

**CITY OF CREIGHTON, NEBRASKA  
MINUTES OF COUNCIL MEETING  
Thursday, November 12, 2015**

A regular meeting of the Mayor and Council of the City of Creighton, Nebraska was held in the meeting room of the Creighton City Offices at 809 Main Street in said City on the 12th day of November, 2015, at 6:30 p.m. Present were: Mayor Chris Patrick and Council members Bob Jensen, Drew Nelson, Mike Nutting; ACT Lisa Parnell-Rowe; Deputy Clerk Ronda York; Water Commissioner Kevin Sonnichsen; Economic Development Director Abigail Frank; City Attorney Joe McNally; City Engineer, Chris Miller (of Miller & Associates) and Police Officer Tiffany McLean. MaryAnne Block was absent.

Notice of the meeting was given in advance thereof by posting in at least three public places, as shown by the certificate of posting notice attached to these minutes. Notice of the meeting was given to the Mayor and all members of the City Council, and a copy of their acknowledgment of receipt of notice and the agenda is attached to these minutes. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

The meeting was called to order by Mayor Chris Patrick at 6:30 p.m. Mayor Patrick presided, and the Deputy Clerk York recorded the proceedings.

The Pledge of Allegiance was recited by those in attendance.

Mayor Patrick publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act was available for review and indicated that a Nebraska Open Meetings Act poster was on display on the west wall of the meeting room.

Mayor Patrick opened the 2016 One- and Six-Year Street Improvement Hearing at 6:32 p.m. Mayor Patrick advised the public that Chris Miller, the City Engineer, with Miller & Associates would give a presentation explaining Creighton's One- and Six-Year Street Improvement Plan. At this time Mayor Patrick turned the meeting over to Mr. Miller.

Miller explained the purpose of the One- and Six-Year Street Improvement Program and answered questions from the Mayor, Council and the public. Mayor Patrick stated that if there were no questions now the meeting could proceed with regular agenda and then towards the end of the meeting the item would be revisited and public could ask questions before he closed the 2016 One- and Six-Year Street Improvement Hearing. As there were no questions at this time the regular agenda continued.

Mayor Patrick read the Buddy Poppies Proclamation from November 3, 2015.

Mayor Patrick advised that Jodi Vellek would like to be appointed to the Board of Parks Commissioners. It was explained that Vellek would be filling a vacancy. Vellek was not present. Questions were asked and answered.

Mayor Patrick asked if anyone would like to make a motion to appoint Jodi Vellek to the Board of Parks Commissioners. Nelson made a motion seconded by Jensen to approve the appointment of Jodi Vellek to the Board of Parks Commissioners. RCV; Ayes: Jensen, Nelson, Nutting. Nays:

None. Absent: Block. Motion Carried.

Mayor Patrick advised that Brent Eggerling would like to be appointed to the Economic Development Board. It was explained that Eggerling would be filling a current vacancy. Eggerling was not present. Questions were asked and answered.

Mayor Patrick asked if anyone would like to make a motion to appoint Eggerling to the Economic Development Board. Jensen made a motion seconded by Nelson to approve Brent Eggerling's appointment to the Economic Development Board. RCV; Ayes: Jensen, Nelson, Nutting. Nays: None. Absent: Block. Motion Carried.

Mayor Patrick advised that Marilyn Gottsch would like to be appointed to the Library Board. It was explained that Gottsch would be filling the vacancy previously held by Virginia Morse. Gottsch was not present. Questions were asked and answered.

Mayor Patrick asked if anyone would like to make a motion to appoint Gottsch to the Library Board. Nelson made a motion seconded by Jensen to approve Marilyn Gottsch's appointment to the Library Board. RCV; Ayes: Jensen, Nelson, Nutting. Nays: None. Absent: Block. Motion Carried.

Mayor Patrick asked if any boards had reports.

Joann Filkins of the Library Board updated everyone on library activities. Filkins also advised that the library received certificate of accreditation at the Silver Level, which will be good through September 2018.

Sonnichsen gave the Creighton Fire report.

