PROCEEDINGS OF CITY COUNCIL
October 16, 2023

A regular meeting of the mayor and city council of the City of Columbus, Nebraska, was convened in open and public session on October 16, 2023, at 6 p.m. in the Columbus Community Building, Community Room, 2500 14th Street, Columbus, Nebraska.

Notice of this meeting was given in advance thereof by publication in the Columbus Telegram on September 27, 2023, with a copy of the proof of publication being on file in the office of the city clerk. Notice of this meeting was given simultaneously to the mayor and members of the city council, with a copy of the acknowledgment of receipt of notice being on file in the office of the city clerk. Availability of the agenda was communicated in the advance notice and in the notice to the mayor and city council of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the public.

1. **STATEMENT OF COMPLIANCE WITH OPEN MEETINGS ACT AND ROLL CALL:** Mayor Bulkley announced that a copy of the Open Meetings Act is posted in the meeting room. Present were Mayor James Bulkley and Council Members Charlie Bahr, Hope Freshour, Troy Hiemer, Rich Jablonski, Kat Lopez, Prent Roth, and Ron Schilling. Council Member Beth Augustine-Schulte was absent and excused. City staff members included City Attorney Neal Valorz, City Clerk Janelle Kline, City Engineer Rick Bogus, Chief Building and Code Inspector Andy Woehrer, Planning and Economic Development Coordinator Jean Van Iperen, Fire Chief Ryan Gray, Police Captain Doug Molczyk, Public Works Director Chuck Sliva, Park and Recreation Director Betsy Eckhardt, Communications Manager Matt Lindberg, and Assistant City Clerk Kelli Keyes.

2. **PRAYER:** Bahr led in prayer.

3. **NATIONAL ANTHEM AND PLEDGE OF ALLEGIANCE:** The National Anthem was sung and the Pledge of Allegiance was recited.

4. **CONSENT AGENDA:** Kline stated that the following items are considered routine by the city council and will be enacted by one motion. She pointed out there will be no separate discussion of these items unless a city council member or citizen so requests, in which event the item will be removed from consent status and considered in its normal sequence on the agenda. The items on the consent agenda were approved as presented with a motion by Bahr and a second by Schilling. Bahr, Freshour, Hiemer, Jablonski, Lopez, Roth, and Schilling voted “Aye” and none voted “Nay”. Augustine-Schulte was absent.

4.A. **Minutes of October 2, 2023, City Council meeting.**

4.B. Minutes of October 10, 2023, Civil Service Commission meeting certifying Jared Meisinger and Raymond Fuller as police officer candidates.

4.C. Reappointment of William Rongisch to Columbus Housing Authority for five-year term.

4.D. Reappointment of Larry O'Neill to Library Board for four-year term.

4.E. Reappointment of Chuck Whitney as delegate to the Nebraska Cooperative Government Commission for one-year term.

4.F. Reappointment of Adam Urkoski and Ron Schilling (Council of Officials) and Charlie Bahr (Board of Directors) to the Northeast Nebraska Economic Development District for one-year terms.

4.G. Reappointment of Diane Scheffler and Joyce Schmid to Senior Center Advisory Board for three-year terms.

4.H. Master plan for Pawnee and Gerrard parks.

4.I. Finance Department reports.

