

**CITY OF CREIGHTON, NEBRASKA**  
**MINUTES OF COUNCIL MEETING**  
**Thursday, April 12, 2018**

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 April, 2018, at 6:30 p.m. Present were: Council members Bob Jensen, Steve Morrill, Drew Nelson, Mike Nutting; Administer/Clerk/ Treasurer (ACT) Lindsay Nelson; Deputy Clerk Ronda York; City Attorney Joe McNally; Economic Development (ED) Director Kylee Wilmes; Water Commissioner Kevin Sonnichsen; City Engineer Chris Miller, and Police Chief Mark Duncan. Absent: Mayor Chris Patrick

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. Mayor was given notice before the meeting. 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 Morrill at 6:30 p.m. Morrill presided, and Deputy Clerk York recorded the proceedings.

The Pledge of Allegiance was recited by those in attendance.

Morrill 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.

Morrill asked if there were any public comments on items not on the agenda. York explained there were five residents in attendance who wanted to be heard on high water usage during sewer rate setting time. Michael VanWinkle and Kristopher Turk advised they had water leaks during sewer setting time. VanWinkle and Turk presented documentation on repairs made. Mitch Nelson, representing St. Ludger's Social Hall, explained they did not have a leak but had high usage because of fish fries and Easter being early. Melissa Adams explained she did not have a leak, but high usage because Great Plains workers accidentally turned on her outside faucet on approximately January 26, 2018. Dick Salmen explained he is a "snow bird" and would like to set sewer back to last year usage as was gone during sewer setting time. Questions were asked and answered.

Jensen made a motion seconded by Nutting approve setting Michael VanWinkle, Kristopher Turk, and Dick Salmen's sewer usage to their 2017 usage rate. It will take effect on May 2018 bill to reset sewer usage to last year usage. RCV; All Ayes.

Nelson made a motion seconded by Nutting to deny setting St. Ludger's Social Hall and Melissa Adams sewer usage to their 2017 usage rate as they did not have leaks. RCV; All Ayes.

Jean Henes wanted an update on where the city is on Henes's release of easements on the Wewel Addition. McNally gave updates. Questions were asked and answered.

Morrill Open Hearing considering the following changes to the Zoning Book: 2.03.76 **Building Height** shall mean the vertical distance measured from the curb level to the highest point of a roof surface, if a flat roof, to the deck line of mansard roofs and to the mean height level between eaves and ridge for gable, hip and gambrel roofs. (remove picture)

Amend to: **Building Height shall mean the vertical distance measured from the curb level to the highest point of a roof surface.**

2.03.214 **HEIGHT OF BUILDING** shall mean the vertical distance above grade to the highest point of the coping of a flat roof, of the peak of a gable roof, or of any other type of pitched, hipped, or mansard roof. The grade may mean the highest adjoining sidewalk or ground surface within a 5-foot horizontal distance of the exterior wall of the building, when such sidewalk or ground surface is not more than 10 feet above grade. The height of a stepped or terraced building is the maximum height of any segment of the building.

**Amend to: Height of Building shall mean the vertical distance measured from the curb level to the highest point of a roof surface.**

Questions were asked and answered. The hearing will remain open until later in the meeting.

Morrill advised we would skip to #13 on the agenda. The meeting was turned over to Chris Miller. Miller explained what is going on with Valley Gutter Improvements and Culvert Installation. Miller advised bids for the projects were opened at 4:00 p.m. Miller gave summary of bidders. Questions were asked and answered

Nutting made a motion seconded by Jensen to accept A & R Construction's bid of \$43,185.12 for Bid A and FCF Construction's bid of \$9,730.00 for Bid B. RCV; All Ayes.

Morrill asked if any boards had reports.

Kevin Sonnichsen gave Fire Department report. ACT Nelson read note for Creighton Ambulance Chief Jane Wilmes. ED Director Kylee Wilmes gave an ED report. ACT Nelson gave a Keep Creighton Beautiful (KCB) report. Library Director Lisa Macke gave a library report. Water Commissioner Kevin Sonnichsen gave water and sewer report. Jan Jorgenson gave a tree board report. ED Director Kylee Wilmes gave updates on recycling. No other boards present to give a report.

Jensen made a motion seconded by Nelson to approve the minutes from Regular Meeting March 8, 2018 meeting. RCV; All Ayes.

Nutting made a motion seconded by Jensen to approve additional bills paid since March 9, 2018. RCV; All Ayes.

