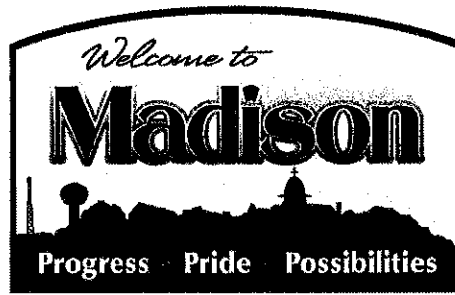


City of Madison
211 South Lincoln Street
P.O. Box 527
Madison, Ne 68748-0527
Office: 402-454-3412
Fax: 402-454-2262
www.madison-ne.com



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, Thursday, February 14, 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: Rob Fite, Rick Schommer, and Paul Kellen. Griselda Beery was absent.

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 6:00 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 FITE, SECOND BY COUNCILMEMBER SCHOMMER, to approve the Consent Agenda: Motion will include A-D as one. A. Approve Agenda B. Minutes C. Treasurer Report. D. Claims, Roll call: Yeas: Fite, Schommer, Kellen. Nays: None. Absent: Beery. Motion carried.

At 6:03 pm, Public Hearing #1 was opened to receive comments from the public concerning the application of Brian Nykodym for a Conditional Use Permit (CUP) to construct a shop with living quarters on a property located at 303 Industrial Parkway. Legal description is West Side Park addition, N ½ Lot 16, City of Madison, Madison County, NE.

At 6:04 pm, Public Hearing #2 was opened to inform the public of the One and Six Year Street Improvement Plan, to allow the City Council to hear testimony in favor of and/or against the proposed improvement plan and to answer any questions in regards to the proposed plan.

REGULAR AGENDA ITEMS

OLD BUSINESS

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

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

DISCUSSION: Appointment of a Nursing Home Board Member. **ACTION:** MOTION BY COUNCILMEMBER KELLEN, SECOND BY COUNCILMEMBER FITE to approve Mayor Brandl's appointment of Paw Shae to the Nursing Home Board for a two-year term. Roll call: Yeas: Kellen, Fite, Schommer. Nays: None. Absent: Beery. Motion carried.

DISCUSSION: City Clerk vacancy. There is no appointment at this time and Mayor Brandl stated he would call a special meeting soon to fill the vacancy. **NO ACTION TAKEN.**

DISCUSSION: Update on the demolition order at 510 E. 2nd Street. Andres Contreras was present at the meeting, along with Jagier Santiago as his interpreter. Contreras is waiting for his tax refund before scheduling the asbestos removal. He has an agreement with Environmental Services of Norfolk to conduct the removal, at an estimated cost of \$4,200. Contreras will notify the City of Madison when the removal date is set. He was asked to come back to the March 14, 2019 council meeting with an update on the progress. Contreras will discuss with the Madison Vol Fire Department, the possibility of using the house as a training burn. **NO ACTION TAKEN.**

DISCUSSION: Clarify details of hiring bonus/contract for a new certified police officer. Chief Waterbury reported that only non-certified applicants have shown interest in the open position. Council member Schommer wanted clarification on contract wording, i.e., if an officer was hired, already paid the bonus and then left employment before the end of the contract, how much would be paid back? Mayor Brandl asked City Attorney Brogan to work with Chief Waterbury on the wording of the contract. **NO ACTION TAKEN.**

NEW BUSINESS

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

PRESENTATION: Library Director Lori Porter presented the 2019 Madison Public Library Annual Report with details of circulation; computer use; patron traffic; books purchased; added programing; an intern grant for the Summer Reading Program; etc. Porter thanked the City Council, Mayor and office staff for their support in the past and invited them all to visit the library to see what is all happening. **NO ACTION TAKEN**

DISCUSSION: SDL liquor permit for the Madison County Fair, July 9-14, 2019.

ACTION: MOTION BY FITE SECOND BY COUNCILMEMBER KELLEN to approve a requested Special Designated License for the Beer Garden at the Madison County Fairgrounds during the Madison County Fair, July 9 through July 14, 2019. Roll call: Yeas: Fite, Kellen, Schommer, Nays: None. Absent: Beery. Motion carried.

DISCUSSION: Reviewing for approval, drawdown No. 8 for NAHTF Grant Number 17-TFRH-15050, (Apartment Re-Hab at 320 S. Main Street) for Housing Rehabilitation in the amount of \$59,110.28, Housing Management in the amount of \$135.00, and General Administration in the amount of \$630.00, with an amount totaling \$59,875.28 (Grant funds only, no City funds).