4.J. Payroll and bills on file. B=Bond Payments; CP=Capital Projects; E=Expenses; G=Grants; I=Insurance; L=License; M=Membership; P=Payment; R=Refund; S=Service & Supplies; T=Training; 10/27/23 Payroll $785,137.86; Ace Hrdwr 362.27 S; Advance Auto 172.14 S; Alphamedia 540.00 S; American Legal 68.00 S; AOI 371.53 CP; Aqua-Pure 15,068.42 S; Arnold Motor 779.93 S; AT&T 80.08 S; AVI Sys 52,415.01 CP; Awards & Engravings 483.00 S; Barco 4,625.30 S; Behlen Tow 1,650.00 S; Black Hills Energy 1,635.57 S; BlueBeam 2,400.00 S; BOKF 497,353.25 CP; Bnd Tree Med 197.70 S; BVH 2,895.04 CP; Carolina Sftwr 200.00 S; Casey's Mail Serv 3,988.92 S; CBS 9.20 S; CCC 1,600.00 T; Century Link 930.00 S; City of Col 13,255.89 S; Civil Pls 375.00 S; CNC Repair 3,615.20 S; Col Area Chamber 1,120.00 S; CCS 103.15 S; Col Family Rsrc Ctr 10,609.99 S; Col Mtr 1,133.60 S; Col Scrn Prntg 622.00 S; Consldtd Mgmt 477.00 T; Core & Main 32,327.76 S; Cornhusker Pwr 918.10 S; Culligan 137.50 S; K DeRoos 11.92 S; Demco 3,150.10 CP; D Douglas 24,967.68 S; Eakes 755.47 S; Electric Contract 5,228.68 CP; Electrnc Eng 618.45 S; Fastenal 2,309.03 S; Frst Ntnal Bnk 19,123.79 S; Frontier 2,853.71 S; Galls 264.07 S; Gass Haney 1,595.00 S; Gehring Const 662.53 S; Gerhold 233.94 S; G.I. Trailer 3,536.72 S; GolfNow 185.66 S; A Griffith 31.00 T; H2 Eq 307.17 S; Hadley-Braithwait 164.85 S; Hrtld Gas 1,734.86 S; Hawkins 4,203.93 S; Holiday Inn Kearney 269.90 T; M Howerter MD 1,310.00 S; Hy-Vee 734.44 S; R Jablonski 311.15 T; Jackson Serv 1,760.55 S; W Johnson 50.00 R; Kiesler Police Sup 650.28 S; Kirkham Michael & Assoc 16,546.67 S,CP; J Kline 117.90 T; Language Line 75.48 S; Lawson 159.83 S; H Lindsley 102.18 T; Lingo 51.70 S; Loup 105,902.76 S; M&L 5,021.55 S; Matheson-Linweld 293.74 S; Menards 1,876.75 S; MidW Lab

2,000.38 S; MidW Petrol Eq 1,932.82 S; MidW Turf & Irrig 65.31 S; Mike's Tow 1,800.00 S; Moms & Mops 400.00 S; Motion Ind 584.77 S; Mr Golf Car 840.00 S; Munic Pipe Tool 760.56 S; NAPA 52.36 S; NE Golf&Turf 548.30 S; NE-IA Ind 305.41 S; NE Rec & Prk Assoc 90.00 M; NE NE Econ 85.00 S; Novicki Fire Prev 263.50 S; NWEA 975.00 T; Occ Hlth Srv 109.00 S; Olson's Pest 527.50 S; One Call 423.36 S; One Src 51.00 S; O'Reilly 282.80 S; Pace Analyt Srv 1,013.70; Paper Tiger 30.00 S; Pete Lien & Sons 7,074.37 S; Petty Csh 60.00 S; Platte Cnty 3,940.00 S; Platte Valley Comm 8,065.93 S; Pomp's Tire 269.42 S; PwrPln 132.63 S; Pwr Tech 2,965.52 S; Prdctvty Pls 856.16 S; Pro Surveyors Assoc 175.00 M; Quadient 1,000.00 S; Reardon 79.00 S; Rutt's 325.00 S; RVW 2,168.85 CP; Sapp Bros 20,975.91 S; M Sargent 43.76 S,CP; Schieffer Signs 62.50 S; R Schilling 141.71 R; G Sealock 125.00 S; ServiceMstr 13,433.00 S; Sherwin-Williams 35.98 S; Shelvin Sup 855.50 S; Sipple, Hansen, Emerson, Schumacher, Klutman, & Valorz 6,526.45 S; Siris 14,953.82 CP; St of NE Dept of Rev 62,346.05 P; St Treasure of NE 1,023.58 P; Spr Svr 57.96 S; Sysco 4,652.58 S; Telecomm Sys 1,970.67 S; The Golf Shop 2,000.83 S; Tire Outlet 1,650.12 S; TK Elevator 228.75 S; Top Score Games 960.00 S; Tractor Sup 25.92 S; Trk Cntr 1,136.25 S; Twin Rvrs Vet 1,053.40 S; USDA, Aphis 522.33 S; Utility Srv 20,622.32 S; C VanDyke 146.50 S; Van Wall Eq 529.21 S; T Vasicek 201.74 T; Verizon 45.85 S; Verizon Wireless 4,374.72 S; Waste Conn 434.00 S; R Whiting 240.10 R; Zimco 3,790.00; Zoll Med 1,479.00 S. TOTAL $1,851,730.01.

5. APPROVAL OF MINUTES: Included in Consent Agenda

6. SPECIAL PRESENTATIONS: None

7. PUBLIC HEARINGS:

7.A. Public hearing - Application of Rback Enterprises LLC for final plat and development agreement of Reeder Subdivision (7th Avenue north of Augustine Place). (Planning Commission recommends approval.) No public testimony was heard. The public hearing closed with a motion by Hiemer and a second by Schilling. Bahr, Freshour, Hiemer, Jablonski, Lopez, Roth, and Schilling voted "Aye" and none voted "Nay". Augustine-Schulte was absent.