Jensen made a motion seconded by Nutting to approve April 2018 bills. RCV; All Ayes.

Nelson made a motion seconded by Nutting to approve all expenditures for March 2018. RCV; All Ayes.

Jensen made a motion seconded by Nutting to approve receipts for March 2018. RCV; All Ayes.

ACT Nelson explained recommendations from the Park Board regarding seasonal hires. Questions were asked and answered.

Jensen made a motion seconded by Nelson to approve the Park Boards seasonal hires. RCV; All Ayes.

Nutting made a motion seconded by Jensen to approve Toni Tauber appointment to the Park Board. RCV; All Ayes.

McNally gave updates on the building located at 706 Main Street. Questions were asked and answered

Jensen made a motion seconded by Nutting to seek estimates on the cost of demolition and removal of the building at 706 Main. Attorney McNally will take care of all legal aspect. RCV; All Ayes.

Morrill read an Arbor Day proclamation and advised will be celebrated on April 26, 2018. There will be an Arbor Day program the city park on April 26, 2018.

ACT Nelson explained Resolution 2018-2 to close HWY 59 for BerryPepper Street Dance on June 16, 2018. Questions were asked and answered.

Nelson made a motion seconded by Nutting to approve Resolution 2018-2 to close HWY 59 for BerryPepper Street Dance. RCV; All Ayes.

ACT Nelson explained two Special Designated License requests for BerryPepper Days. Questions were asked and answered.

Jensen made a motion seconded by Nutting to approve Special Designated License for the Berry Pepper Days dance on Main Street, June 16, 2018 from 8 A.M to June 17, 2018 2 A.M. Bulldog Sports Lounge. RCV; All Ayes.

Nutting made a motion seconded by Jensen approve Special Designated License for Beer Garden in Alley behind 802 Main, June 15, 2018 from 4 P.M to June 16, 2018 2 A.M. Bulldog Sports Lounge. RCV; All Ayes.

Morrill closed hearing reference changes to zoning book at 7:51 p.m. There were no questions.

McNally read Ordinance Number 800 by title.

Jensen made a motion seconded by Morrill to waive the three readings of Ordinance number 800, zoning book updates. RCV; All Ayes.

Jensen made a motion seconded by Nutting to approve Ordinance number 800 zoning book updates. RCV; All Ayes.

ACT Nelson advised the park board wanted to have free swimming during BerryPepper weekend like they have done in the past. Questions were asked and answered.

Nelson made a motion seconded by Jensen to have free swimming at the pool during BerryPepper Days. RCV; All Ayes.

ACT Nelson explained recommendation from Creighton Housing Rehab board to approve Applicant #CRE-HR-01. Questions were asked and answered.

Jensen made a motion seconded by Nutting to approve Housing Rehab Applicant #CRE-HR-01. RCV; All Ayes.

Discussion was held on the city's main checking account balance. ACT Nelson explained options. Questions were asked and answered.

Morrill made a motion seconded by Jensen to approve moving some money from the city's regular checking into a money market account at Midwest Bank and give ACT Nelson the authority to handle it as needed. RCV; All Ayes.

ACT Nelson explained the CDBG 15-DTR-106 drawdown #9 for project activity in the amount of \$5,019.96. Questions were asked and answered.

Nelson made a motion seconded by Jensen to approve the CDBG 15-DTR-106 drawdown #9 for project activity in the amount of \$5,019.96. RCV; All Ayes.

Police Chief Duncan gave a Creighton Police Report.

ACT Nelson gave an Administrator Report.

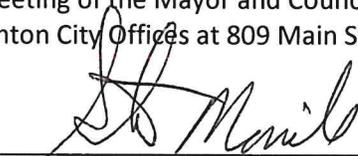
Jensen advised he would like to go into executive session reference the lawsuit against the city.

Jensen made a motion seconded by Nelson to go into executive session reference the lawsuit against the city. RCV; Three Ayes. Nutting recused himself.

Jensen, Morrill, and Nelson went into executive session at 8:14 p.m. with McNally. Nutting abstained from going into the session.

They came out of executive session at 8:35 p.m.

All business complete, Jensen made a motion to adjourn. Nelson seconded the motion. All present in favor. Council adjourned at 8:36 p.m. Meeting of this date was 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, May 10, 2018 in the meeting room of the Creighton City Offices at 809 Main Street, Creighton, Nebraska at 6:30 p.m.

  
COUNCIL PRESIDENT

ATTEST:

