

HEBRON CITY COUNCIL PROCEEDINGS – February 4, 2019

Hebron City Council met on Monday, February 4, 2019 at 7:00 p.m., at the Stastny Community Center. Mayor Doug Huber presided, and the proceedings were recorded by City Administrative Assistant Jana Tietjen. Upon roll call, the following Councilmembers were present: Kyle Timmerman, Timothy Pickering, Denese Sudbeck, Kurk Wiedel, and Rita Luongo. Also present: City Attorney Joe Murray. Absent: Robert Dodes

Notice of this meeting was given in advance by posting. Notice of this meeting was simultaneously sent to the Mayor and Council and a copy of their acknowledgement of receipt of notice is attached to these minutes. Availability of the agenda was communicated in the advanced notice and in the notice to the Mayor and Council of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

1. ANNOUNCEMENT – OPEN MEETINGS LAW

Mayor Doug Huber informed the public of the location of the posted information concerning the Open Meetings Law.

2. PLEDGE OF ALLEGIENCE

3. SIGN CLAIMS-Timmerman and Luongo

4. GENERAL DISCUSSION

General Discussion was held. No formal action taken.

5. UPDATE-535 JEFFERSON AVE.

The property owner gave an update on the progress of the renovation.

No formal action taken.

6. REIMBURSEMENT OF LANDFILL-117 AND 119 N 4TH

All parties were given an opportunity to be heard. The council agreed that the city would honor the original agreement.

7. LIBRARY REPORT

Library Director Chuck Reichwein gave an annual report on behalf of the Hebron Secret Library. Chuck reported that he has earned his Library certification in the past year and

that the required annual survey has been submitted and approved by the state. He encouraged the council and public to stop by the Library to read the full report.

8. OREGON TRAIL RUN

Jeff Friesen asked the council to once again sponsor the Oregon Trail Run that will be held Oct. 26th.

Councilmember Wiedel made a motion to sponsor the Oregon Trail Run in the same manner as last year; seconded by Councilmember Sudbeck.

AYES: Wiedel, Sudbeck, Pickering, Timmerman, Luongo

NAYS: None ABSENT: Dodes Motion Carried

9. TCEDA UPDATE/OFFICE SPACE

Diane Wettstein was not in attendance to make an update. The council discussed office space at the Chamber Office for TCEDA. The Chamber members and officers will discuss this at the next meeting and then discuss the matter with the City Council Facilities Committee.

10. APPROVE CLASS C RESTRICTED LIQUOR LICENSE-HEBRON LIQUOR

The Public Hearing for the approval of the Class C Restricted Liquor License for Hebron Liquor was called to order by Mayor Huber at 7:40 p.m.

Discussion was held.

Councilmember Pickering made a motion to approve the Class C Restricted Liquor License for Hebron Liquor; seconded by Councilmember Wiedel.

AYES: Wiedel, Sudbeck, Pickering, Timmerman, Luongo

NAYS: None ABSENT: Dodes Motion Carried

Hearing closed at 7:43 p.m.

11. RAILROAD RIGHT OF WAY-BETWEEN 1ST STREET AND RIVER

Discussion was held. No formal action taken.

12. PUBLIC HEARING - 1 & 6 YEAR ROAD PLAN

The public hearing for the 1 and 6 Year Road Plan was called to order by Mayor Huber at 8:01 p.m.

Discussion was held on the new additions to the plan.

Councilmember Pickering made a motion to close the hearing and approve the 1 and 6 Year Road Plan and; seconded by Councilmember Luongo.

AYES: Wiedel, Sudbeck, Pickering, Timmerman, Luongo

NAYS: None ABSENT: Dodes Motion Carried

Hearing closed at 8:04 p.m.

13. YARD OF THE MONTH

Councilmember Sudbeck discussed the Yard and Business of the Month with the council.

14. APPROVE ORDINANCE #892-ELECTRIC RATE 3.3% INCREASE

Mayor Huber presented the board with a plan to increase the electric rates.