7.A.1. Resolution No. R23-137 approving final plat and development agreement. Resolution No. R23-137 entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, ACCEPTING THE DEED OF DEDICATION TO A PARCEL OF LAND LEGALLY DESCRIBED AS:A TRACT OF LAND LOCATED IN PART OF THE SW1/4 OF THE NE1/4 OF SECTION 29, T17N, R1E OF THE 6TH P.M., AND LOTS 1, 3, AND 4 OF KINGSWOOD ADDITION TO THE CITY OF COLUMBUS, ALL IN PLATTE COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID SW1/4 NE1/4; THENCE S 00°07'43" E, 330.04 FT. ON THE EAST LINE OF SAID SW1/4 NE1/4 TO THE NORTHEAST CORNER OF AUGUSTINE 8TH SUBDIVISION;

THENCE S 89°58'34" W, 661.72 FT. ON THE NORTH LINE OF AUGUSTINE 8TH AND 7TH SUBDIVISIONS AND THE EXTENSION THEREOF TO THE EAST LINE OF SAID LOT 4; THENCE S 00°07'57" E, 68.15 FT. ON THE EAST LINE OF SAID LOT 4; THENCE S 89°58'44" W, 628.01 FT. ON THE SOUTH LINE OF SAID LOT 4 TO THE EAST RIGHT-OF-WAY OF 10TH AVENUE; THENCE N 00°08'59" W, 145.61 FT. ON THE EAST LINE OF SAID AVENUE; THENCE N 89°21'35" E, 150.00 FT.; THENCE N 00°09'02" W, 68.86 FT. ON THE SOUTHERLY EXTENSION OF LOT 2, KINGSWOOD ADDITION AND ON THE WEST LINE OF SAID LOT 2 TO THE NORTHEAST CORNER THEREOF; THENCE N 03°23'19" W, 62.00 FT. TO THE EASTERLY EXTENSION OF THE NORTH LINE OF LOT 3, KINGSWOOD 1ST SUBDIVISION OF THE WEST 142.5 FT. OF SAID LOT 1, KINGSWOOD ADDITION; THENCE N 89°48'54" W, 4.00 FT. ON SAID EASTERLY EXTENSION OF THE NORTH LINE OF LOT 3, KINGSWOOD 1ST SUBDIVISION TO THE NORTHEAST CORNER THEREOF; THENCE N 00°17'33" W, 124.03 FT. ON THE EAST LINE OF SAID KINGSWOOD 1ST SUBDIVISION TO THE NORTHEAST CORNER THEREOF; THENCE S 89°52'04" E, 541.66 FT. ON THE NORTH LINE OF SAID LOT 1 TO THE NORTHEAST CORNER THEREOF; THENCE S 89°47'54" E, 606.04 FT. ON THE NORTH LINE OF SAID SW1/4 NE1/4 TO THE POINT OF BEGINNING, CONTAINING 9.97 ACRES MORE OR LESS HEREINAFTER TO BE KNOWN AS REEDER SUBDIVISION, PART OF THE SW1/4NE1/4, SECTION 29, T17N, R1E, AND A REPLAT OF LOTS 1, 3 AND 4, KINGSWOOD ADDITION TO THE CITY OF COLUMBUS, PLATTE COUNTY, NEBRASKA, APPROVING THE PLAT THEREOF, APPROVING THE DEVELOPMENT AGREEMENT BETWEEN RBACK ENTERPRISES, LLC, AND THE CITY OF COLUMBUS, SETTING FORTH THE DUTIES AND RESPONSIBILITIES OF RBACK ENTERPRISES, LLC, CONCERNING SAID ADDITION, INCLUDING PROVIDING FOR THE PUBLIC IMPROVEMENTS NECESSARY TO SERVE THE PROPERTY, AND APPROVING INCLUSION OF SAID PLAT INTO THE CORPORATE LIMITS OF COLUMBUS, PLATTE COUNTY, NEBRASKA, was adopted with a motion by Lopez and a second by Schilling. Bahr, Freshour, Hiemer, Jablonski, Lopez, Roth, and Schilling voted “Aye” and none voted “Nay”. Augustine-Schulte was absent.

