

City of Madison
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Mayor~ Alvin Brandl
Council Members~
Griselda Beery
Rob Fite
Paul Kellen
Rick Schommer

Council Minutes

REGULAR MEETING OF THE COUNCIL

The Mayor and City Council of the City of Madison met in regular session in the Council Chambers, 211 South Lincoln Street, Madison, Nebraska on, Tuesday, January 15, 2019, beginning at 6:00 p.m.

CALL TO ORDER

Mayor Alvin Brandl called the meeting to order. Roll call found the following Council members present: Griselda Beery, Rob Fite, Rick Schommer, and Paul Kellen.

Staff members present were: Treasurer/Office Manager/Acting City Clerk, Paula Biehle, City Attorney Mike Brogan, Utilities Superintendent Jim Lewis, Fire Chief Tim Reeves and Police Chief Rod Waterbury.

The Mayor presided and the Acting City Clerk recorded the proceedings.

Upon opening of the meeting at 6:03 p.m. *the Mayor welcomed all guests and gave reminder to turn off cell/phones/pagers.*

The Mayor informed the public about the location of the current copy of the Open Meetings Act posted in the front entrance of the City Council Chambers and accessible to members of the public.

Notice of the meeting was given in advance thereof by publication in the Madison STAR-MAIL, Madison, Nebraska, and the designated method of giving notice, as shown by affidavit of publication.

Notice was given to the Mayor and all members of the council and a copy of their acknowledgement of receipt of notice is attached to the minutes. Availability of the agenda was communicated in advance to the Mayor and Council of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the public.

CONSENT AGENDA

DISCUSSION: Discussion on approving consent agenda.

ACTION: MOTION BY COUNCILMEMBER KELLEN, SECOND BY COUNCILMEMBER BEERY to approve the Consent Agenda, with one exception in the claims: Motion will include A-D as one. A. Approve Agenda B. Minutes C. Treasurer Report. D. Claims, EXCEPT for Claim #5458 for Cathy's Healthcare in the amount \$1,022.75, until further clarification of the charges are made. Roll call: Yeas: Kellen, Beery, Fite, Schommer. Nays: None. Motion carried.

REGULAR AGENDA ITEMS

OLD BUSINESS

The following agenda items were approved or tabled to future meeting:

DISCUSSION: At this time, there is no appointment to be considered for the opening on the Park Board. **NO ACTION TAKEN.**

DISCUSSION: Update on the demolition order at 510 E. 2nd Street. Two family members representing Andres Contreras were in attendance to discuss progress made towards in the demolition of the house at 510 East 2nd Street. Andres is in Mexico at this time, so his mother and sister, Ieda explained to the council that the house was recently tested for asbestos by Environmental Services in Norfolk, NE. However, the basement area was not accessible for testing, because of standing water, so it will need to be inspected another time. Flooring in the house tested positive, with 55% chrysolite. (The report also indicated probable asbestos containing material on pipes in the basement). At this time, no estimate for professional removal has been obtained, as Ieda told the council that Andres wanted to remove the asbestos himself, to save money. Attorney Mike Brogan, Councilmember Kellen and Utility Supt Jim Lewis cautioned that the process is dangerous because of cancer-causing material contained in the asbestos and the State of Nebraska Department of Health requires strict procedures and extensive reporting for the proper removal and disposal of asbestos. It was recommended to the Contreras family that they get a licensed contractor scheduled for the removal. Ieda said she would let Andres know this and find out how much the cost will be, so they can get the money together. She then asked how much it would cost to have the City of Madison demolished or burned the house. Mayor Brandl and Jim Lewis explained, in the past, property owners have either requested the Madison Fire Department burn the structure for training or hire a private contractor to demolish the structure. Then, the City will haul in dirt, for a small fee, to backfill the property. Fire Chief Tim Reeves said the department would look into and discuss whether they could burn the structure. Ieda then wanted to know if the court case against Andres, scheduled for January 17, 2019 could be postponed, as he will not return until the 27th. Brogan explained he could delay the case until February and will send a letter to the Contreras' with the new date. The matter will remain on future agendas to receive updates and track the demolition order progress. **NO ACTION TAKEN.**

NEW BUSINESS

The following agenda items were approved or tabled to a future meeting

DISCUSSION: Kari Langhorst, representative from Midtown Health Center, discussed a proposal for locating their Mobile Dental Unit in the west parking area, behind the City Auditorium, two times per month for a trial period of six months. Langhorst explained the dental unit currently goes to the school and Tyson, but with construction ongoing, space is tight. They also would get more exposure by operating in the downtown area. The Mobile Dental unit will be parked on Sunday evening and remain in place until Thursday evening. The unit will be parked curbside, with the door facing the interior of the parking lot, for the safety of their patients. The only access needed to the City Auditorium will be for the dental unit staff to use the restrooms. Any trash generated will be taken to the Midtown Health facility for disposal. Mike Brogan and Jim Lewis had already reviewed and approved the details of an agreement drafted by Midtown Health and saw no reason to not allow a six month trial.

