, requested by Matthew Neumann, DDS., was approved during the month.

Following review of a salary survey of governmental officials of local communities, a motion was made by Bauers, seconded by Falcone to authorize the City Attorney to prepare an Ordinance which stipulates that the Mayor and City Council, in addition to their existing salary, be compensated \$25.00 per meeting for any additional meetings. Motion carried unanimously.

Motion by Bauers, seconded by Frew to accept the following claims: Salaries-5926.08; Svoboda & Chebatoris, prof-300.00; OPPD, util-2517.91; Farmers & Merchants Bank, whlg, s/c-1625.48; Aquila, util-304.13; Ameritas, emp ret-553.63; Alltel, util-610.52; Nebr. Dept. of Revenue, sales tax, whlg-1244.99; PeopleService, prof-9816.00; Cass County Refuse, reimb-7000.00; CDBG Matching Funds-66411.32; Pruss Construction, cap imp/lakes-53491.50; Bond Interest pmt-2350.83; Fire Extrication Haz Mat Billing, reimb-103.00; Post Office, pstg-109.00; EMS Billing, reimb-580.31; K. Cosgrove, resc rmb-447.00; K. Gerdes, sup rmb-73.76; Hartman's Foods, maint, sup-61.86; JP Cooke Co., sup-48.89; Cass County Clerk, elec fees-88.17; The Journal, publ-171.41; Awards Unlimited, sup-57.38; Nebr. Clerk's Ass'n, dues-20.00; Display Sales, imp-1712.00; Bob's Construction, cap imp-450.00; Menards, sup-103.60; Mogensen Garage, rep-83.97; All Truck Equipment, equip-3450.00; A&S Concrete Recycling, sup-884.52; L. Sorensen, trkg-227.44; Great Plains One Call, serv-4.00; Business Forms & Acctg Systems, off sup-190.83; Cass County Sheriff, prof cont fee-2711.80; Alliance Medical, sup-594.05; Galls, Inc., sup-492.90; Linweld, sup-56.30; McCarthy One Hour Htg & A/C, rep-63.25; Shaffer Communication, rep-60.00; Bickford Electric, cap imp-790.48; Meeske Hardware, rep/maint-1336.72; R&R Wilson Welding, cap imip-2664.00; H. Stubbendieck, sup rmb-105.93; Jacobson Helgoth, prof-cap imp-760.97; Martin Marietta, sup, cap imp-2970.83; Ingram Library Service, bks-368.04; Transworld Motorcross, bks-18.95; Seventeen, bks-15.00; Consumer Report, bks-26.00; Good Housekeeping, bks-21.97; Omaha Standard Truck Equipment, rep-76.89; Fremont National Bank, bd serv fee-450.00; Meeske Auto Supply, rep-96.58, B&R Wallrock, st rep-2880.00. Motion carried unanimously.

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

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Kay Gerdes, City Clerk

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Howard Stubbendieck, Mayor