

City of Fort Calhoun

March 15, 2010

The regular meeting of the City Council of the City of Fort Calhoun, Nebraska, was held in open and public session at 7:30 o'clock p.m., on March 15, 2010 in the City Council Chambers/Library at the City Hall in Fort Calhoun, Nebraska. On roll call, the following Council Members answered present: David Genoways, Darin Wilson and LeRoy Nelson and Mike Smith.

Notice of the meeting was given in advance thereof by publication, said form of notice being a designated method for giving notice, an affidavit of publication being attached to these minutes.

Advance notice of this meeting was also given to the Mayor and all Council Members. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor and Council Members. All proceedings hereafter shown were taken while the meeting was open to the attendance of the public.

With a quorum present, the Mayor presided and the Clerk recorded the proceedings.

Mayor Oestmann publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act was available for review and indicated the location of such copy in the room where the meeting was being held.

Member Smith made a motion seconded by Member Genoways to approve the February 15, 2010 minutes as published. With members, Wilson, Nelson, Genoways and Smith voting "Aye"; motion carried.

Member Genoways made a motion seconded by Member Nelson to accept the Treasurer's Report as presented. With members Nelson, Smith, Genoways and Wilson voting "Aye"; motion carried.

Member Genoways made a motion seconded by Member Smith to approve the following bills for payment, as amended:

OPPD, 3,192.28, ult; MUD, 773.03, ult; Papio M-R NRD, 3,942.35, water; Abe's Trash, 39.69, ser; Am. Broadband, 378.21, utl; Blue Cross, 1,811.60, hlth ins; Bi-State, 232.14, sup; Barco, 684.20, sup; Calhoun Oil, 985.70, fuel; City of Blair, 5,064.28, ser; D. Carlson, 5,250.00, ser; Depository Trust, 12,952.50, int.; Egr, James, 956.25, ser; Enterprise, 404.76, pub; Great Plains Communications, 14.95, ser; Great Southern Bank Visa, 924.13, sup; Great Southern Bank, 5,856.60, eqp; HD Waterworks, 196.80, sup; J. Jones, 400.00, fee; MARC, 206.86, sup; Max I. Walkers, 183.30, ser; Maid/USA, 120.00, ser; National Safety, 270.00, fee; NE Clerks Inst, 130.00, trng; NE Dept Rev., 1,202.48, sales tax & 100.00, fee; NMC Exchange, 4,219.92, rental; PC Services, 116.00, ser; Postmaster, 131.08, sup; Quill, 19.06, sup; Smithers, 1,325.00, ser; Schemmer, 7,930.41, ser; Solution One, 49.40, sup; SimplexGrinell, 73.00, ser; Sprint/NEXTEL, 135.11, ser; Washington County Sheriff, 5,534.27, contract; J. Ruma, 492.41, reimb; C. Carter, 162.50, reimb; D. Genoways, 23.23, reimb; Clyde's Rpr, 95.00, ser; R. Golden, 720.00, ser; February Payroll, 7,571.92. With members Smith, Genoways, Wilson and Nelson voting "Aye"; motion carried.

Washington County Sheriff Report – no questions

Member Genoways made a motion seconded by Member Nelson to accept the March 1, 2010 Planning Commission minutes as presented. With members Genoways, Wilson, Nelson and Smith voted "Aye", motion carried.

Member Genoways made a motion seconded by Member Nelson to refund the Re-Zoning Application Fee to the Swenson's for Lots 1-3, Blk 56 in the Calhoun Company Addition. With members Wilson, Nelson, Smith and Genoways voting "Aye", motion carried.

Mayor and Council gave direction for the Planning Commission to start the process to re-zone all of Block 56 in the Calhoun Company Addition to Urban Corridor.

Member Smith made a motion seconded by Member Genoways to accept the March 11, 2010 Park Board Minutes as published. With members Smith, Genoways, Wilson and Nelson voting "Aye", motion carried.

Member Genoways made a motion seconded by Member Nelson to approve the Washington County Historical Association's request to use West Market Square Park for the Second Annual Tractor's Tall and Small event and to close Monroe Street from 14<sup>th</sup> to 16<sup>th</sup> Street and South 15<sup>th</sup> Street from Court to Adams Street, Saturday, August 14, 2010. With members Genoways, Wilson, Nelson and Smith voting "Aye", motion carried.