7.B. **Public hearing - Application of Rback Enterprises LLC to rezone a tract of land located at 7th Avenue north of Augustine Place from "R-1" (Single Family Residential) to "R-3" (Multiple Family Residential). (Planning Commission recommends approval.)** Cory Reeder, 12 Timberwood Drive, explained plans to construct 43 townhomes, 17 single-family homes, and one 12-unit building and said he anticipates that a few homes will be available by summer. No public testimony was heard. The public hearing closed with a motion by Schilling and a second by Roth. Bahr, Freshour, Hiemer, Jablonski, Lopez, Roth, and Schilling voted “Aye” and none voted “Nay”. Augustine-Schulte was absent.

7.B.1. **Ordinance No. 23-16 approving rezoning.** The rules were suspended and Ordinance No. 23-16 entitled: AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA TO AMEND THE COLUMBUS LAND DEVELOPMENT ORDINANCE FOR THE CITY OF COLUMBUS, ZONING CHAPTER, UNDER ORDINANCE NO. 23-09, DATED AUGUST 21, 2023, TO REZONE AND RECLASSIFY THE FOLLOWING DESCRIBED REAL ESTATE, TO WIT: A TRACT OF LAND LOCATED IN PART OF THE SW1/4 OF THE NE1/4 OF SECTION 29, T17N, R1E OF THE 6TH P.M., AND LOTS 1, 3, AND 4 OF KINGSWOOD ADDITION TO THE CITY OF COLUMBUS, ALL IN PLATTE COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID SW1/4 NE1/4; THENCE S 00°07'43" E, 330.04 FT. ON THE EAST LINE OF SAID SW1/4 NE1/4 TO THE NORTHEAST CORNER OF AUGUSTINE 8TH SUBDIVISION; THENCE S 89°58'34" W, 661.72 FT. ON THE NORTH LINE OF AUGUSTINE 8TH AND 7TH SUBDIVISIONS AND THE EXTENSION THEREOF TO THE EAST LINE OF SAID LOT 4; THENCE S 00°07'57" E, 68.15 FT. ON THE EAST LINE OF SAID LOT 4; THENCE S 89°58'44" W, 628.01 FT. ON THE SOUTH LINE OF SAID LOT 4 TO THE EAST RIGHT-OF-WAY OF 10TH AVENUE; THENCE N 00°08'59" W, 145.61 FT. ON THE EAST LINE OF SAID AVENUE; THENCE N 89°21'35" E, 150.00 FT.; THENCE N 00°09'02" W, 68.86 FT. ON THE SOUTHERLY EXTENSION OF LOT 2, KINGSWOOD ADDITION AND ON THE WEST LINE OF SAID LOT 2 TO THE NORTHEAST CORNER THEREOF; THENCE N 03°23'19" W, 62.00 FT. TO THE EASTERLY EXTENSION OF THE NORTH LINE OF LOT 3, KINGSWOOD 1ST SUBDIVISION OF THE WEST 142.5 FT. OF SAID LOT 1, KINGSWOOD ADDITION; THENCE N 89°48'54" W, 4.00 FT. ON SAID EASTERLY EXTENSION OF THE NORTH LINE OF LOT 3, KINGSWOOD 1ST SUBDIVISION TO THE NORTHEAST CORNER THEREOF; THENCE N 00°17'33" W, 124.03 FT. ON THE EAST LINE OF SAID KINGSWOOD 1ST SUBDIVISION TO THE NORTHEAST CORNER THEREOF; THENCE S 89°52'04" E, 541.66 FT. ON THE NORTH LINE OF SAID LOT 1 TO THE NORTHEAST CORNER THEREOF; THENCE S 89°47'54" E, 606.04 FT. ON THE NORTH LINE OF SAID SW1/4 NE1/4 TO THE POINT OF BEGINNING, CONTAINING 9.97 ACRES MORE OR LESS, FROM THE PRESENT ZONING CLASSIFICATION OF "R-1"(SINGLE FAMILY RESIDENTIAL) TO "R-3" (MULTIPLE FAMILY RESIDENTIAL); TO AMEND THE FUTURE LAND USE MAP AS WELL AS THE ZONING MAP WHICH HAVE BEEN ADOPTED BY AND MADE A PART OF SAID UNIFIED LAND DEVELOPMENT ORDINANCE FOR THE CITY OF COLUMBUS, ZONING CHAPTER, TO SHOW SAID REZONING AND RECLASSIFICATION; TO REPEAL ALL ORDINANCES AND RESOLUTIONS OR PARTS THEREOF IN CONFLICT HEREWITH; TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM; AND TO PROVIDE FOR THE EFFECTIVE DATE was read by number

only with a motion by Roth and a second by Jablonski. Bahr, Freshour, Hiemer, Jablonski, Lopez, Roth, and Schilling voted “Aye” and none voted “Nay”. Augustine-Schulte was absent. Ordinance No. 23-16 was adopted with a motion by Roth and a second by Jablonski. Bahr, Freshour, Hiemer, Jablonski, Lopez, Roth, and Schilling voted “Aye” and none voted “Nay”. Augustine-Schulte was absent.