Public input and discussion were held before the vote.

Councilmember Wiedel made a motion that the statutory rule requiring reading on three different days be suspended; seconded by Councilmember Pickering

AYES: Wiedel, Sudbeck, Pickering, Timmerman, Luongo

NAYS: None ABSENT: Dodes Motion Carried

Mayor Huber introduced the title of Ordinance No. 892

AN ORDINANCE OF THE CITY OF HEBRON, NE ESTABLISHING RATES TO BE CHARGED BY THE CITY FOR ELECTRICAL SERVICES TO THE PUBLIC; REPEALING ALL OTHER RATES OR ORDINANCES AND PART OF ORDINANCES IN CLFLICT WITH THE PROVISIONS OF THIS ORDINANCE; AND ESTABLISHING THE EFFECTIVE DATE; AND TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM.

Councilmember Sudbeck made a motion to approve Ordinance #892- Electric Rate Increase; seconded by Councilmember Pickering

AYES: Wiedel, Sudbeck, Pickering, Timmerman, Luongo

NAYS: None ABSENT: Dodes Motion Carried

15. APPROVE ORDINANCE #893 – LINE EXTENSION

Mayor Huber presented the board with a plan for extension lines and street lighting.

Discussion was held.

Councilmember Pickering made a motion that the statutory rule requiring reading on three different days be suspended; seconded by Councilmember Luongo.

AYES: Wiedel, Sudbeck, Pickering, Timmerman, Luongo

NAYS: None ABSENT: Dodes Motion Carried

Mayor Huber introduced the title of Ordinance No. 893

AN ORDINANCE OF THE CITY OF HEBRON, NE AMENDING EXTENSION LINES AND STREET LIGHTING. REPEALING 54.19 EXTENSION LINES AND STREET LIGHTING OR ORDINANCES AND PART OF ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; AND ESTABLISHING THE EFFECTIVE DATE; AND TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM.

Councilmember Wiedel made a motion to approve Ordinance #893; seconded by Councilmember Pickering.

AYES: Wiedel, Sudbeck, Pickering, Timmerman, Luongo

NAYS: None ABSENT: Dodes Motion Carried

16. APPROVE ENTERING AN ENGINEERING CONTRACT-JEO-TIF DISTRICT #1

Discussion was held.

Councilmember Timmerman made a motion to approve Mayor Huber to enter a contract with JEO; seconded by Councilmember Luongo

AYES: Wiedel, Sudbeck, Pickering, Timmerman, Luongo

NAYS: None ABSENT: Dodes Motion Carried

17. APPROVE LB840 ORDINANCE

Discussion was held.

No formal action taken.

18. AMEND MINUTES OF JANUARY MEETING-DOG LICENSE FEES APPROVED BY RESOLUTION

Mayor Huber and Attorney Joe Murray explained to the council that the verbiage needed to be changed from Ordinance to Resolution to correlate with the verbiage in Section 90.21 of the Hebron Municipal Code.

Discussion was held.

Mayor Huber introduced Resolution 2019-2.

RESOLUTION 2019-2

A RESOLUTION ESTABLISHING THE ANNUAL LICENSING FEE TO BE PAID FOR LICENSING DOGS OR CATS PURSUANT TO SECTION 90.21 OF THE HEBRON MUNICIPAL CODE.

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HEBRON, NEBRASKA, AS FOLLOWS:

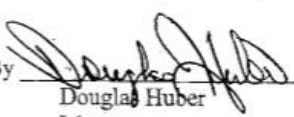
1. Section 90.21(B) requires the establishment, by resolution of the governing body, of the annual fee to be paid by persons licensing dogs or cats pursuant to applicable provisions of the Hebron Municipal Code, specifically including Sections 90.20 and 90.21.