Ball field concession stand/restroom and in-field improvements were discussed and proposals will be monitored and acted upon in the near future.

Member Nelson made a motion seconded by Member Smith to accept the March 8, 2010 Enhancement Minutes as published (note date change due to lack of quorum.) With members Genoways, Wilson, Nelson and Smith voting "Aye", motion carried.

At 7:55 o'clock p.m., Mayor Oestmann stated in accordance with the published notice, it was now time to conduct the public hearings relative to hearing support, opposition, criticism, suggestions or observations relating to the following:

AN ORDINANCE OF THE CITY OF FORT CALHOUN, NEBRASKA TO AMEND ARTICLE 7 "SUPPLEMENTAL SITE DEVELOPMENT REGULATIONS", SECTION 706 "ACCESSORY BUILDINGS" OF THE FORT CALHOUN, NEBRASKA ZONING REGULATIONS TO IMPROVE REGULATIONS RELATED TO ACCESSORY BUILDINGS.

Mayor Oestmann asked the clerk if any written comments had been received: None

Mayor Oestmann then asked if there were any persons present who wished to be heard concerning the proposed program. Following questions, Mayor Oestmann declared the public hearing closed and moved on to the next item at 7:57 p.m.

AN ORDINANCE OF THE CITY OF FORT CALHOUN, NEBRASKA TO AMEND ARTICLE 4 "ZONING DISTRICT REGULATIONS", TABLE 4-3 "SUMMARY OF SITE DEVELOPMENT REGULATIONS" OF THE FORT CALHOUN, NEBRASKA ZONING REGULATIONS TO IMPROVE REGULATIONS RELATED TO SETBACKS IN THE "TA" DISTRICT.

Mayor Oestmann asked the clerk if any written comments had been received. None

Mayor Oestmann then asked if there were any persons present who wished to be heard concerning the proposed ordinance regarding changes. Following comments, Mayor Oestmann declared the public hearing closed and moved on to the next item at 7:59 p.m.

AN ORDINANCE OF THE CITY OF FORT CALHOUN, NEBRASKA TO AMEND ARTICLE 2 "DEFINITIONS" OF THE FORT CALHOUN, NEBRASKA ZONING REGULATIONS TO INCLUDE "PRINCIPAL USE" AND "PRINCIPAL STRUCTURE" WITHIN THE REGULATIONS AND TO MODIFY THE DEFINITION OF ACCESSORY STRUCTURE.

Mayor Oestmann asked the clerk if any written comments had been received. None

Mayor Oestmann then asked if there were any persons present who wished to be heard concerning the proposed ordinance regarding changes. There being none, Mayor Oestmann moved on to the next item at 8:00 p.m.

AN ORDINANCE OF THE CITY OF FORT CALHOUN, NEBRASKA TO AMEND ARTICLE 3 "PROCEDURES AND ADMINISTRATION", OF THE FORT CALHOUN, NEBRASKA SUBDIVISION REGULATIONS, TO INCLUDE REGULATIONS RELATED TO RE-PLATS.

Mayor Oestmann asked the clerk if any written comments had been received. None

Mayor Oestmann then asked if there were any persons present who wished to be heard concerning the proposed ordinance regarding changes. Following comments, Mayor Oestmann moved on to the next item at 8:01 p.m.

AN ORDINANCE OF THE CITY OF FORT CALHOUN, NEBRASKA TO REZONE CC CALHOUN CO. ADD LOTS 1 AND 2 (CALHOUN CAR WASH), BLK 56, AND CC CALHOUN CO. ADD LOT 3 BLK 56, FROM R-3 TO UC DISTRICT.

Mayor Oestmann then asked if there were any persons present who wished to be heard concerning the proposed ordinance regarding changes. Following comments, Mayor Oestmann declared the public hearings closed at 8:02 p.m.

City Engineer Woracek discussed the proposed plan to provide the city's comments for the Papio-NRD Hazard Mitigation Plan working with staff and Council members for their input.

City Attorney Egr reported on the pending legal matters.

Member Genoways made a motion seconded by Member Nelson to approve the Memorandum of Understanding revising the May 1999 Merger Agreement with the Fort Calhoun Rural Fire District as amended. With members Wilson, Nelson, Smith and Genoways voting "Aye", motion carried.