7.C. Public hearing - Application of Werner Construction LLC/Schultz Farms, Inc. for special use permit to allow resource extraction in an "RR" (Rural Residential District) zone at 7014 8 Street. (Planning Commission recommends approval.) Steve Mossman, attorney representing the applicant, introduced Frank Kwapnioski, engineer from Lincoln, and Terrence Wilhelms and Dan Hansen, Werner Construction, LLC, and explained that the condemned property is conducive for resource extraction. No public testimony was heard. The public hearing closed with a motion by Hiemer and a second by Schilling. Bahr, Freshour, Hiemer, Jablonski, Lopez, Roth, and Schilling voted “Aye” and none voted “Nay”. Augustine-Schulte was absent.

7.C.1. Ordinance No. 23-12 approving special use permit. The rules were suspended and Ordinance No. 23-12 entitled: AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, TO ISSUE A SPECIAL USE PERMIT WITH CONDITIONS TO ALLOW FOR "RESOURCE EXTRACTION" AS CONTAINED IN TABLE 4-2, ZONING DISTRICT REGULATIONS OF THE ZONING CODE ON THE FOLLOWING DESCRIBED REAL ESTATE IN AN "RR" (RURAL RESIDENTIAL) ZONE: A TRACT OF LAND LOCATED IN THE S 1/2 SW 1/4 LYING SOUTH OF SHADYLAKE ROAD, SECTION 9, TOWNSHIP 17 NORTH, RANGE 1 WEST OF THE 6TH P.M., PLATTE COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SW1/4; THENCE N00°02’43"W (ASSUMED BEARING), 1,584.25 FEET ON THE WEST LINE OF SAID SW1/4 TO THE CENTERLINE OF SAID ROAD; THENCE SOUTHEASTERLY ON THE CENTERLINE OF SAID ROAD FOR THE NEXT 3 COURSES;1) S77°03’49"E 977.64 FEET; 2) S77°37’25" E, 731.09; 3) S79°19’49’E, 999.68 FEET TO THE EAST LINE OF SAID SW1/4; THENCE S00°02’57"W, 1,030.94 FEET ON THE EAST LINE OF SAID SW1/4 TO THE SOUTHEAST CORNER THEREOF; THENCE N89°50’28"W, 2,647.19 FEET ON THE SOUTH LINE OF SAID SW1/4 TO THE POINT OF BEGINNING, SUBJECT TO COUNTY ROADS AND RIGHT OF WAYS OF RECORD; TO REPEAL ALL ORDINANCES AND RESOLUTIONS OR PARTS THEREOF IN CONFLICT HEREWITH, TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM AND TO PROVIDE FOR THE EFFECTIVE DATE was read by number only with a motion by Bahr and a second by Schilling. Bahr, Freshour, Hiemer, Jablonski, Lopez, Roth, and Schilling voted “Aye” and none voted “Nay”. Augustine-Schulte was absent. Ordinance No. 23-12 was adopted with a motion by Bahr

and a second by Schilling. Bahr, Freshour, Hiemer, Jablonski, Lopez, Roth, and Schilling voted “Aye” and none voted “Nay”. Augustine-Schulte was absent.

7.D. **Public hearing - Application of Eduardo Torres Vasallo and Isairis Fiallo Rodriguez for special use permit to allow one dwelling unit density per 1,867 square foot of lot area in a "B-2" (General Commercial District) zone located at 1361 32nd Avenue. (Planning Commission recommends approval.)** No public testimony was heard. The public hearing closed with a motion by Bahr and a second by Hiemer. Bahr, Freshour, Hiemer, Jablonski, Lopez, Roth, and Schilling voted “Aye” and none voted “Nay”. Augustine-Schulte was absent.

