

Regular meeting of the mayor and council was held November 7, 2016, 5:00 p.m. at city hall. Mayor Jennifer Brush presided. Council members present: Devin Renken, John Bisnette, Tonya Kuhn, Teri Cordill, and John Cary. Also present: Marcus Betzold, Evan Joy, Bruce Berkley, Ron Duran, Vickie Oviatt, LaRhea Cole, Jason Kibbe, Terry Gradig, Jason Cherek, Jimmy Busby.

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

Teri moved, seconded by Devin, to approve the minutes of the October 17, 2016 meeting. Carried. Tonya and John B. abstained.

Deputy Marcus Betzold, Osborne County Sheriff's Department, presented the report of law enforcement activity for the period of October 1 – November 1, 2016. Mayor Brush requested a report on the nuisance vehicles by the next meeting, November 21, 2016.

City Attorney had contacted the owner of the nuisance property located at 220 First Street. Jimmy Rich has agreed to deed his property to the city. Council agreed to continue with this process of cleaning up. Terry will prepare a listing of potential properties.

Mayor Brush reported that the city attorney had contacted Becker's regarding their insurance claim. She asked that Bruce continue to work with John Riggs in updating maps with new boundaries.

Ron Duran asked how the council wanted him to respond to Justin Towery's inquiry concerning the number of dogs allowed. Mayor Brush responded for Ron to advise that two dogs are the limit. Mayor Brush noted that there have been a lot of problems with dogs and cats and asked if the council wanted to change the number allowed. John C. noted that several violations/complaints were reported this year and advised to stick to the ordinance and limit to two dogs. Devin responded that possibly something could be set up allowing more than the limit with a special use permit. Teri commented that maybe three to four dogs could be allowed with increased fees. Bruce reviewed the codes and definitions on kennels. Three dogs are in violation of zoning. Following discussion, Ron said that he will tell them to get rid of the third dog.

Terry reported that he has completed the concrete sections at the memorial park. He also presented an update on the ballfield grant application. Terry has sent in samples of water from areas surrounding Downs to be tested for possible water sources. Wilson & Co. will attend the December 5th meeting.

City clerk shared a thank you note from the city treasurer. Concerns had been received from citizens regarding the length of time that the train blocks the crossings during fall harvests. Clerk was advised that citizens should call the sheriff's office as this is a state law violation. Council members signed the previously approved audit and budget contract.

Erik Vrbas did not appear for his request regarding the city owned drainage ditch in lot 8, Shook's 1<sup>st</sup> Addition. Bruce explained that the city owns a strip of land dividing Erik's property, specifically the west 36.5 feet of lot two, the east 36 feet of lot four, and the west 4 feet of lot 5, all in block eight, Shook's First Addition. Bruce recommended that the council sell the land, but retain an easement. Council agreed to give the land to Erik. Bruce will prepare a deed in exchange for an easement.

Tonya moved to approve electrical license #16-56. John B. seconded the motion. Carried.

Tonya moved, seconded by Devin, to approve tree trimming license #16-57. Carried.

John B. moved, seconded by Devin, to approve building permits #16-33 and #16-34. Carried.

John C. had sent the draft ordinance proposing an "RV-1" Recreational vehicle extended stay overlay district to John Riggs for opinion. Mr. Riggs revised the ordinance with a few changes. There was discussion. John B moved, seconded by Devin, to pass Ordinance #976 with changes. Tonya, Teri, John B., and Devin – Yes; John Cary – No. Motion carried.

At 6:15 p.m., Jimmy Busby arrived for a hearing on his water bill which was due October 15. A leak occurred causing a large amount of consumption. He requested additional time to bring the account current. Council agreed to give Mr. Busby until November 16<sup>th</sup> to pay or attend the next meeting on November 21<sup>st</sup>.

Alice Bliss had also submitted a request for a hearing on her water account as well, but did not appear. Council agreed to the same November 16th schedule of payment.

John C. reintroduced the proposed ordinance regulating the placement and use of shipping containers. There was discussion. Jason Kibbe, Osborne City council member, commented that, in Osborne, they use a weight criteria. John C. noted that his concern is residential placement, rather than industrial or commercial, protecting the investment of a home. John B. recommended tabling the ordinance for further review.

Mayor Brush reported that she had received a resignation letter from Tim Parker, planning commission member. Referencing the newly appointed members in the planning commission and zoning boards, John C. suggested that it might be a good idea for John Riggs to conduct another training session.

Mayor Brush reported that she will attend the next Osborne County Foundation meeting, Wednesday evening, November 9<sup>th</sup> at the Osborne Public Library.

Mayor Brush reported that she has submitted applications to the Dane G. Hansen Community Clean-Up Grant, and to the Dane G. Hansen Community Beautification.

Mayor Brush reported that the First Impressions Committee will be setting up a meeting.

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

At 6:51 p.m., Devin moved, seconded by Tonya, to recess into executive session for 10 minutes to discuss non-elected personnel, with the council and mayor present. Carried.

(remaining minutes by Jennifer Brush)

At 7:00 p.m., council returned to regular session. John C. made a motion to go back into executive session for 10 more minutes with the council and mayor to discuss non-elected personnel. John B. seconded the motion. Motion passed unanimously.

At 7:05 p.m., council returned to regular session.

John Cary made a motion to adjourn. Tonya seconded. Motion passed unanimously.

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Jennifer Brush, Mayor

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Vickie Oviatt, Clerk