Frank gave the Economic Development Report. Frank informed everyone that there will be a Chamber Coffee on November 13, 2015 at the Family 1<sup>st</sup> Dental Office.

McLean gave the Creighton Ambulance report.

Nutting made a motion seconded by Jensen to approve the minutes from the October 8, 2015 meeting. RCV; Ayes: Jensen, Nelson, Nutting. Nays: None. Absent: Block

Jensen made a motion seconded by Nutting to approve additional bills paid since the October 2015 meeting. RCV; Ayes: Jensen, Nelson, Nutting. Nays: None. Absent: Block

A short discussion was held reference November 2015 bills. Jensen made a motion seconded by Nutting to approve the list of bills for November 2015. RCV; Ayes: Jensen, Nelson, Nutting. Nays: None. Absent: Block

A discussion was held reference expenditures for October 2015. Question where asked and answered. Nelsen made a motion seconded by Jensen to approve expenditures for October 2015. RCV; Ayes: Jensen, Nelson, Nutting. Nays: None. Absent: Block

Nutting made a motion seconded by Jensen to approve all receipts for October 2015. RCV; Ayes:

Jensen, Nelson, Nutting. Nays: None. Absent: Block.

A discussion was held on the selling of MAX PAK Vertical Baler. Parnell-Rowe advised that to date no bids have been received. Parnell-Rowe added that there is an interested community that will not be able to place a bid until after the first of the year due to personnel changes. No action was taken at this time. An update will be made reference bids can be accepted until March 1, 2015.

Parnell-Rowe updated everyone on the status regarding the Wigen Membranes replacement negotiations. Questions were asked and answered. Mr. Chris Miller advised this is just a bad situation and the city was not informed to change their current anti-scalant or advised that to no do so could damage the new membranes, until it was too late. The city was using the anti-scalant that Wigen had advised us to purchase for membranes that the city had purchased from Wigen in the past. The membranes that were in use from 2011 and 2013 had been upgraded. The upgraded membranes were installed June 16, 2015. The new membranes that failed were autopsied and the warranty will not cover because the membranes themselves where not faulty it was the anti-scalant that caused the issue. New anti-scalant was started, as soon as possible after autopsy results were received on July 31, 2015. The membranes were replaced again August 24 to 28, 2015, due to the damage caused by the old anti-scalant.

There have been several calls, letters and emails between Wigen, City Engineer, City Water Commissioner and City Administrator/Clerk/Treasurer. Joe McNally, City Attorney, has been kept updated on the situation and advised the city how to proceed during this process. McNally, Miller and Mayor Patrick all feel we should pay the re-invoiced bill of \$48,334.73. Wigen agreed to give a \$2,031.25 discount off the original bill after negotiation. More questions were asked and answered.

After a lengthy discussion, council reluctantly agreed to pay the bill. Councilmember Nutting even advised he would vote to pay bill but with protest. Council instructed City Attorney McNally to draft a letter of protest to be included with payment. Nelsen made a motion seconded by Jensen, to approve paying Wigen bill of \$48,334.73. RCV; Ayes: Jensen, Nelson, Nutting. Nays: None. Absent: Block.

McNally presented copies of the Policies and Procedures Manual draft to all council members. McNally stressed this is a draft only and a working document. Questions were asked and answered. It was decided that council will have a special meeting to review the manual to make changes. After that meeting there will be a second special meeting with council members and staff to get there opinion. The option of having a separate policy for the police department was discussed. Mayor Patrick advised staff that even after these meetings, council will have final say on any changes. No action was needed at this time.

Mayor Patrick read Ordinance 790 aloud. The ordinance was discussed. Questions were asked and answered. McNally advised that this ordinance will take effect after posting and published in paper. It will come out in the November 18, 2015 Creighton News paper. McNally advised each bar gets to decide if they stay open until 0200 or close earlier.

Mayor Patrick asked if anyone wanted to make a motion to waive the three readings of Ordinance 790. Nutting made a motion seconded by Jensen to waive the three readings of Ordinance 790. RCV; Ayes: Jensen, Nelson, Nutting. Nays: None. Absent: Block.

