

Public Property, Safety, and Works Committee
Monday, October 8, 2018 4:00 PM
Council Chambers
1369 25 Avenue

{{Name: Agenda Item Name}}

{{Rationale: Agenda Item Rationale}} {{AgendaItemEnd}}

- 1. Statement of compliance with Open Meetings Act and roll call.**
- 2. Amend City Code to ban roosters within city limits.**
- 3. Amend City Code to include regulations on vaping and vaping paraphernalia.**
- 4. Minutes of the June, 11, 2018 , and September 10, 2018, Traffic Control Device Committee meetings.**
- 5. Adjourn.**

Memo

To: Tara Vasicek, City Administrator
From: Chief Charles Sherer
CC: file
Date: 10/4/2018
Re: Rooster Ordinance

Recommendation: I recommend including a City Ordinance with respect to Roosters which has been submitted by the City Attorney for consideration with the following amendment; **see in red.**

Discussion: The current City Ordinance merely limits the number of fowl that can be kept on a property. The department has experienced numerous complaints with respect to the noise generated by the roosters maintained in the community. Research indicates that the lack of the rooster in keeping fowl doesn't prohibit egg production. Thus limiting the keeping of roosters in the city limits won't have a negative impact on those citizens keeping fowl for egg production. The following amended ordinance is proposed; the changes in red were suggested to allow 4h and FFA students who raise roosters as part of their participation in agricultural related, county fair related projects their continued participation in these events.

Section 1: § 90.046: ROOSTERS BANNED WITHIN CORPORATE LIMITS.

- a) It shall be unlawful for any person to own, keep, harbor, or maintain any rooster within the corporate limits of the City of Columbus. The unlawful owning, keeping, maintaining, or harboring of roosters is declared to be a public nuisance. This section specifically bans the owning, keeping, maintaining, and/or harboring of roosters only and not other fowl as elsewhere defined in Chapter 90 of the City Code.
- b.) The prohibition of owning, keeping, maintaining, or harboring of roosters shall not apply to those roosters owned, kept, harbored, or maintained by the following: **of children in 4H and FFA from a list compiled by both organizations and given to Animal Control no later than April 30th of each year. The list will comprise of the child owning the rooster, the address and contact information of the owner, and the address where the rooster will be housed;**

c.) Further exceptions shall include governmental entities, animal shelters, licensed veterinary clinics, non-profit educational facilities, and commercial establishments who offer live fowl or chickens for retail sale, a person participating in a health surveillance conducted by a governmental entity, Humane Society, animal shelter, animal research facility, zoo, or to an animal hospital operated by veterinarians duly licensed under the laws of the State of Nebraska.”

d.) Entities falling into the aforementioned categories shall still comply with all other City regulations concerning fowl when dealing with roosters.

Fiscal Impact: None discerned.

Alternatives: Take no action and roosters will be allowed to continue to be housed & maintained within the city.

Concurrence:

Signature: _____

Memo

To: Tara Vasicek, City Administrator 

From: Chief Charles Sherer

CC: file

Date: 9/28/2018

Re: Vaping-City Ordinance Revision

Recommendation: I recommend approval of the revised Tobacco ordinances to incorporate the sale, use, and possession of "Vaping and Vaping paraphernalia."

Discussion: Vaping is a relatively new nicotine absorption technique that is increasingly popular, yet not reflected in our City Ordinances. I have asked our City Attorney to revisit our Tobacco use by minors, ordinance (130.126) and sale of cigarettes & tobacco, ordinance (130.127) to incorporate the most recent State Statutes with regard to Vaping and bring our city ordinances in line with the same.

Fiscal Impact: By creating a city ordinance, fines collected under this ordinance stay directly in the community and go directly to the school districts in our jurisdiction. Fines levied under state statute are collected and sent to the state and are equally distributed to every school district in the state of Nebraska. It behooves our community to have officers issue city ordinance violations when practical so those fines stay with our local school districts.

Alternatives: Take no action and we will enforce law related to Vaping under state statute.

Concurrence:

Signature:  _____

TRAFFIC CONTROL DEVICE COMMITTEE
MINUTES

June 11, 2018

1:30 P.M.

ROLL CALL: Present - Rick Bogus, Chief Sherer, Chuck Sliva, Tara Vasicek and Jay Nickolite.

Approval of the minutes from the May 14, 2018 meeting.

Nickolite moved and Sliva seconded that the minutes of the May 14, 2018 meeting be approved. All voted "Aye". Motion carried.