Member Genoways made a motion seconded by Member Nelson to approve the Letter of Support for Paula Hazelwood, Executive Director of Gateway Development Corporation, to be the lead contact for Economic Development activity concerning the city. With members Nelson, Smith, Genoways and Wilson voting "Aye", motion carried.

Member Smith made a motion seconded by Member Nelson to participate in the MAPA Regional Visioning Readiness Assessment, with Joy Ruma as representative. With members Genoways, Wilson, Nelson and Smith voting "Aye", motion carried.

The clerk was directed to contact Fort Calhoun's County Commissioners requesting their participation in the March 23 and April 6 Economic Development Strategic Planning Sessions and the Gateway Development 2009 Fourth Quarter Report was placed on file.

Member Genoways introduced the following RESOLUTION NO. 2010 - 02 and moved for its passage and adoption. Motion seconded by Member Smith. On roll call, the following voted "Aye": Wilson, Nelson, Smith and Genoways. The following voted "Nay": NONE. Motion carried.

A true and complete copy of the said resolution is as follows:

RESOLUTION NO. 2010 – 02

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA, THAT

WHEREAS, local municipal government, county government, and regional economic development entities must provide leadership and coordination for economic development efforts; and

WHEREAS, economic development needs can best be solved through a cooperative effort between local, county, regional and state economic development organizations and entities: and

WHEREAS, there is a need to recognize our community's organizational readiness, infrastructure investment, ability to respond to business needs, and

WHEREAS, the Economic Development Certified Community Program, administered by the Nebraska Department of Economic Development, has been reviewed and found to be a program promoting our community's economic development preparedness;

THEREFORE, the city council of Fort Calhoun does herewith pledge their full support, endorsement and cooperation for participation in Nebraska's Economic Development Certified Community Program by Fort Calhoun.

ADOPTED THIS 15<sup>th</sup> DAY OF MARCH 2010

PAUL L. OESTMANN, MAYOR

ATTEST:

LINDA WELSHER, CMC, CITY CLERK

Member Genoways introduced the following Ordinance No. 635 entitled, giving an overview of the complete revision of the Article to an application process followed by other communities of like size instead of the Special Use process recommended and tabled at the February meeting:

AN ORDINANCE OF THE CITY OF FORT CALHOUN, NEBRASKA TO AMEND AND COMPLETELY REVISE ARTICLE III FIREWORKS; REGULATING THE POSSESSION, STORAGE, DISTRIBUTION, SALE, USE OR DISCHARGE OF ANY FIREWORKS WITHIN THE CITY OF FORT CALHOUN, NEBRASKA; ADDING PERMISSIBLE FIREWORKS DESIGNATION; ADDING FIREWORKS EXCEPTIONS; ADDING FIREWORKS RESTRICTIONS; ADDING GENERAL REQUIRMENTS FOR STANDS, BOOTHS OR OTHER PLACES OF SALE; ADDING PROVISION FOR FIRE EXTINGUISHER; COMPLIANCE WITH STATE LAW; TO REQUIRE RETAIL LICENSING OF ALL RETAIL SELLERS OF FIREWORKS; TO LIMIT ONE LOCATION PER LICENSE; TO PROVIDE AN APPLICATION FOR LICENSE; HEARING REQUIREMENT; WAIVER OF HEARING; IMPOSE AN ANNUAL LICENSE FEE; ESTABLISH A CONSENT FOR BOND; BOND FORFEITURE AND RETURN; TO REQUIRE LIABILITY INSURANCE UPON ON SUCH LICENSEES; DEFINE PLACE OF BUSINESS; REQUIRE INSPECTIONS; REQUIRE DISPLAY OF LICENSE; DURATION OF LICENSE; ESTABLISH AGE OF MANAGER ON PREMISES; AND TO PROVIDE PROVISIONS FOR VIOLATIONS AND PROVIDE FOR PENALTIES; TO PROVIDE FOR SEVERABILITY; TO

REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND TO ESTABLISH WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE.

Member Smith made a motion to approve the first reading of revised Ordinance No. 635 seconded by Member Genoways. Mitch Robinson voiced concern that since the Ordinance was tabled in February to the August 16, 2010 meeting and that it should not be on this agenda.