2. The license fee shall be established at \$6.00 for each animal and \$10.00 for each delinquent payment thereof.

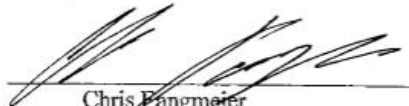
PASSED AND APPROVED this 7th day of January, 2019.

CITY OF HEBRON, NEBRASKA

By


Douglas Huber
Mayor

ATTEST:


Chris Fangmeier
City Clerk



Councilmember Luonge made a motion to amend the minutes from the January meeting to change the verbiage from Ordinance to Resolution; seconded by Councilmember Pickering.

AYES: Wiedel, Sudbeck, Pickering, Timmerman, Luongo

NAYS: None ABSENT: Dodes Motion Carried

19. NUISANCE-535 JEFFERSON

Council discussed the progress of the property. The owner was not in attendance- so the council requested City Administrator Fangmeier contact him to get an update for the next council meeting.

20. DOG DISCUSSIONS

Discussion was held. No formal action taken.

21. APPROVE ORDINANCE-RESTRAIN FOR ANIMALS

Mayor Huber informed the council that a typo had been discovered in the verbiage in Section 90.61 of the Hebron Municipal Code.

Discussion was held.

Councilmember Wiedel made a motion to suspend the rules on 90.61 of the Hebron Municipal Code; seconded by Councilmember Pickering.

AYES: Wiedel, Sudbeck, Pickering, Timmerman, Luongo

NAYS: None ABSENT: Dodes Motion Carried

Mayor Huber introduced Ordinance No. 895.

AN ORDINANCE OF THE CITY OF HEBRON, NEBRASKA DEALING WITH RESTRAINING DANGEROUS DOGS; MODIFYING THE CURRENT PROVISIONS OF SECTION 90.61 OF THE HEBRON MUNICIPAL CODE; PROVIDING FOR THE EFFECTIVE DATE HEREOF; AND PROVIDING FOR THE REPEAL OF ANY ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM.

Councilmember Wiedel made a motion to approve Ordinance #895 with the correct verbiage; seconded by Councilmember Sudbeck.

AYES: Wiedel, Sudbeck, Pickering, Timmerman, Luongo

NAYS: None ABSENT: Dodes Motion Carried

22. APPROVE ORDINANCE #883, #884, #885, #886, #887, #888, #889, #890 and #891

Discussion was held.

Councilmember Sudbeck made a motion that the statutory rule requiring reading on three separate readings be suspended for Ordinances 883, 884, 885, 886, 887, 888, 889, 890 and 891.

AYES: Wiedel, Sudbeck, Pickering, Timmerman, Luongo

NAYS: None ABSENT: Dodes Motion Carried

23. APPROVE ORDINANCE #883-FIRE DEPT. MEMBERSHIP

Discussion was held.

Mayor Huber introduced the title of Ordinance No. 883.

Councilmember Pickering made a motion to approve Ordinance #883-Fire Dept. Membership; seconded by Councilmember Wiedel

AYES: Wiedel, Sudbeck, Pickering, Timmerman, Luongo

NAYS: None ABSENT: Dodes Motion Carried

No. 883

AN ORDINANCE RELATING TO FIRE DEPARTMENTS; REMOVING THE REQUIREMENT THAT FIRE DEPARTMENTS FILE IN THE OFFICE OF THE CLERK OF THE DISTRICT COURT IN AND FOR THE COUNTY A CERTIFIED COPY OF THE ROLLS OF THEIR RESPECTIVE COMPANIES SO AS TO OBTAIN FOR THE MEMBERS THEREOF THE PRIVILEGE OF THE EXEMPTION FROM MILITIA DUTY IN TIME OF PEACE; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE; AND TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM.

24. APPROVE ORDINANCE #884-MAXIMUM SPEED LIMITS

Discussion was held.

Mayor Huber introduced the title of Ordinance No. 884

AN ORDINANCE RELATING TO TRAFFIC AND ROADS; CHANGING THE RURAL HIGHWAY CLASSIFICATION OF MAJOR ARTERIAL TO INCLUDE SUPER-TWO HIGHWAYS AND CHANGING MAXIMUM HIGHWAY SPEED LIMITS; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE; AND TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM.

Councilmember Wiedel made a motion to approve Ordinance #884-Maximum Speed Limits; seconded by Councilmember Timmerman

AYES: Wiedel, Sudbeck, Pickering, Timmerman, Luongo

NAYS: None ABSENT: Dodes Motion Carried

25. APPROVE ORDINANCE #885 - LICENSED PREMISES; INSPECTIONS

Discussion was held.

Mayor Huber introduced the title of Ordinance No. 885

AN ORDINANCE RELATING TO ALCOHOLIC BEVERAGES; ADDING BOTTLE CLUB LICENSEES TO THE REQUIREMENT OF FREQUENT INSPECTION; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE; AND TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM.

Councilmember Wiedel made a motion to approve Ordinance #885-Licensed Premises; Inspections; seconded by Councilmember Sudbeck

AYES: Wiedel, Sudbeck, Pickering, Timmerman, Luongo

NAYS: None ABSENT: Dodes Motion Carried

26. APPROVE ORDINANCE #886- ALCOHOLIC BEVERAGES; LICENSES; CITY POWERS AND DUTIES

Discussion was held.

Mayor Huber introduced the title of Ordinance No. 886

AN ORDINANCE RELATING TO ALCOHOLIC BEVERAGES; ADDING BOTTLE CLUBS TO LICENSE PROCEDURES; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE; AND TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM.

Councilmember Wiedel made a motion to approve Ordinance #886-Alcoholic Beverages; Licenses; City Powers and Duties; seconded by Councilmember Luongo

AYES: Wiedel, Sudbeck, Pickering, Timmerman, Luongo

NAYS: None ABSENT: Dodes Motion Carried

27. APPROVE ORDINANCE #887-CONSUMPTION IN PUBLIC PLACES

Discussion was held.

Mayor Huber introduced the title of Ordinance No. 887.

AN ORDINANCE RELATING TO ALCOHOLIC BEVERAGES; ADDING BOTTLE CLUBS TO THE RESTRICTIONS OF CONSUMPTION IN PUBLIC PLACES; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AND EFFECTIVE DATE; AND TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM.

Councilmember Wiedel made a motion to approve Ordinance #887-Consumption in Public Places; seconded by Councilmember Pickering

AYES: Wiedel, Sudbeck, Pickering, Timmerman, Luongo

NAYS: None ABSENT: Dodes Motion Carried

28. APPROVE ORDINANCE #888 - ALCOHOLIC BEVERAGES; CITIZEN COMPLAINTS

Discussion was held.

Mayor Huber introduced the title of Ordinance No. 888.

AN ORDINANCE RELATING TO ALCOHOLIC BEVERAGES; AUTHORIZING CITIZEN COMPLAINTS REGARDING BOTTLE CLUB LICENSEES; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE; AND TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM.

Councilmember Pickering made a motion to approve Ordinance #888 – Alcoholic Beverages; Citizen Complaints; seconded by Councilmember Wiedel

AYES: Wiedel, Sudbeck, Pickering, Timmerman, Luongo

NAYS: None ABSENT: Dodes Motion Carried

29. APPROVE ORDINANCE #889 - ALCOHOLIC BEVERAGES; LICENSE RENEWALS; CITY POWERS AND DUTIES

Discussion was held.

Mayor Huber introduced the title of Ordinance No. 889

AN ORDINANCE RELATING TO ALCOHOLIC BEVERAGES; ADDING BOTTLE CLUBS TO LICENSE RENEWAL PROCEDURES; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE; AND TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM.