Nelson made a motion seconded by Jensen to approve Ordinance 790. RCV; Ayes: Jensen, Nelson, Nutting. Nays: None. Absent: Block.

Mayor Patrick read Ordinance 791 aloud. Patrick advised he doesn't think this is a good idea. Parnell-Rowe explained this is just to adjust sewer rates not water usage. She further explained this would give ACT the ability to adjust sewer rates if the January and February averaged period is proven from valid receipt and inspection of a plumber to have been irregularly inflated. There was a long discussion at which time many questions were asked and answered. Nelson and Nutting felt public just needs to bring complaints to council meetings for reconsideration. Jensen felt this would be a good idea.

Jensen made a motion seconded by Nelson to approve Ordinance 791. RCV; Ayes: Jensen, Nelson. Nays: Nutting, Mayor Patrick. Absent: Block. Ordinance 791 failed to pass.

Mayor Patrick read Resolution 2015-11 aloud for Special Assessment for Lien on Taxes to Delinquent Utility Bills. Parnell-Rowe explained why this resolution is needed. There was a discussion where questions were asked and answered.

Jensen made a motion seconded by Nutting to approve Resolution 2015-11. RCV; Ayes: Jensen, Nelson, Nutting. Nays: None. Absent: Block.

Mayor Patrick asked if there were anymore comments or questions reference the 2016 One- and Six-Year Street Improvement Program. There were none. Mayor Patrick then asked for a motion to close the One and Six Year Hearing. Jensen made a motion seconded by Nutting to close the One- and Six-Year Improvement Hearing. RCV; Ayes: Jensen, Nelson, Nutting. Nays: None. Absent: Block.

Jensen made a motion seconded by Nutting to approve Resolution 2015-12 and to adopt the 2016 One- and Six-Year Street Improvement Program as Presented by City Engineer Chris Miller. RCV; Ayes: Jensen, Nelson, Nutting. Nays: None. Absent: Block.

Sonnichsen, Zoning Administrator/ Fire Chief, took the floor. At which time, the fire inspection/corrective action with a structure that violated building permit and safety standards of Creighton was discussed. Many questions were asked and answered. Shawn Kreizel took the time to explain his intentions reference the moved in building and an outside wood stove. Jensen made a motion seconded by Nutting to grant Kevin Sonnichsen, Zoning Administrator/ Fire Chief, the authority to inspect this building for safety and make sure the city codes are followed from this time forward. RCV; Ayes: Jensen, Nelson, Nutting. Nays: None. Absent: Block.

Council asked McNally if there needed to be a change in the language of our building codes at this time. McNally advised that at this time no changes needed to be made.

Mayor Patrick asked for public comments on items not on the agenda. A citizen made a complaint about the condition of the tree dump. Another citizen made comment on the garbage service the city has been receiving. Mayor Patrick advised that the contract reference the tree dump and garbage service are lacking in detail. Parnell-Rowe advised we are looking into the current contracts and seeing what can be done. McNally will take a copy of both contracts and

write a letter reference the upkeep of the tree dump to Key Sanitation.

There were no other public concerns.

Officer McLean gave Creighton PD Report.

City Administrator/Clerk/ Treasurer Parnell-Rowe gave the Administrator report.

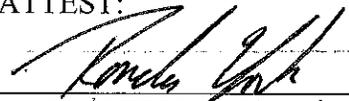
There were no Council reports.

Mayor Patrick advised what a good job the city employees are doing. Patrick also stressed how important the upcoming town hall meeting on January 27, 2016 was going to be and encouraged attendance by public to get their ideas and opinions heard.

All business complete, Nutting made a motion to adjourn. Jensen seconded the motion. All in favor. Council adjourned at 8:26 p.m. Meeting of this date held pursuant to published notice in The Creighton News, Creighton, Nebraska. The next regular meeting of the Mayor and Council will be held on Thursday, December 10, 2015 in the meeting room of the Creighton City Offices at 809 Main Street, Creighton, Nebraska at 6:30 p.m.

  
MAYOR

ATTEST:

  
CITY CLERK *Deputy Clerk*  
(SEAL)