7.D.1. **Ordinance No. 23-17 approving special use permit.** The rules were suspended and Ordinance No. 23-17 entitled: AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, TO ISSUE A SPECIAL USE PERMIT TO ALLOW ONE DWELLING UNIT DENSITY PER 1,867 SQUARE FOOT OF LOT AREA AS CONTAINED IN TABLE 4-3(A) SITE DEVELOPMENT REGULATIONS OF THE ZONING CODE, ON THE FOLLOWING DESCRIBED REAL ESTATE IN A "B-2" (GENERAL COMMERCIAL DISTRICT) ZONE: THE NORTH 50 FEET OF LOT 3, BLOCK "B", BECKER’S SUBDIVISION OF OUTLOT 8, CITY OF COLUMBUS, PLATTE COUNTY, NEBRASKA; TO REPEAL ALL ORDINANCES AND RESOLUTIONS OR PORTIONS THEREOF IN CONFLICT HEREWITH; TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM; AND TO PROVIDE FOR THE EFFECTIVE DATE was read by number only with a motion by Jablonski and a second by Bahr. Bahr, Freshour, Hiemer, Jablonski, Lopez, Roth, and Schilling voted “Aye” and none voted “Nay”. Augustine-Schulte was absent. Ordinance No. 23-17 was adopted with a motion by Jablonski and a second by Lopez. Bahr, Freshour, Hiemer, Jablonski, Lopez, Roth, and Schilling voted “Aye” and none voted “Nay”. Augustine-Schulte was absent.

8. **PETITIONS AND COMMUNICATIONS:** None

9. **REPORTS OF CITY OFFICES:** Included in consent agenda.

10. **REPORTS OF COUNCIL COMMITTEES:**

10.A. **PUBLIC PROPERTY, SAFETY, AND WORKS COMMITTEE - October 9, 2023.**

10.A.1. **Columbus South Bridges Project temporary easement acquisition and authorization for mayor to sign all related documents.** The Public Property, Safety, and Works Committee recommended approval of the temporary easement acquisition and authorization for the mayor to sign all related documents. Bogus explained that the underpass between east and west Pawnee Park would be closed during construction and noted that there would

be minimal disruption to the Higgins Memorial. The report was adopted with a motion by Bahr and a second by Schilling. Bahr, Freshour, Hiemer, Jablonski, Lopez, Roth, and Schilling voted “Aye” and none voted “Nay”. Augustine-Schulte was absent.

10.A.2. Amend city code regarding request to appeal dangerous dog designation to correct state statute reference, clarify that appeal fee is non-refundable, extend time frames for indigence determination and scheduling of appeal hearing, and amend terms for selection of appeal board. The Public Property, Safety, and Works Committee recommended city code regarding requests to appeal a dangerous dog designation be amended to correct the state statute reference, clarify that the appeal fee is non-refundable, extend the time frames for indigence determination and scheduling of appeal hearing, and amend the terms for selection of appeal board. The report was adopted with a motion by Bahr and a second by Schilling. Bahr, Freshour, Hiemer, Jablonski, Lopez, Roth, and Schilling voted “Aye” and none voted “Nay”. Augustine-Schulte was absent.

10.A.3. **Master plan for Centennial Park.** The Public Property, Safety, and Works Committee recommended that city staff be authorized to create an in-house plan for Centennial Park. Roth referred to the master plan for Pawnee and Gerrard parks, as prepared by Confluence, and said he feels the quote of $8,200 for a plan for Centennial Park is reasonable. The report was adopted with a motion by Lopez and a second by Hiemer. Bahr, Freshour, Hiemer, Jablonski, Lopez, and Schilling voted “Aye” and Roth voted “Nay”. Augustine-Schulte was absent.

10.B. PUBLIC FINANCE, JUDICIARY, AND PERSONNEL COMMITTEE - October 10, 2023.

10.B.1. Establish policy for charging non-transport rescue service calls that provide lift assistance to private residences. The Public Finance, Judiciary, and Personnel Committee recommended the policy not be changed and the current fees for non-transport lift assistance remain in place. Bulkley noted that he had inquired about the feasibility of amending the fee schedule to waive the first two or three non-transport lift assistance calls to private residents and was informed by the city attorney that any fees waived for private residents must also be waived for residents in a facility. The report was adopted with a motion by Hiemer and a second by Jablonski. Bahr, Freshour, Hiemer, Jablonski, Lopez, Roth, and Schilling voted “Aye” and none voted “Nay”. Augustine-Schulte was absent.

11. REPORTS OF SPECIAL COMMITTEES: None

12. REPORTS ON LEGISLATION: None

13. NEW BUSINESS:

13.A. Application of Ronald Lambert for preliminary plat of Country Club

Shores 6th Addition (south of 51st Street and 38th Avenue). (Planning Commission recommends approval.) It was noted that a single entrance into Country Club Shores Addition has not been an issue and future development of this area will include plans for a second entrance. The preliminary plat of Country Club Shores 6th Addition was approved with a motion by Bahr and a second by Schilling. Bahr, Freshour, Hiemer, Jablonski, Lopez, and Schilling voted "Aye" and Roth voted "Nay". Augustine-Schulte was absent.