ACTION: MOTION BY FITE SECOND BY COUNCILMEMBER SCHOMMER to approve, abiding with the terms of the agreement presented by Midtown Health Center, to locate their Mobile Dental Unit in the west parking lot of the City auditorium two times per month, for a trial period of six months. Roll call: Yeas: Fite, Schommer, Beery, Kellen. Nays: None. Motion carried.

DISCUSSION: Representatives Phyllis Trine and Brenda Jones, from Preservation Madison, Inc. and Lowell Schroeder from Northeast Nebraska Economic Development District made a presentation to the City Council regarding a request for the City to apply, on behalf of the Madison Arts Center, for a Community and Civic Center Financing Fund (CCCFF) grant. The grant dollars would be used for interior renovations; ADA compliance, including additional restrooms; elevator firewall separation and fire protection. What was originally estimated as an \$80,000 project has now turned into over a \$200,000 project. Schroeder explained because the Madison Arts Center is on the Historical Register, the grant provider, Nebraska Dept of Economic Development, requires the applicant to be a City. The grant is a 50% grant/50% local match, with pass-through dollars to the City in two payments. He also stated that funds approved in conjunction with the current Public Works grant for the East 4th Street Improvement and Madison Arts Center ADA project, will count toward the local match requirement on the CCCFF grant. The grant application is due on February 15th.

ACTION: MOTION BY KELLEN SECOND BY COUNCILMEMBER BEERY to approve the City of Madison as the applicant and to authorize the mayor to sign all related documents for the CCCFF Grant application, on behalf of Preservation Madison, Inc. for extensive improvement and renovations (details as described above) of the Madison Arts Center. Roll call: Yeas: Kellen, Beery, Schommer, Fite. Nays: None. Motion carried.

DISCUSSION: Preservation Madison, Inc. members requested the City Council to consider a City commitment of \$25,000 in funding for renovations to the Madison Arts Center, contingent that the CCCFF grant application is approved by DED. Preservation Madison already raised over \$29,000 in private donations for the project's required match in the current East 4th Street Public Works and Arts Center ADA project. The mayor and council members commented that the City provided \$25,000 in Economic Development funds ten years ago and Preservation Madison has been a good steward of the historic building and has worked hard to attract and host many family gatherings and several public events every year since.

ACTION: MOTION BY FITE SECOND BY COUNCILMEMBER SCHOMMER to approve a \$25,000 City payment from the Economic Development fund to Preservation Madison, Inc. for the renovation of the Madison Arts Center, CONTINGENT on being approved for the CCCFF grant. Roll call: Yeas: Fite, Schommer, Kellen, Beery. Nays: None. Motion carried.

DISCUSSION on Nebraska LB866 Tax Credit application for Madison's First Responders.

ACTION: MOTION BY COUNCILMEMBER FITE, SECOND BY COUNCILMEMBER BEERY to authorize Mayor Brandl to sign the application for Nebraska LB866 Tax Credits for Madison's First Responders. Yeas: Fite, Beery, Schommer. Nays: None. Abstain: Kellen. Motion carried.

DISCUSSION: Reviewing for approval, drawdown No. 7 for NAHTF Grant Number 17-TFRH-15050, (Apartment Re-Hab at 320 S. Main Street): for Housing Rehabilitation in the amount of \$27,636.16, Housing Management in the amount of \$390.00, and General Administration in the amount of \$120.00, with an amount totaling \$28,146.16 (Grant funds only, no City funds).

ACTION: MOTION BY COUNCILMEMBER FITE, SECOND BY COUNCILMEMBER SCHOMMER to approve drawdown No. 7 for NAHTF Grant Number 17-TFRH-15050, (Apartment Re-hab at 320 S. Main Street): for Housing Rehabilitation in the amount of \$27,636.46, Housing Management of \$390.00 and General Administration in the amount of \$120.00, with an amount totaling \$28,146.16. (Grant funds only, no City funds). Roll call: Yeas: Fite, Schommer, Beery, Kellen. Nays: None. Motion carried.

DISCUSSION: Budgeted purchase of a copier/scanner for the City Office. Treasurer/Office Manager Paula Biehle had compared pricing from two companies and shared with the council, information on features of a Sharp model MX-3050, which the office personnel prefers. The current copier is six years old, and the maintenance contract is more expensive than the new contract would be. It was recommended to move that copier to the Police Department, retiring a nine year old copier and getting a maintenance contract with much lower copy counts for the Police Dept.

ACTION: MOTION BY COUNCILMEMBER KELLEN, SECOND BY COUNCILMEMBER BEERY to purchase a Sharp MX-3050V color copier/scanner from One Office Solution for a cost of \$3,987.54 (NJPA Local Government pricing) along with a quoted maintenance contract for \$.005 per black/white copy and \$.036 per color copy, and transfer the current city office copier to the Police Dept. Roll call: Yeas: Kellen, Beery, Fite, Schommer. Nays: None. Motion carried.

