

SUMMARY OF THE CITY COUNCIL REGULAR MEETING HELD AUGUST 18, 2008 AT 7:00 P.M. IN THE BPS ADMINISTRATION MEETING ROOM, 320 NORTH 5TH STREET.

1 – Roll Call: Present: Mayor Schuster, Councilmembers Catlin, Cook, Fairbanks, Fetty, Kerr, Parde
Absent: Councilmember Lytle

Mayor Schuster announced that a copy of the Open Meetings Act is posted in the meeting room and is accessible to members of the public.

2 - Consent Agenda

- a. Approve agenda as submitted.
- b. Receive and place on file all notices pertaining to this meeting.
- c. Receive and place on file all materials having any bearing on this meeting.
- d. Approval of minutes of August 4, 2008 as on file in the City Clerk's office.
- e. Approval of Treasurer's Report of Claims in the amount of \$602,940.34.
- f. Approval of BASWA Report of Claims
 - 1) Approval of BASWA claim to Cook Electric in the amount of \$678.30.
 - 2) Approval of balance of BASWA claims in the amount of \$61,607.76.
- g. Approve plans, specifications and advertisement for bids for the Grant Street Reconstruction Project, as recommended by the BPW.
- h. Approval of bid in the amount of \$3,000.00 to R.L. Tiemann Construction for the demolition of dilapidated mobile home and cleanup at 518 Penner, plus \$400.00 for landfill fees.
- i. Approval of Resolution Number 5039 removing all traffic control signs/signals on Market Street between 1st and 2nd Streets.

Moved by Fetty, seconded by Fairbanks that the items listed under the consent agenda with the exception of item h be approved, accepted and/or ratified as presented.

Councilmember Cook abstains on item f (1)

Roll Call: Yea: Catlin, Cook, Fairbanks, Fetty, Kerr, Parde
Nay: None Motion carried.

Moved by Fetty, seconded by Kerr that the bid in the amount of \$3,400.00 to R.L. Tiemann Construction for the demolition of dilapidated mobile home and cleanup at 518 Penner be approved.

Councilmember Fairbanks questioned the time frame for getting the cleanup completed. Also, Mayor Schuster noted that this will exceed the budget amount, so approval is needed.

Roll Call: Yea: Catlin, Cook, Fairbanks, Fetty, Kerr, Parde
Nay: None Motion carried.

**3 - Public Hearings/Bids:
None.**

4- Resolutions:

- a. Resolution to establish and determine the final allocation for levy authority for property taxes for the Airport Authority for the fiscal year 2009.**

Mayor Schuster introduced Resolution Number 5040 to establish and determine the final allocation for levy authority for property taxes for the Airport Authority for the fiscal year 2009.

Moved by Fetty, seconded by Cook, that Resolution Number 5040 be passed and adopted.

Diana Smith, Airport Manager, gave a brief explanation of the tax request, which is an increase in dollars but based upon the estimated increased valuation will leave the levy the same as the prior year. She explained

that the Airport operating budget was conservative and that some projects had been taken out to balance the budget. Linda Koch, Clerk/Asst. Treasurer, explained that the Capital budget proposed payment of registered warrants were from the RPZ acquisition and would be paid with grants funds when they are released.

Roll Call: Yea: Catlin, Cook, Fairbanks, Fetty, Kerr, Parde
Nay: None

Motion carried.

b. Resolution authorizing a Tower and Ground Space Lease with USCOC Nebraska/Kansas LLC regarding the installation of cellular antennas on the water tower.

Mayor Schuster introduced Resolution Number 5041 Resolution authorizing a Tower and Ground Space Lease with USCOC Nebraska/Kansas LLC regarding the installation of cellular antennas on the water tower.

Moved by Fetty, seconded by Fairbanks that Resolution Number 5041 be passed and adopted.

Neal Niedfeldt, City Administrator, explained that U.S. Cellular had approached the City to place 6 antennas on the Water Tower at 19th Street and including land for a storage building below. The lease agreement provides for an option to study the project for 18 months, which if completed will pay \$1,800 per month for 5 years, with rollover options in 5-year increments up to 25 years. The Board of Public Works approved the lease at their meeting.

Roll Call: Yea: Catlin, Cook, Fairbanks, Fetty, Kerr, Parde
Nay: None

Motion carried.

**5 – Ordinances:
None.**

6– Public Forum:

No one appeared.

7- Discussions/Reports:

a. Discussion regarding farm lease agreement with Larry Delabar for a parcel of land in the NE ¼ of Section 20-3-6 (adjacent to the landfill)

Mayor Schuster introduced Resolution Number 5042 authorizing a farm lease agreement with Larry Delabar for a parcel of land in the NE ¼ of Section 20-3-6 (adjacent to the landfill)

Moved by Fetty, seconded by Fairbanks, that Resolution Number 5042 be passed and adopted.

City Administrator Niedfeldt explained that Mr. Delabar had agreed to the increase from \$60 per acre to \$80 per acre for crop land, leaving pasture land at \$15 per acre. This makes a total rent increase of \$2,036.

Roll Call: Yea: Catlin, Cook, Fairbanks, Fetty, Kerr, Parde
Nay: None

Motion carried.

b. Continue discussion of the license agreement with Ron and Vicki Hasley for ingress/egress rights on City property.

City Attorney Tobias Tempelmeyer reported that there was nothing new to discuss in public session.

Moved by Fetty, seconded by Kerr, that the Council meet in executive session at 7:18 p.m. for the purpose of discussion on litigation and consideration of property purchase.

Roll Call: Yea: Catlin, Cook, Fairbanks, Fetty, Kerr, Parde
Nay: None

Motion carried.

Executive Session: 7:18 p.m.

Reconvene: 7:53 p.m.

Moved by Fetty, seconded by Cook, to postpone discussion on the license agreement with Ron and Vicki Hasley for ingress/egress rights on City property to the next city council meeting on September 2nd, 2008.

Roll Call: Yea: Catlin, Cook, Fairbanks, Fetty, Kerr, Parde
 Nay: None

Motion carried.

Moved by Fetty, seconded by Cook that the meeting be adjourned at 7:55 p.m.

Roll Call: Yea: Catlin, Cook, Fairbanks, Fetty, Kerr, Parde
 Nay: None

Motion carried.

Linda S. Koch, City Clerk

Mayor Dennis Schuster