

Regular meeting of the mayor and council was held October 17, 2016, 5:00 p.m., at city hall. Mayor Jennifer Brush presided. Council members present: John Cary, Devin Renken, Teri Cordill. Council members Tonya Kuhn and John Bisnette were absent. Also present: Bruce Berkley, Ron Duran, Terry Gradig, Vickie Oviatt, LaRhea Cole, Sherry Knouf, and Charlie Stevens.

Mayor Brush called the meeting to order and led in the flag salute.

Teri moved to approve the minutes of the October 3, 2016 meeting. Devin seconded the motion. Carried.

Terry Gradig had nothing to report for Code Enforcement activity.

City Attorney presented three ordinances that he had prepared: #975, an ordinance Annexing Land to the City; #976 Regulating the Placement and Use of Shipping Containers; #977 Adding RV-1 Extended Stay Overlay District.

John moved to send a copy of the proposed Ordinance #977 to John Riggs for his opinion. Motion died, lack of second.

Devin moved to table the proposed Ordinance #977 until the next regular meeting. John seconded the motion. Devin and John – Yes; Teri – No. Motion carried.

John moved to pass Ordinance #976. Motion died, lack of second. Devin suggested enforcing the current ordinances rather than add another, and also recommended waiting to discuss when a full council is present. John said that Bruce did a good job putting together the proposed regulations from Mayor Brush.

John moved to pass Ordinance #975. Teri seconded. Teri and John – Yes; Devin – No. Motion carried.

Devin discussed his thoughts on these ordinances that “pop up the night of the meeting”. He said that there should be time to review before taking action. He noted that they were not on the agenda, and this is not being very transparent to act on them, knowing that they are not time sensitive. John commented that the public voted the council to be the grown-ups, and that they are not trying to hide anything.

Ron Duran was present to see if the council had any questions for him on procedure. Mayor Brush noted that the clinic has an agreement to take in dogs from the city limits, not from the country. She said in addition there had been a kitten brought to the clinic by someone other than animal control that is requiring medical care. Ron asked that the council go along with responding to calls out of the city limits when called by the Sheriff's office to do so. John suggested Ron use his best judgement. A new complaint was reviewed that Ron will address regarding dogs at 514 Beale.

Mayor Brush asked the council about the request to have three dogs that was received at the last meeting by Terry Craig. John recommended enforcing the code's limit of two dogs.

Sherry Knouf, DAC, requested the memorial hall fees be waived for the USO show and for the Tree Fest. Devin moved, seconded by John, to waive the memorial hall fees for Downs Arts Council for the USO Show, November 12, 2016 and for the Tree Fest, December 1 – December 4, 2016. Carried.

Terry reported on prices to finish the pool tile @ \$1,761.20.

Terry reported that someone is renting the memorial hall for Monday night and they intend to put 150 people upstairs. Terry would like to shut off the upstairs, noting that some of the seats are not bolted down making it unsafe. LaRhea said that about 100 use the upstairs at Bridal Fair as well. Bruce advised Terry to put up signs that say, "No Unauthorized Persons". John moved to allow Terry to close off the balcony of the memorial hall and add to the contract that the balcony is closed to public access. Teri seconded. Carried. Terry will call the party that has it rented for October 24.

Terry reported that he had only one bad lead and copper sample. He has hand delivered the test results to the locations sampled.

Terry requested approval to purchase additional water meters. John moved, seconded by Teri, to allow the city superintendent to purchase 66 new water meters at a total of \$13,588.08 from the water fund. Carried.

Council agreed to grant Terry permission to travel to Kansas City to look at a 1995 jet truck. Key Equipment has it listed at \$34,000.

Terry presented a Dane G. Hansen Project Budget form that he had prepared for Road Side Park Ballfield Rehabilitation. Project expenses are estimated at \$28,631.90. Terry had met with the park and recreation commission to discuss the ballfields and they all agreed it would be best to eliminate the south ballfield. John suggested that Terry also check with Scoular and the Lions Club for input. John moved to allow the city superintendent to proceed with a funding request for the roadside park ballfield rehabilitation. Devin seconded. Carried.

John moved to allow the mayor to sign the audit and budget contract with Swindoll, Janzen, Hawk, & Loyd. Teri seconded the motion. Carried.

Devin moved to approve building permit #16-32. Teri seconded. Carried.

Mayor Brush reported on the First Impressions meeting. Members including herself are: Samantha Russell, Evan Joy, Ron Duran, Glenda Rothchild, Dalton Remus, Tonya Kuhn. John moved, seconded by Devin, to allow the mayor to apply for Dane Hansen grants for city wide improvements. Carried.

Mayor Brush reported that she had attended the Osborne County Foundation meeting on October 11. Representatives from all five communities in Osborne County met to learn about the potential to form an Osborne County Foundation. The next meeting is scheduled for Wednesday November 9<sup>th</sup> at the Osborne Public Library, 7:00 – 9:00.

Vouchers were reviewed and signed. Devin moved, seconded by Teri, to approve the vouchers and payroll as presented. Carried.

At 6:46 p.m., John moved to recess into executive session with the mayor, council, city clerk and city attorney for 30 minutes to discuss matters pertaining to attorney client privilege. Devin seconded the motion. Carried.

At 7:05 p.m., regular session resumed.

Devin moved, seconded by Teri to adjourn the meeting. Carried. Meeting adjourned.

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Jennifer Brush, Mayor

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Vickie Oviatt, Clerk