

**CITY OF CREIGHTON, NEBRASKA  
MINUTES OF COUNCIL MEETING  
Thursday, October 8, 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 8th day of October, 2015, at 6:30 p.m. Present were: Council members MaryAnne Block, Bob Jensen, Drew Nelson, Mike Nutting; ACT Lisa Parnell-Rowe; Deputy Clerk Ronda York; Water Commissioner Kevin Sonnichsen; Sewer Commissioner Alan Novacek; Economic Development Director Abigail Frank; and Police Officer Tiffany McLean. Mayer Chris Patrick 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 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 Council President Drew Nelson at 6:30 p.m. President Council Nelson presided, and the Deputy Clerk York recorded the proceedings.

The Pledge of Allegiance was recited by those in attendance.

President Council Nelson 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.

President Council Nelson asked if any boards had reports.

Frank updated everyone that Creighton has received Phase 1 of the Downtown Revitalization Grant. Frank also advised that the new Parks Board had their first meeting on September 29, 2015. Frank informed everyone that there will be a chamber coffee on October 9, 2015 at the city offices.

Fire Chief Kevin Sonnichsen gave the Creighton Fire report.

Judy Crockett, Creighton Library Board Member, updated everyone on library activities. Crockett advised the Wiegand Story was a big success with over 60 attendees. Crockett reminded everyone of the Annual Library Trick or Treat down Main Street, planned for October 31, 2015 at 10 a.m. and also a bake sale scheduled for November 20, 2015 from 8 a.m. to 11 a.m.

Dave Huigens gave the Creighton Ambulance report.

Jensen mentioned recent training done by Creighton Fire and Creighton Ambulance, stating it was very good and well organized. Jensen thanked Officer McLean and members of the fire and ambulance departments for all they do for our community.

President Council Nelson asked if anyone would like to make a motion to approve regular meeting minutes from the September 10, 2015 meeting.

Jensen made a motion seconded by Nutting, to approve the minutes from the September 10, 2015 meeting. RCV; Ayes: Block, Jensen, Nelson, Nutting. Nays: None.

A short discussion was held reference the additional bills paid since the September 2015 meeting. Jensen made a motion seconded by Block to approve additional bills paid since the September 2015 meeting. RCV; Ayes: Block, Jensen, Nelson, Nutting. Nays: None.

Jensen made a motion seconded by Nutting, to approve the list of bills for October 2015. RCV; Ayes: Block, Jensen, Nelson, Nutting. Nays: None.

Block made a motion seconded by Jensen, to approve all expenditures for September 2015. RCV; Ayes: Block, Jensen, Nelson, Nutting. Nays: None.

Nutting made a motion seconded by Block, to approve all receipts for September 2015. RCV; Ayes: Block, Jensen, Nelson, Nutting. Nays: None.

Parnell-Rowe explained the follow-up action by formal motion to approve Data Technologies Summit Software that Council had instructed her to order at a Special Meeting held on August 17, 2017. Several questions were asked and answered during a short discussion.

Jensen made a motion seconded by Block, to formalize the approval of Data Technologies Summit Software. RCV; Ayes: Block, Jensen, Nelson, Nutting. Nays: None.

There were no ordinances on the agenda.

A discussion was held on a Special Designated License for Jerry's Bar & Lanes. Questions were asked and answered. Block made a motion seconded by Nutting, to approve the SDL for Jerry's Bar & Lanes on November 14, 2015 from 5 p.m. to 11 p.m. RCV; Ayes: Block, Jensen, Nelson and Nutting. Nays: None.

Resolution 2015-8 to set employee bond amounts was discussed. Questions were asked and answered. Parnell-Rowe read Resolution 2015-8 out loud to the public.

Jensen made a motion seconded by Block, to approve Resolution 2015-8. RCV; Ayes: Block, Jensen, Nelson, Nutting. Nays: None.

Frank gave a presentation reference Downtown Revitalization Grant (DTR) Phase 1. Questions were asked and answered. Frank advised a "kick-off" meeting will be held in the middle of November and she hopes citizens of Creighton will attend. Frank also thanked the citizens and business owners of Creighton for all they did to help the community receive Phase 1 grant funding.

Parnell-Rowe read Resolution 2015-9 out loud, mentioning a typo that will need to be corrected before it is finalized.

Block made a motion seconded by Nutting, to approve Resolution 2015-9 with correction. RCV; Ayes: Block, Jensen, Nelson, Nutting. Nays: None.

Block advised everyone reference the selling of the MAX PAK Vertical Baler that was used in the City's recycling. The baler will no longer be utilized by the City. Block advised that recycling may begin again as early as May or June of 2016.

Parnell-Rowe read Resolution 2015-10 out loud.

Nutting made a motion seconded by Jensen, to approve Resolution 2015-10. RCV; Ayes: Block, Jensen, Nelson, Nutting. Nays: None.

A discussion was held reference extending bar hours of alcohol sales to 2 a.m. in accordance with state law. Block asked the requestor, Mr. Jerry Pospisil, what made him change his mind in regards to extending bar hours when six months prior he was against it. Pospisil advised City Council and the citizens present of his reasons for wanting to extend bar hours. Other bar owners were spoken to by council and have no objection to the extending the hours. Attorney Joe McNally will prepare the ordinance for our November 12, 2015 regular City Council meeting. This ordinance will be based on state statute that could be effective immediately if it is decided the three readings could be waived by City Council. City Council advised they would like the ordinance to extend bar hours to line up with the state law parameter of no later than 2 a.m. As this was placed on the agenda only as discussion at this time, no motion was necessary. City Council could waive the three readings and a motion for approval could be made at the next regular meeting.

A discussion was held on the approval for Mayor Patrick to sign a letter of engagement with Dana Cole Company for the City of Creighton audit for year ending September 30, 2015. ACT Parnell-Rowe explained an audit is done every year in December and is a quality check. Dana Cole Company will assist with this process. Questions were asked and answered.

Jensen made a motion seconded by Block, to approve Mayor Patrick to sign a letter of engagement with Dana Cole Company for the City of Creighton audit for year ending September 30, 2015. RCV; Ayes: Block, Jensen, Nelson, Nutting. Nays: None.

ACT Parnell-Rowe explained why the City needs an Emergency Management Director and further explained that Officer McLean was a good choice as she is a Police Officer for the City, a volunteer EMT, and already has a lot of the training needed for the position. Question were asked and answered.

Jensen made a motion seconded by Nutting, to approve Officer McLean's appointment as City of Creighton's Emergency Management Director and a 25 cent raise to take on this additional designation and duty. RCV; Ayes: Block, Jensen, Nelson, Nutting. Nays: None.

A discussion was held on the approval for Mayor Patrick to sign the final agreement for services previously bid out in a grant for water mapping to hire Miller & Associates. ACT Parnell-Rowe explained there had been a motion for approval in a previous meeting for the mapping to be added to the FY 15-16 budget. The grant would cover \$10,000 and the city has budgeted \$10,000 that the City must pay since the grant funding for this year was for \$10,000 less than when they applied a year ago. Sonnichsen advised the mapping is needed to know the location of water lines when the City or anyone else is digging. Sonnichsen advised one was done in 2006, but needs updating. Questions were asked and answered.

Jensen made a motion seconded by Nutting, to approve Mayor Patrick to sign final agreement for services previously bid out in the grant for water mapping to hire Miller & Associates. RCV; Ayes: Block, Jensen, Nelson, Nutting. Nays: None

ACT Parnell-Rowe explained the certification and addendum for Nebraska Board of Public Roads and Classification Standards (NBCS) Budget Report is required by the state to get state allocations for the 1 and 6 year plan. Questions were asked and answered.

Block made a motion seconded by Jensen, to approve Mayor Patrick to sign the Certification and Addendum for Nebraska Board of Public Roads and Classification Standards Budget Report due through our City Engineer by December 31, 2015. RCV; Ayes: Block, Jensen, Nelson, Nutting. Nays: None

Parnell-Rowe explained that we didn't have the final contract with Miller and Associates for the DTR Grant right now, but we will be receiving it once the Phase 1 grant has been fully signed. Parnell-Rowe advised Staff wants it approved so they can keep things moving to meet critical deadlines. Questions were asked and answered.

Block made a motion seconded by Nutting, to approve Mayor Patrick to sign final contract with Miller & Associates for the DTR Grant planning as the Contingent Planner (previously approved by City Council) after the City Attorney reviews. RCV; Ayes: Block, Jensen, Nelson, Nutting. Nays: None

Parnell-Rowe explained why there is a remaining balance on the roof bill. Questions were asked and answered.

Jensen made a motion seconded by Block, to approve transfer from General Savings Fund for remaining balance on the roof repair in the amount of \$18,368.14. RCV; Ayes: Block, Jensen, Nelson, Nutting. Nays: None

President Council Nelson advised the City does not currently have anything in our code allowing adjustments to be made in the City's sewer rates. Parnell-Rowe explained we are looking into adding language that will allow the City Administrator to make necessary adjustments, on the sewer rate *only*, if the period average is proven to be a result of an unexpected occurrence (e.g., toilet water running) with a valid receipt and inspection done by a plumber. This inspection and receipt would document the high water usage during this time as a result of extenuating circumstances and allow for ACT to refigure the sewer rate for the remainder of the year. Parnell-Rowe explained that the customer would still have to pay for the water that goes through the meter, but be allowed leniency to refigure the fixed sewer rate taken during that timeframe. The customer will also have to pay for the plumber. Questions were asked and answered. Sewer rate refiguring will be handled on a case-by-case basis once the ordinance is approved at the discretion of the ACT with a valid receipt from a plumber. As this was discussion only, no motion was needed at this time, but City Council gave the approval for City Attorney McNally to draft an ordinance that will start in Calendar Year 2016.

President Council Nelson asked Brandon Gragert to take the floor and explain his position on his sewer bill and his request for the City to pay it back. Gragert explained his sewer bill situation. There was a long discussion. Questions were asked and answered.

Jensen made a motion seconded by Block, to refigure his average water consumption during the time his sewer rate for FY 14-15 was assessed. They advised ACT and Deputy Clerk/Utility Biller to refigure this new fixed rate since the City had replaced the meter at Gragert's home in January 2014. Once the consumption is recalculated and the sewer rate refigured using this average Staff was advised to give Gragert a credit to his water bill in that amount over the course of the next four months (March, May, July, and September 2015). ACT Parnell-Rowe advised City Council that approving this individual's sewer rate to be refigured could bring others with similar scenarios to them for similar approval of exceptions at least until the new ordinance is fully approved and implemented. RCV; Ayes: Block, Jensen, Nelson, Nutting. Nays: None

President Council Nelson asked if anyone else had a comment about an item not on the agenda. There were no comments.

Officer Tiffany McLean gave the Creighton PD Report.

ACT Parnell-Rowe gave an Administrator Report.

ACT Parnell-Rowe also read an email from City Attorney McNally referencing money from the sale of the hospital. Several questions were asked and answered reference this money and CDs established from this money. One citizen wanted to stress that the Lundberg's were second to none in what they did for the community.

No Council Report.

No Mayer Report.

All business complete, Block made a motion to adjourn. Nutting seconded the motion. All in favor. Council adjourned at 8:17 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, November 12, 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

(SEAL)