*[Note: A motion to table an item can only be until the next meeting; the action taken at the February meeting was an error in procedure.]*

Following questions concerning Robert's Rules; the item being out of order, or not and whether the item needed to be brought back to the table and discussion concerning the tentative effective date and supporting zoning regulations that could be needed – the discussion was dropped; no vote taken and the reading was postponed. *[Note: Error in procedure.]*

*[Ordinance No. 635 revising Article 3 Fireworks will be on the April 19, 2010 for corrective action and for re-introduction and consideration.]*

Member Nelson introduced the following Ordinance No. 636 entitled:

AN ORDINANCE AMENDING ARTICLE 7 "SUPPLEMENTAL SITE DEVELOPMENT REGULATIONS", SECTION 706 "ACCESSORY BUILDINGS" OF THE FORT CALHOUN, NEBRASKA ZONING REGULATIONS TO IMPROVE REGULATIONS RELATED TO ACCESSORY BUILDINGS.

and moved that the statutory rule requiring reading on three different days be suspended. Member Wilson seconded the motion to suspend the rules and following discussion, upon roll call vote on the motion the following Council Members voted AYE: Genoways, Wilson, Nelson and Smith. ABSENT: None. The following voted NO: None. The motion to suspend the rules was adopted by three-fourths of the City Council and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter Member Smith moved for final passage of the ordinance, which motion was seconded by Member Nelson. The Mayor then stated the question was "Shall Ordinance No. 636 be passed and adopted?" Upon roll call vote, the following Council Members voted AYE: Wilson, Nelson, Smith and Genoways. ABSENT: None. The following voted NO: None. The passage and adoption of said ordinance having been concurred in by three-fourths of all members of the Mayor and City Council, the Mayor declared the ordinance adopted and the Mayor in the presence of the City Council signed and approved the ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto. A true, correct and complete copy of said ordinance is on file at the city office during normal business hours.

Member Wilson introduced the following Ordinance No. 637 entitled:

AN ORDINANCE AMENDING ARTICLE 4 "ZONING DISTRICT REGULATIONS", TABLE 4-3 "SUMMARY OF SITE DEVELOPMENT REGULATIONS" OF THE FORT CALHOUN, NEBRASKA ZONING REGULATIONS TO IMPROVE REGULATIONS RELATED TO SETBACKS IN THE "TA" DISTRICT.

and moved that the statutory rule requiring reading on three different days be suspended. Member Smith seconded the motion to suspend the rules and following discussion, upon roll call vote on the

motion the following Council Members voted AYE: Nelson, Smith, Genoways and Wilson. ABSENT: None. The following voted NO: None. The motion to suspend the rules was adopted by three-fourths of the City Council and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter Member Nelson moved for final passage of the ordinance, which motion was seconded by Member Genoways. The Mayor then stated the question was "Shall Ordinance No. 637 be passed and adopted?" Upon roll call vote, the following Council Members voted AYE: Smith, Genoways, Wilson and Nelson. ABSENT: None. The following voted NO: None. The passage and adoption of said ordinance having been concurred in by three-fourths of all members of the Mayor and City Council, the Mayor declared the ordinance adopted and the Mayor in the presence of the City Council signed and approved the ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto. A true, correct and complete copy of said ordinance is on file at the city office during normal business hours.

Member Genoways introduced the following Ordinance No. 638 entitled:

AN ORDINANCE AMENDING ARTICLE 2 "DEFINITIONS" OF THE FORT CALHOUN, NEBRASKA ZONING REGULATIONS TO INCLUDE "PRINCIPAL USE" AND "PRINCIPAL STRUCTURE" WITHIN THE REGULATIONS AND TO MODIFY THE DEFINITION OF ACCESSORY STRUCTURE.

and moved that the statutory rule requiring reading on three different days be suspended. Member Nelson seconded the motion to suspend the rules and following discussion, upon roll call vote on the motion the following Council Members voted AYE: Nelson, Smith, Genoways and Wilson. ABSENT: None. The following voted NO: None. The motion to suspend the rules was adopted by three-fourths of the City Council and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter Member Smith moved for final passage of the ordinance, which motion was seconded by Member Nelson. The Mayor then stated the question was "Shall Ordinance No. 638 be passed and adopted?" Upon roll call vote, the following Council Members voted AYE: Smith, Genoways, Wilson and Nelson. ABSENT: None. The following voted NO: None. The passage and adoption of said ordinance having been concurred in by three-fourths of all members of the Mayor and City Council, the Mayor declared the ordinance adopted and the Mayor in the presence of the City Council signed and approved the ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto. A true, correct and complete copy of said ordinance is on file at the city office during normal business hours.

