

CITY OF NEBRASKA CITY, NEBRASKA  
MINUTES OF CITY COUNCIL REGULAR MEETING  
October 19, 2015

Pursuant to due call and notice thereof, a Regular Meeting of the City Council of the City of Nebraska City was conducted in the William F. Davis Room at City Hall, 1409 Central Avenue, on October 19, 2015. Notice of the meeting was given in advance thereof by posting in at least three public places, the designated method for giving notice, as shown by the Certificate of Posting Notice attached to these minutes. Availability of the agenda was communicated in advance to the media, Mayor and Commissioners of this proceeding and said meeting was open to the public.

Mayor Bequette called the meeting to order at 6:00 p.m. The Mayor 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 posted in the room where the meeting was being held. Mayor Bryan Bequette then led in the Pledge of Allegiance. Upon roll call the following answered present: Jeff Crunk, Vic Johns and Mayor Bequette. Absent: Jim Stark. The following City Officials were present: City Administrator Grayson Path, City Clerk-Treasurer Mark Marcotte, City Attorney David Partsch, Police Chief David Lacy, Fire Chief Alan Viox, EMS Manager Andrew Snodgrass and Public Properties Director/Zoning Director Dan Giittinger.

Commissioner Crunk moved to approve the minutes of the October 5, 2015, City Council Regular Meeting, seconded by Commissioner Johns. Upon roll call the following voted YES: Johns, Crunk and Mayor Bequette. Voting NO: None. Motion adopted.

Commissioner Johns moved to pay all claims as presented, seconded by Mayor Bequette. Upon roll call the following voted YES: Crunk, Johns and Mayor Bequette. Voting NO: None. Motion passed.

October 19, 2015						
Action Technology	Contr	416.99	Lyman-Richey Sand	Sup	4177.10	
Alamar Uniforms	Unif	777.33	Matheson Tri-Gas, Inc.	Sup	54.28	
All Roads Barricades	Rep	1402.50	Mead Lumber	Sup	20.58	
Arbor Mart, Inc	Fuel	1836.07	Mercer's Do-It-Best	Sup	108.62	
AVAC	Contr	544.00	Miller Monroe Farrell	Ins	4649.00	
Arrow Manufacturing	Sup	91.98	Mullenax Auto Supply	Sup	182.25	
Baker, M.	Rfnd	100.00	Municipal Code Corp	Contr	1278.98	
BKD	Audit	7875.00	Napa Auto Parts	Sup	82.85	
Boatright, K.	Dance	1350.00	Nationwide	Inv	10,041.07	
Bohl P & H	Rep	804.01	NC News Press	Adv	1360.95	
Bohl, R.	Rfnd	25.00	Nebraska City Utilities	Util	13744.19	
Bound Tree	Sup	75.69	NE Dept of Revenue	Sls Tax	1037.71	
Capital Business Sys	Contr	131.42	NE Law Enforcement	Training	95.00	
Card Services	Misc.	1061.86	New Castle Construction	Rfnd	200.00	
Carrot-Top Indust.	Misc.	86.94	Omaha Tractor, Inc.	Rep	26.69	
Casey's General Stores	Fuel	86.79	Otoe County Clerk	Contr	4423.46	
Champion Window of O	Rfnd	100.00	Pflepsen G.	Rfnd	100.00	
City of NC Wildwood	Artist	2601.71	Payroll	Payroll	93,397.00	
Concrete Industries, Inc.	Sup	216.43	Physicians Network	Med	64.32	
Conventry Healthcare	Rfnd	617.60	Pitney Bowes	Contr	189.00	
Crunk, C.	Rfnd	25.00	Police Chiefs Ass. of NE	Dues	50.00	
Double Eagle	Bev	48.00	Purchase Power	Postage	402.50	
Douglas Tire Co.	Rep	279.44	Quill Corporation	Sup	89.94	
Eakes Office Solutions	Sup	333.00	Radiology Assoc.	Med	52.00	
Eggers Brothers, Inc.	Rep	988.00	Rhodes, M.	Rfnd	200.00	
Fareway Stores, Inc.	Conc	134.62	Shell	Fuel	1632.62	
Graphic Screen Printing	Training	72.00	Smith, T.	Dance	205.00	
Grimm's Gardens	Fuel	29.49	St. Mary's	Med	959.13	
Guardian	Ins	3900.95	Stryker Medical	Sup	231.13	
Henry Motors	Rep	116.18	Suhr, C.	Rfnd	25.00	
HireRight Solutions, Inc	Contr	378.75	The Toolkit Group	Sup	276.00	
Ideal Pure Water	Contr	105.45	Tielke's Sandwiches	Conc	33.12	
Emily Jensen	Dance	240.00	Tree Worx	Contr	705.00	
KBIE FM 103.1	Adv	162.00	Tyco Integrated Security	Contr	154.95	
Landis Engine Co.	Sup	11.70	UHC	Ins	59815.98	
Larson Motors	Rep	110.04	Unifirst Corporation	Contr	53.77	