ACTION: MOTION BY COUNCILMEMBER FITE, SECOND BY COUNCILMEMBER SCHOMMER to approve drawdown No. 8 for NAHTF Grant Number 17-TFRH-15050, (Apartment Re-hab at 320 S. Main Street): for Housing Rehabilitation in the amount of \$59,110.28, Housing Management of \$135.00 and General Administration in the amount of \$630.00, with an amount totaling \$59,875.28. (Grant funds only, no City funds). Roll call: Yeas: Fite, Schommer, Kellen. Nays: None. Absent: Beery. Motion carried.

DISCUSSION: Ordinance #811, revising the Nebraska Basic Code of Ordinances for the City of Madison, NE, adopting amendments and supplements containing State Legislation and Local Legislation through July 1, 2018; to repeal prior ordinances; to require filings and provide effective date. This action makes the local ordinances the same as the state laws. Mike Brogan did updates.

ACTION: MOTION BY COUNCILMEMBER FITE, SECOND BY COUNCILMEMBER KELLEN to waive the three reading requirement, publish in pamphlet form and approve Ordinance #811, to revise the Nebraska Basic Code of Ordinances for the City of Madison, NE, by adopting amendments and supplements containing State Legislation and Local Legislation through July 1, 2018; to repeal prior ordinances; to require filings and provide effective date. Roll call: Yeas: Fite, Kellen, Schommer, Nays: None. Absent: Beery. Motion carried.

PRESENTATION: LeAnn Ritter, representing Advanced Consulting Engineering Services, reviewed the 2019 One and Six Year Road Improvement Plan with everyone and pointed out several expected improvements shown on maps included in the plan. Jim Lewis worked with John Zwingman on the plan, which includes the East 4th Street project already bid, and the upcoming Ingram Street, from West 8th to and including a portion of West 10th Street, being bid soon.

At 6:27 pm, after requesting, but receiving no comments from the public on Public Hearing #2,
ACTION: MOTION BY COUNCILMEMBER FITE AND SECOND BY COUNCILMEMBER SCHOMMER to close the public hearing on the One and Six Year Street Improvement Plan, as prepared by Advanced Consulting Engineering Services (ACES). Roll call: Yeas: Fite, Schommer, Kellen. Nays: None. Absent: Beery. Motion carried.

DISCUSSION: Resolution 2019-2, for approval of the 2019 One and Six Year Road Improvement Plan, as prepared and presented by ACES.

ACTION: MOTION BY COUNCILMEMBER KELLEN, SECOND BY COUNCILMEMBER FITE to approve Resolution 2019-2, approving the 2019 One and Six year Road Improvement Plan, as presented. Roll call: Yeas: Kellen, Fite, Schommer. Nays: None. Absent: Beery. Motion carried.

At 6:36 pm, after requesting, but receiving no comments from the public on Public Hearing #1,
ACTION: MOTION BY COUNCILMEMBER FITE AND SECOND BY COUNCILMEMBER SCHOMMER to close the public hearing on Brian Nykodym's application for CUP at 303 Industrial Parkway. Roll call: Yeas: Fite, Schommer, Kellen. Nays: None. Absent: Beery. Motion carried.

DISCUSSION: Resolution 2019-1, Application of Brian Nykodym for a Conditional Use Permit (CUP) to construct a shop with living quarters on a property located at 303 Industrial Parkway. Legal description is West Side Park addition, N ½ Lot 16, City of Madison, Madison County, NE. Nykodym explained to the council that the building will be 2,478 square feet, beige and ivory in color, erected by Morton Buildings, and used primarily for storage of lawn and snow removal equipment and include a small living quarters. The application was already reviewed and unanimously approved by the Madison County Planning and Zoning Board.

ACTION: MOTION BY COUNCILMEMBER FITE, SECOND BY COUNCILMEMBER KELLEN to approve Resolution 2019-1, which approves a Conditional Use Permit to allow Brian Nykodym to Construct a shop with living quarters at 303 Industrial Parkway, which is also described as West Side Park Addition, N ½ Lot 16, City of Madison, Madison County, Nebraska. Roll call: Yeas: Fite, Schommer, Kellen. Nays: None. Absent: Beery. Motion carried.

DISCUSSION: Membership application of John T. Orlowski III, for the Madison Volunteer Fire and Rescue Department.