Member Nelson introduced the following Ordinance No. 639 entitled:

AN ORDINANCE AMENDING ARTICLE 3 "PROCEDURES AND ADMINISTRATION", OF THE FORT CALHOUN, NEBRASKA SUBDIVISION REGULATIONS TO INCLUDE REGULATIONS RELATED TO RE-PLATS.

and moved that the statutory rule requiring reading on three different days be suspended. Member Genoways seconded the motion to suspend the rules and following discussion, upon roll call vote on the motion the following Council Members voted AYE: Genoways, Wilson, Nelson and Smith. ABSENT: None. The following voted NO: None. The motion to suspend the rules was adopted by three-fourths of the City Council and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter Member Genoways moved for final passage of the ordinance, which motion was seconded by Member Smith. The Mayor then stated the question was "Shall Ordinance No. 639 be passed and adopted?" Upon roll call vote, the following Council Members voted AYE: Wilson, Nelson, Smith and Genoways. ABSENT: None. The following voted NO: None. The passage and adoption of said ordinance having been concurred in by three-fourths of all members of the Mayor and City Council, the Mayor declared the ordinance adopted and the Mayor in the presence of the City Council signed and approved the ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto. A true, correct and complete copy of said ordinance is on file at the city office during normal business hours.

Member Genoways introduced the following Ordinance No. 640 entitled:

AN ORDINANCE TO AMEND THE OFFICIAL ZONING DISTRICT MAP OF FORT CALHOUN, NEBRASKA, ADOPTED BY REFERENCE WITHIN THE ZONING CHAPTER OF THE LAND DEVELOPMENT ORDINANCE OF FORT CALHOUN, (ORINANCE NO. 577, May 21, 2007), BY CHANGING THE ZONING CLASSIFICATION FROM MULTIPLE-FAMILY RESIDENTIAL DISTRICT TO URBAN CORRIDOR DISTRICT, CC CALHOUN CO. ADD. LOTS 1 AND 2 (CALHOUN CAR WASH), BLK 56, AND CC CALHOUN CO. ADD. LOT 3 BLK 56, FORT CALHOUN, WASHINGTON COUNTY, NEBRASKA: ALL AS MORE SPECIFICALLY DEPICTED AND LEGALLY DESCRIBED UPON THE ATTACHED MAP, PLAT OR SURVEY: REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN FORCE AND EFFECT.

and moved that the statutory rule requiring reading on three different days be suspended. Member Nelson seconded the motion to suspend the rules and following discussion, upon roll call vote on the motion the following Council Members voted AYE: Nelson, Smith, Genoways and Wilson. ABSENT: None. The following voted NO: None. The motion to suspend the rules was adopted by three-fourths of the City Council and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter Member Smith moved for final passage of the ordinance, which motion was seconded by Member Genoways. The Mayor then stated the question was "Shall Ordinance No. 640 be passed and adopted?" Upon roll call vote, the following Council Members voted AYE: Smith, Genoways, Wilson and Nelson. ABSENT: None. The following voted NO: None. The passage and adoption of said ordinance having been concurred in by three-fourths of all members of the Mayor and City Council, the Mayor declared the ordinance adopted and the Mayor in the presence of the City Council signed and approved the ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto. A true, correct and complete copy of said ordinance is on file at the city office during normal business hours.

Member Genoways introduced the following Ordinance No. 641 entitled:

AN ORDINANCE TO AMEND ARTICLE III – SEWER DEPARTMENT, SECTION 6-301: TERMS DEFINED, AND TO AMEND SECTION 6-304: SEWER USE RATES; COLLECTION, AND TO AMEND SECTION 6-305: SERVICE CONTRACTS, AND TO AMEND SECTION 6-343: USER CHARGE REVIEW, AND TO AMEND SECTION 6-345: SEWER MAINTENANCE FUND, AND TO AMEND SECTION 6-347: SEWER MAINTENANCE AND SINKING FUNDS EASTABLISHED, AND TO ORDINANCE NO. 618 OF THE REVISED AND COMPILED ORDINANCES OF THE CITY OF FORT CALHOUN, NEBRASKA, SECTION 2, ARTICLE III –