DISCUSSION: Budgeted purchase of a Variable Frequency Device (VFD) for Water Well #58-1. Utility Supt Jim Lewis informed the council that "Well #1" is in the process of being relined and rebuilt so this is a good time to install a VFD on it. There were two options quoted by Sargent Drilling; a 230 volt or a 480 volt - which Lewis prefers - and is cheaper of the two.

ACTION: MOTION BY COUNCILMEMBER KELLEN, SECOND BY COUNCILMEMBER FITE to approve the purchase a 480 volt VFD for Well #58-1 from Sargent Drilling, in the amount of \$20,319.88. Roll call: Yeas: Kellen, Fite, Beery, Schommer. Nays: None. Motion carried.

DISCUSSION: Police Chief Rod Waterbury requested permission to re-open the advertisement to fill the vacancy of one police officer. He reported that only five applications were received after the previous advertisement and none were certified. Waterbury stated that hiring in law enforcement is very competitive and some departments are offering hiring bonuses if certified, because of the high cost of sending a new hire to the academy and overtime costs for others to cover hours while the officer is in school. Waterbury prefers hiring a certified officer and suggested including a hiring bonus, with a two year employment contract in the advertisement.

ACTION: MOTION BY COUNCILMEMBER KELLEN, SECOND BY COUNCILMEMBER SCHOMMER to authorize Chief Waterbury to place an advertisement for a certified police officer, including the offer of a \$2,000 sign-on bonus, to be paid out after six months of continuous employment with the City of *and* execution of a two year contract/promissory note, in which the officer would forfeit an amortized portion of the sign-on bonus if he/she terminates employment with the City before the end of the contract. Roll Call: Yeas: Kellen, Schommer, Beery, Fite. Nays: None. Motion carried.

DISCUSSION: To schedule a Public Hearing for the 2019 One-and-Six Year Road Plan.

ACTION: MOTION BY COUNCILMEMBER KELLEN, SECOND BY COUNCILMEMBER FITE to authorize posting of notices, setting the date and time of February 14th, 2019 at 6:00 pm to conduct a public hearing for the 2019 One-and-Six Year Road Plan, prepared by John Zwingman, City Engineer/Street Commissioner from Advanced Consulting Engineering. Roll Call: Yeas: Kellen, Fite, Schommer. Nays: Beery. Motion carried.

THE FLOOR WAS OPEN TO PUBLIC COMMENTS:

No public comments were made.

REPORTS:

Utilities Dept: Jim Lewis stated his staff have been working on the building for the water booster pump near the water tower and will be finishing up getting the power connected, so Horizon View can be online soon. Jim also reported that Mayor Brandl recently signed the contract to lease a new front end loader.

Fire Dept: Tim Reeves stated they have had another slow call month, six people attended a recent EMS conference and the department has begun preparations and advertising for the annual St. Patty's Day Bash.

Police Dept: Rod Waterbury told the council that the yearly report was in their packets. Activity has picked up this month. Samantha is in her 2nd week at the Academy. New vehicle has a few radio glitches and not in service yet.

City Office: Paula Biehle stated auditors recently made another onsite visit to gather information and they should have a preliminary report ready soon. Paula has been doing year-end reports and office staff have been extra busy because of the vacant Clerk position.

DISCUSSION: To enter into executive session to discuss personnel matters.

ACTION: MOTION BY COUNCILMEMBER KELLEN, SECOND BY COUNCILMEMBER BEERY to enter into executive session at 7:14 pm to discuss personnel matters. Roll Call: Yeas: Kellen, Beery, Schommer, Fite. Nays: None. Motion carried.

DISCUSSION: To exit executive session, which was held to discuss personnel matters.

ACTION: MOTION BY COUNCILMEMBER KELLEN, SECOND BY COUNCILMEMBER SCHOMMER to exit executive session at 7:55 pm, with no action to be taken on personnel matters. Roll Call: Yeas: Kellen, Schommer, Fite, Beery. Nays: None. Motion carried.

DISCUSSION: Discussion was had on adjourning the meeting.

ACTION: MOTION BY COUNCILMEMBER KELLEN, SECOND BY COUNCILMEMBER SCHOMMER to adjourn meeting at 7:57 p.m. Roll Call: Yeas: Kellen, Schommer, Beery, Fite. Nays: None. Motion carried.



Paula Biehle, Acting City Clerk



Alvin Brandl, Mayor

I, the undersigned City Clerk, hereby certify that the foregoing is the full, true and correct original document of the Madison City Council Meeting proceedings had and done by the Mayor and City Council; that all of the subjects included in the proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the office of the Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.



Paula Biehle, Acting City Clerk