Councilmember Wiedel made a motion to approve Ordinance #889-Alcoholic Beverages; License Renewals; City Powers and Duties; seconded by Councilmember Timmerman

AYES: Wiedel, Sudbeck, Pickering, Timmerman, Luongo

NAYS: None ABSENT: Dodes Motion Carried

30. APPROVE ORDINANCE #890 - ALCOHOLIC BEVERAGES; LOCATION RESTRICTIONS

Discussion was held.

Mayor Huber introduced the titile Ordinance No. 890.

AN ORDINANCE RELATING TO ALCOHOLIC BEVERAGES; ADDING BOTTLE CLUBS TO LOCATION RESTRICTIONS; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE; AND TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM.

Councilmember Sudbeck made a motion to approve Ordinance #890-Alcoholic Beverages; Location Restrictions; seconded by Councilmember Luongo

AYES: Wiedel, Sudbeck, Pickering, Timmerman, Luongo

NAYS: None ABSENT: Dodes Motion Carried

31. APPROVE ORDINANCE #891 – ABANDONED AUTOMOBILES

Discussion was held.

Mayor Huber introduced the title of Ordinance No. 891.

AN ORDINANCE RELATING TO ABANDONED VEHICLES; ADDING NEW PROVISIONS RELATED TO REMOVING ABANDONED VEHICLES FROM PRIVATE PROPERTY; REVISING

PROVISIONS RELATING TO REMOVING ABANDONED VEHICLES FROM PRIVATE PROPERTY; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE; AND TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM.

Councilmember Luongo made a motion to approve Ordinance #891-Abandoned Automobiles; seconded by Councilmember Sudbeck

AYES: Wiedel, Sudbeck, Pickering, Timmerman, Luongo

NAYS: None ABSENT: Dodes Motion Carried

32. POOL SURVEY

Mayor Huber presented the Pool Survey that was created by the Parks, Recreation, and City Facilities Committee.

Discussion was held.

Councilmember Pickering made a motion to approve the Pool Survey to be distributed in the City Bills, on the City Website, and at the City Office in paper form; seconded by Councilmember Luongo.

AYES: Wiedel, Sudbeck, Pickering, Timmerman, Luongo

NAYS: None ABSENT: Dodes Motion Carried

33. APPROVE CLAIMS

Councilmember Pickering made a motion to approve the January claims; seconded by Councilmember Sudbeck.

AYES: Wiedel, Sudbeck, Pickering, Timmerman, Luongo

NAYS: None ABSENT: Dodes Motion Carried

34. APPROVE MINUTES

Councilmember Pickering made a motion to approve the January minutes; seconded by Councilmember Luongo.

AYES: Wiedel, Sudbeck, Pickering, Timmerman, Luongo

NAYS: None ABSENT: Dodes Motion Carried

34. EXECUTIVE SESSION

Councilmember Wiedel made a motion to go into Executive Session at 9:49 p.m.; seconded by Councilmember Luongo.

AYES: Wiedel, Sudbeck, Pickering, Timmerman, Luongo

NAYS: None ABSENT: Dodes Motion Carried

Councilmember Sudbeck made a motion to come out of Executive Session at 10:04 p.m.; seconded by Councilmember Pickering.

AYES: Wiedel, Sudbeck, Pickering, Timmerman, Luongo

NAYS: None ABSENT: Dodes Motion Carried

35. ADJOURNMENT

Councilmember Luongo made a motion to Adjourn the meeting; seconded by Councilmember Timmerman.

AYES: Wiedel, Sudbeck, Pickering, Timmerman, Luongo

NAYS: None ABSENT: Dodes Motion Carried

Meeting Adjourned at 10:06 p.m.

_____ Mayor

I, the undersigned, City Clerk, for the City of Hebron, Nebraska, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Mayor and Council; that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the office of the City Clerk; that such subject were contained in said agenda for at least twenty-four hours prior to said 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 minutes were in written form and available for public inspection within ten working days and prior to the next concerned meeting of said body; that all news media requesting notification of the time and place of said meeting were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

(S E A L)

_____ City Clerk