13.B. **Application of Lance W. Lehr and Jinky Dela Cruz Pedroso for preliminary plat of Lehr 2nd Subdivision (east of E 29th Avenue and south of 23rd Street). (Planning Commission recommends approval.)** The preliminary plat of Lehr 2nd Subdivision was approved with a motion by Lopez and a second by Bahr. Bahr, Freshour, Hiemer, Jablonski, Lopez, Roth, and Schilling voted "Aye" and none voted "Nay". Augustine-Schulte was absent.

13.C. **Application of Level Up Home Pros, Inc. for preliminary plat of Meadowlark Village 2nd Subdivision (south of 19th Street and west of railroad tracks at 45th Avenue). (Planning Commission recommends approval.)** Dave Gilmore, Gilmore & Associates, Inc. on behalf of the applicant, explained plans for a 24-unit development. The preliminary plat of Meadowlark Village 2nd Subdivision was approved with a motion by Schilling and a second by Hiemer. Bahr, Freshour, Hiemer, Jablonski, Lopez, Roth, and Schilling voted "Aye" and none voted "Nay". Augustine-Schulte was absent.

13.D. **Public hearing - Application of Level Up Home Pros, Inc. for final plat and development agreement of Meadowlark Village 2nd Subdivision (south of 19th Street and west of railroad tracks at 45th Avenue). (Planning Commission recommends approval.)** No public testimony was heard. The public hearing closed with a motion by Hiemer and a second by Shilling**.** Bahr, Freshour, Hiemer, Jablonski, Lopez, Roth, and Schilling voted "Aye" and none voted "Nay". Augustine-Schulte was absent.

13.D.1. **Resolution No. R23-138 approving final plat and development agreement.** Resolution No. R23-138 entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, ACCEPTING THE DEED OF DEDICATION TO A PARCEL OF LAND LEGALLY DESCRIBED AS: LOT 1, MEADOWLARK VILLAGE SUBDIVISION, IN THE CITY OF COLUMBUS, LOCATED IN THE SW1/4 OF THE NW1/4 OF SECTION 24, T17N, R1W OF THE 6TH P.M., PLATTE COUNTY, NEBRASKA, HEREINAFTER TO BE KNOWN AS MEADOWLARK VILLAGE 2ND SUBDIVISION, A MAJOR SUBDIVISION OF LOT 1, MEADOWLARK VILLAGE SUBDIVISION, A PART OF THE SW1/4 NW1/4, SECTION 24, T17N, R1W OF THE 6TH P.M., APPROVING THE PLAT THEREOF, APPROVING THE DEVELOPMENT AGREEMENT BETWEEN LEVEL UP HOME PROS, INC., A NEBRASKA CORPORATION, AND THE CITY OF

COLUMBUS, SETTING FORTH THE DUTIES AND RESPONSIBILITIES OF LEVEL UP HOME PROS, INC., A NEBRASKA CORPORATION CONCERNING SAID SUBDIVISION, INCLUDING PROVIDING FOR THE PUBLIC IMPROVEMENTS NECESSARY TO SERVE THE PROPERTY was adopted with a motion by Schilling and a second by Hiemer. Bahr, Freshour, Hiemer, Jablonski, Lopez, Roth, and Schilling voted "Aye" and none voted "Nay". Augustine-Schulte was absent.

13.E. **Quote from Ray's Pager Sales in the amount of $24,664.50 for 35 pagers and four charger bases for fire department. (Budgeted CIP24-012)** The quote from Ray's Pager Sales for pagers and charge bases was accepted with a motion by Jablonski and a second by Lopez. Bahr, Freshour, Hiemer, Jablonski, Lopez, Roth, and Schilling voted "Aye" and none voted "Nay". Augustine-Schulte was absent.

13.F. **Comments from mayor and city council members.** Mayor Bulkley invited the public to attend the city's Trunk or Treat event on October 26th along the street and in the parking lot in front of the Columbus Community Building. The section of 14th Street in front of the building will be closed for the event.