- A. Review the placement of "Stop" sign(s) on 31st Street between 33rd and 48th Avenue
The committee reviewed the data gathered from the speed trailer. Most vehicles were in compliance with the posted speed limit. Sherer motioned and Nickolite seconded to take no action but to keep an eye on the situation. All voted "Aye". Motion carried.
- B. Engine breaking along 33rd Avenue from 14th to 23 Street.
There was discussion as to the difference between engine breaking and jack breaking. The city prohibits the use of a numatic device which causes engine breaking. A motion was made by Sliva and seconded by Vasicek to have the police monitor and enforce as necessary. All voted "Aye". Motion carried.
- C. Handicap Park sign is between two parking stalls.
There was discussion as to if there were 2 or 1 signs. A motion was made by Sherer and seconded by Vasicek to have Nickolite check to see if there are two signs if so one will be removed and the other will be put in the first stall. All voted "Aye". Motion carried.
- D. Reinstalling pedestrian crossing light on Howard Boulevard near 35th Ave.
Nickolite reported that the parts for the controller are two weeks out. No action taken.
- E. Parking near the intersection of 14th Street and 21st Avenue. Nickolite reported that the curb painting is done. No action taken.
- F. South 5th Street "Reduce Speed Ahead" sign. Nickolite spoke with Platte County. They didn't have a problem with the City installing a 25 mph sign at the city limits and installing a reduce speed ahead sign. Motion made by Vasicek and seconded by Sherer to have the City proceed with the installation of the signs.
- G. Review of traffic control devices needs within the City.
 - 1. Sign for the Library on 33rd Street.
 - 2. Installing crosswalks at Centennial Park.

ADJOURNMENT: With no further business to discuss a motion was made by Bogus and seconded by Nickolite to adjourn the meeting. All voted "Aye". Motion carried.

Respectfully Submitted,
Barbara Swedenburg, Secretary

TRAFFIC CONTROL DEVICE COMMITTEE
MINUTES

September 10, 2018

1:30 P.M.

ROLL CALL: Present - Rick Bogus, Chief Sherer, Chuck Sliva, Tara Vasicek and Jay Nickolite. Also present were Dan Miller, Todd Thalken, Eller Heating, and Carroll Ebner

Approval of the minutes from the June 11, 2018 meeting.

Vasicek moved and Sherer seconded that the minutes of the June 11, 2018 meeting be approved. All voted "Aye". Motion carried.

Item B and D were addressed first.

- B. Eller Heating & Air signage, handicapped parking stall & paint striping
Eller Heating wants to make their building handicap accessible. Eller plans on putting the handicapped parking stall on the corner of their lot at 11 Street and 27h Avenue having the ramp start at the end of the sidewalk and continue to the middle of their building. Once the ramp is installed the handicap parking sign will be installed. Eller would like to install some "Eller Customer" parking signs. This isn't allowed since it is public parking. The signage was requested since the auto repair shop uses all the parking along 27th. Sherer suggested to Eller to call the CST's and have them talk to the repair place about them leaving the cars to be repaired in the parking stalls for lengthy periods. No vote was taken.
- D. Increase speed on Lost Creek Parkway
Ebner requested to have the speed limit increased to 55 since the speed limit on other roads was increased by 5 mph. Ebner was informed that the parkway was designed to handle traffic going 50 mph. Bogus will check into the design of the parkway handling traffic at 55 mph. No vote was taken.
- A. Private roadway naming and address standards
Thalken suggested to have private streets named Plazas. A motion was made by Sliva and seconded by Sherer to have the private streets that run north and south named Plaza's and the private streets that run east and west named Court's. All voted "Aye". Motion carried.
- C. Parking on east and west side of 5th Avenue near Dawn Drive
Vasicek suggested that parking could be limited to one side of the street. She also suggested to talk to the school to see if they think there is a problem with the parking. Nickolite motioned and Sliva seconded to continue this item to the next meeting. All voted "Aye". Motion carried.
- E. 26th Avenue and 16th Street – Sight Triangle
It was noted that if you are coming from the west, east bound and looking to the north it is difficult to see on-coming traffic due to the vegetation growing along the curb. Bogus will write a letter requesting the owner to remove the vegetation. No vote was taken.
- F. Consider limiting parking on 23rd Avenue north of 11 Street
Parking near the intersection is obstructing the view of south bound traffic. The business has vehicles parked everywhere. Vasicek wanted to know if they are following codes as far as parking goes. Sherer will check to see if they are up to code. No vote was taken.
- G. Request for Public Library direction signs off highway
No signs can be installed on State highway without permission from the State.

Bogus will give the library a contact with the State. If the state won't allow the signage the library may want to install the sign along one of the other streets.

- H. Review of traffic devices needs with the City
Ebner had questioned the length of time the signals stay red for traffic going east and west on Lost Creek Parkway. The signals seem to stay red for a long time. Bogus explained that the traffic signal is sensor activated.

ADJOURNMENT: With no further business to discuss a motion was made by Nickolite and seconded by Sliva to adjourn the meeting. All voted "Aye". Motion carried.

Respectfully Submitted,
Barbara Swedenburg, Secretary

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