ACTION: MOTION BY COUNCILMEMBER FITE AND SECOND BY COUNCILMEMBER SCHOMMER to approve John T. Orlowski III as a member of the Madison Vol Fire & Rescue Dept. Roll call: Yeas: Fite, Schommer, Kellen. Nays: None. Absent: Beery. Motion carried.

DISCUSSION: Local resident Jeanne Reigle inquired of the mayor and city council, what their intentions are with City owned property in a residential area, located 202 and 204 East First Street. Reigle indicated that she and her husband would like to acquire the property. It was explained by City Attorney Mike Brogan that the City would have a few options. One being auctioning the property to the highest bidder, another is gifting the property to the CRA to be used for residential redevelopment and economic development. The Reigle's could then participate, along with any other interested party, in an advertised "Request for Proposals", meant to encourage plans for development of the lots into housing. **NO ACTION TAKEN.**

DISCUSSION: Drawdown request #5 for 17-PW-003 (East 4th Street and Arts Center project) in the amount of \$3,018.75, for Removal of Architectural Barriers. No City Funds will be spent.

ACTION: MOTION BY COUNCILMEMBER FITE AND SECOND BY COUNCILMEMBER SCHOMMER to approve Drawdown request #5 for 17-PW-003 (East 4th Street and Arts Center project) in the amount of \$3,018.75, for Removal of Architectural Barriers. Roll call: Yeas: Fite, Schommer, Kellen. Nays: None. Absent: Beery. Motion carried.

DISCUSSION: The mayor and council Requested City Attorney Brogan to assist the Volunteer Fire/Rescue By-Law Committee with wording for amendments to the By-Laws. Councilman Kellen said the committee has been working on it and has a few things to discuss at their next meeting. The committee will keep in contact with Mike Brogan before the changes are presented to the City Council for approval. **NO ACTION TAKEN.**

THE FLOOR WAS OPEN TO PUBLIC COMMENTS:

Niko Gronenthal, editor of the Madison Star Mail requested to be notified when a special meeting is scheduled to appoint a City Clerk.

REPORTS:

Utilities Dept: Jim Lewis reported that they had to repair the 2nd water main break in the season, the Booster Pump is operational and the city crew will start trimming trees away from power lines.

Fire Dept: Tim Reeves told the council that the Rescue billing contract with EMS is being finalized, EMT's are doing training and nth, 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 reported that there were more assaults this month, and Samantha is in her 6th week at the Academy. The Sherriff's office will be getting a new radio system, and the City will need to upgrade in order to communication with other departments.

City Office: Paula Biehle stated the 2017/18 Audit report is in their packets, and encouraged everyone to review it. Schumacher, Smejkal, Brockhaus and Herley, P.C. will attend the March 14th council meeting to answer questions they may have on the audit report. Paula stated the office staff has been very busy because of the vacant Clerk position and hopes it gets filled soon.

DISCUSSION: To enter into executive session at 7:01 pm to discuss 1.) possible real estate transactions and 2.) For the mayor to update the council on a legal matter.

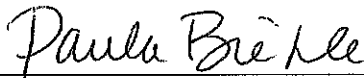
ACTION: MOTION BY COUNCILMEMBER KELLEN, SECOND BY COUNCILMEMBER SCHOMMER to enter into executive session at 7:01 pm to discuss real estate transactions and update on a legal matter. Roll Call: Yeas: Kellen, Schommer, Fite. Nays: None. Absent: Beery. Motion carried.

ACTION: MOTION BY KELLEN, SECOND BY FITE to exit the executive session at 7:30 pm, which was held to discuss 1.) possible real estate transactions and 2.) For the mayor to update the council on a legal matter. Roll Call: Yeas: Kellen, Fite, Schommer. Nays: None. Absent: Beery. Motion carried.

ACTION: MOTION BY COUNCILMEMBER KELLEN, SECOND BY COUNCILMEMBER SCHOMMER to transfer city-owned real estate, for NO CONSIDERATION, to the Community Redevelopment Authority (CRA) of Madison, for the intent of the CRA to develop into housing, for economic development purposes. Legal descriptions are: Roll Call: Yeas: Kellen, Schommer, Fite. Nays: None. Absent: Beery. Motion carried.

DISCUSSION: Discussion was had on adjourning the meeting.

ACTION: MOTION BY COUNCILMEMBER KELLEN, SECOND BY COUNCILMEMBER FITE to adjourn meeting at 7:33 p.m. Roll Call: Yeas: Kellen, Fite, Schommer. Nays: None. Absent: Beery. 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