14. RESOLUTIONS:

14.A. **Resolution No. R23-139 approving acquisition contract and all related documents with Nebraska Department of Transportation granting temporary construction easements and barrier relocation in the amount of $9,340 for Columbus South Bridges project (West Pawnee Park at U.S. Highways 30 and 81 underpass).** Resolution No. R23-139 entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, APPROVING THE PROPERTY ACQUISITION CONTRACT AND ALL RELATED DOCUMENTS WITH NEBRASKA DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF $9,340 FOR TEMPORARY CONSTRUCTION EASEMENTS AND BARRIER RELOCATION FOR COLUMBUS SOUTH BRIDGES PROJECT ON PROPERTY OWNED BY THE CITY OF COLUMBUS (WEST PAWNEE PARK AT U.S. HIGHWAYS 30 AND 81 UNDERPASS), COPIES OF WHICH ARE ATTACHED HERETO AND INCORPORATED HEREIN; TO AUTHORIZE THE MAYOR TO EXECUTE THE SAME ON BEHALF OF THE CITY; AND TO REPEAL ALL RESOLUTIONS OR PORTIONS THEREOF IN CONFLICT HEREWITH was adopted with a motion by Hiemer and a second by Schilling. Bahr, Freshour, Hiemer, Jablonski, Lopez, Roth, and Schilling voted "Aye" and none voted "Nay". Augustine-Schulte was absent.

14.B. **Resolution No. R23-140 approving addendum to the commercial lease agreement with Columbus Area Children's Museum, Inc. to change the term to November 1, 2023, through October 31, 2025.** Resolution No. R23-140 entitled: AN RESOLUTION OF THE MAYOR AND COUNCIL OF THE

CITY OF COLUMBUS, NEBRASKA, APPROVING THE ADDENDUM TO THE COMMERCIAL LEASE AGREEMENT WITH THE COLUMBUS AREA CHILDREN'S MUSEUM, INC., A COPY OF WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN BY THIS REFERENCE; TO AUTHORIZE THE MAYOR TO EXECUTE THE SAME ON BEHALF OF THE CITY; AND TO REPEAL ALL RESOLUTIONS OR PORTIONS THEREOF IN CONFLICT HEREWITH was adopted with a motion by Freshour and a second by Bahr. Bahr, Freshour, Hiemer, Jablonski, Lopez, Roth, and Schilling voted "Aye" and none voted "Nay". Augustine-Schulte was absent.

14.C. Resolution No. R23-141 approving Amendment No. 2 to agreement between owner and design-builder Sand Creek Construction Company in the amount of $331,350 and a guaranteed maximum price in the amount of $1,249,350 for Gerrard Park Tennis and Pickleball Court Renovation project. (Budgeted CIP24-013) Bogus explained that pickleball courts were included in the overall plan for the project and the actual design of the courts was pending completion of the master plan for Gerrard Park. Resolution No. R23-141 entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, APPROVING AMENDMENT NO. 2 TO THE STANDARD AGREEMENT AND GENERAL CONDITIONS BETWEEN OWNER AND DESIGN BUILDER, SAND CREEK CONSTRUCTION COMPANY, FOR MATERIALS AND CONSTRUCTION OF THE EAST COURTS OF THE GERRARD PARK TENNIS AND PICKLEBALL COURT RENOVATIONS IN THE AMOUNT OF $331,350 AND A GUARANTEED MAXIMUM PRICE FOR THE PROJECT IN THE AMOUNT OF $1,249,350; A COPY OF WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN; TO AUTHORIZE THE MAYOR TO EXECUTE THE SAME ON BEHALF OF THE CITY; AND TO REPEAL ALL RESOLUTIONS OR PORTIONS THEREOF IN CONFLICT HEREWITH was adopted with a motion by Roth and a second by Freshour. Bahr, Freshour, Hiemer, Jablonski, Lopez, Roth, and Schilling voted "Aye" and none voted "Nay". Augustine-Schulte was absent.

15. ORDINANCES ON FIRST READING:

15.A. Ordinance No. 23-18 amending City Code Section 90.034 of Chapter 90 of Title IX of the Columbus City Code to update the dangerous dog review process. On its first reading, Ordinance No. 23-18 entitled: AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, AMENDING SECTION 90.034 OF CHAPTER 90 OF TITLE IX OF ORDINANCE NO. 05-47 (COLUMBUS CITY CODE) TO UPDATE THE DANGEROUS DOG REVIEW PROCESS; REPEALING ALL ORDINANCES OR PORTIONS THEREOF IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM was read by number only.

16. ORDINANCES ON SECOND READING: None

17. **ORDINANCES ON THIRD READING:** None

18. **CONSIDERATION OF PAYROLL AND BILLS ON FILE:** Included in Consent Agenda.

19. **UNFINISHED BUSINESS:** None

20. **ADJOURNMENT:** The meeting adjourned at 6:40 p.m.

Presented and approved this 6nd day of November 2023.

OFFICE OF THE CITY CLERK
: Janelle Kline