SEWER DEPARTMENT, SECTION 6-304 SEWER USE RATES; COLLECTION; TO REPEAL ALL OTHER CONFLICTING PROVISIONS OF SAID ORDINANCE OR OTHER ORDINANCES OR PARTS THEREOF; AND TO PROVIDE WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

and moved that the statutory rule requiring reading on three different days be suspended. Member Nelson seconded the motion to suspend the rules; following a lengthy discussion, mainly focused on the base fee needed to collect revenue for loan costs, OM&R and creating a mechanism to cap the vacated services and to look into what fees could be charged if reconnected in the future.

*[Note: In error, the vote on this motion was overlooked. This matter will be corrected at the regular Council meeting scheduled for April 19, 2010.]*

Member Wilson then made a motion to postpone consideration of the ordinance to the April meeting allowing time for him to gather additional information. Member Smith seconded this motion and upon roll call vote the following Council Members voted AYE: Wilson and Smith. ABSENT: None. The following voted NO: Genoways and Nelson. Mayor Oestmann declared Ordinance No. 641 postponed to the regular Council meeting scheduled for April 19, 2010.

Member Wilson introduced for the first reading the following Ordinance No. 642 entitled (Option 1 for Section 1-1001):

AN ORDINANCE AMENDING ARTICLE X – BOARD OF PARK COMMISSIONERS SECTION 1-1001: MEMBERS; TERM; COMPENSATION, AND TO AMEND SECTION 1-1002: ORGANIZATION; DUTIES, AND TO AMEND SECTION 1-1003: EXPENDITURES, AND TO AMEND SECTION 1-1004: PARKS; OPERATION AND FUNDING, AND TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND TO PROVIDE WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

Member Smith seconded the motion. Following discussion, Member Wilson amended his motion to select Option Two for Section 1-1001 and to amend Section 1-1002 striking the word ~~Two~~; replacing it with: A simple majority of voting. Member Genoways seconded the amendment. Upon roll call vote on the motion the following Council Members voted AYE: Nelson, Smith, Genoways and Wilson. ABSENT: None. The following voted NO: None.

The mayor then called for a vote on the original motion to introduce Ordinance No. 642 as made and seconded. Upon roll call vote the following Council Members voted AYE: Smith, Genoways, Wilson and Nelson. ABSENT: None. The following voted NO: None. Motion carried. The second reading and consideration of Ordinance No. 642 as amended will be at the regular Council meeting scheduled for April 19, 2010.

#### Departmental Reports:

Steve Becker reported he is working on a map concerning needed street repairs he plans to present at the next regular meeting; he has been conducting sanitary sewer dye testing and is tracing for suspected infiltration; and stated the conveyance line receiving station is under water because Blair's outfall won't take the flow because of their problems with infiltration, so power is off until Steve works with and tracks Blair's correction of the problem.

Maintenance's request to purchase the 2007 914G/IT14G CAT was not acted on, as it was not a budgeted for the 2009/2010 fiscal year. It was noted that the city is in need of equipment, that should be budgeted for in 2010/2011.

Member Smith made a motion seconded by Member Genoways to approve the clerk's request to purchase a new computer from Personalized Computer Services; the quote being \$1,443.45, to be taken from the general fund, with the replaced computer going to the maintenance department. With members Wilson, Nelson, Smith and Genoways voting "Aye", motioned carried.

Member Genoways volunteered to send a written response for comments and concerns on the United States Environmental Protection Agency proposed Ozone Standards on or before March 22, 2010.

The clerk presented a Policy Statement for a Code of Conduct for the City Council, Committee, Board or Commission members, for consideration to adopt for an official policy. There being no corrections or additions requested the Mayor and Council members directed the clerk to present the document in Resolution form at the regular Council meeting scheduled for April 19, 2010.

Public Comments:

Stan Gage questioned general requirements for running for mayor and council.

Member Smith made a motion seconded by Member Nelson to adjourn. With all members voting "Aye", the meeting adjourned at 10:15 p.m.

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Paul L. Oestmann, Mayor

ATTEST:

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Linda Welsher, CMC, City Clerk