Lincoln Financial	Ins	2625.96	Verizon Wireless	Tele	268.52
LogIn / IACP Net	Dues	525.00	Westlake Hardware	Sup	84.05
Loveland Grass Pad	Sup	1710.00	Windstream, Inc.	Tele	1449.46

Public Hearing for LB840 funds for BobbyScott BBQ in the amount of \$64,144.29 was not held due to the voluntary withdrawal of applicant.

Mayor Bequette opened the Public Hearing concerning assessments of Street Improvement District No. 2013-01. City Attorney, David Partsch explained the history behind the assessments. No one spoke in favor of the assessments. Terry Leech spoke in opposition of the assessments. Lonnie and Lori Neeman spoke in opposition of the assessments. Mr. Neeman explained he had been told, in the past, that the assessments would probably go as an alternate assessment based on the street being a collector street. Tom Ramage explained he was appreciative of the street but that there is more traffic and they drive faster now. Commissioner Crunk asked Public Properties Director, Dan Giittinger, if he was at any of the meetings which this was discussed. Mr. Giittinger said he was and that he recalls that Joe Johnson indicated that this could possibly be considered a collector type street with a smaller assessment, but that no promises were made in the meeting he attended. Mayor Bequette moved to close the public hearing, seconded by Commissioner Crunk. Upon roll call the following voted YES: Johns, Crunk and Mayor Bequette. Voting NO: None. Motion passed.

Treasurer's report was given, As of September 30, 2015, Total Nebraska City funds of \$7,257,009.24, Total Cash and Reserve for Nebraska City Utilities of \$17,123,924.65. Total of City of Nebraska City funds \$24,380,933.89.

City Administrator Report was given.

Council discussed the possibility of a special election for Finance Commissioner. Council decided to address this agenda item at the November 2, 2015 meeting.

Moved by Commissioner Johns and seconded by Crunk to base our assessments on the Street Improvement District No. 2013-01 based on the alternative method of assessments as shown and directs the City Attorney to prepare a resolution to the same. Upon roll call, the following voted YES: Crunk, Johns and Mayor Bequette. Voting NO: None. Motion carried.

Jim Kuhn, representing the LB840 committee, explained the committee has no action right now concerning the Railroad Museum. He explained it is on hold until they get more information from them. He said they have contacted them several times with no response. He said they are still in the discussion period on any kind of LB840 application.

Moved by Commissioner Johns and seconded by Crunk to approve request from Lourdes Central Catholic Schools Student Council to have runners on the street on October 31, 2015 starting at 9:00 AM with the understanding there are no street Closures. Upon roll call, the following voted YES: Crunk, Johns and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Mayor Bequette and seconded by Crunk to direct the City Attorney to direct a resolution of Nuisance of this property for the next city council meeting. Property is located at 300 S 13<sup>th</sup> Street. Building Inspector, Alan Viox, explained a previous Plan of Action on December 1, 2014, in which owner, Alan Vogt had signed with a 180 day Plan of Action. Mr. Viox said he probably had completed some of the issues that needed to be addressed, but unfortunately, there are some issues that still need to be addressed. Mr. Vogt explained the property is not quite habitable, but there are people living in it. He said a boiler needs to be put in. He said the floors are level, the roof doesn't leak, the fascia was worked on and the utilities are hooked up. City Attorney, David Partsch, explained that he did not see that the house had been condemned, just a motion to repair the sidewalk and a motion to present plans for the next six months to bring the property up to code and then the December meeting approving the 180 day plan. Upon roll call, the following voted YES: Johns, Crunk and Mayor Bequette. Voting NO: None. Motion carried.

Leroy Frana presented the recommendation from the BPW to approve the purchase of a Fairbanks Morse Pump for the Main Lift Station at the Waste Water Treatment Facility in the amount of \$51,750.00. Moved by Commissioner Johns and seconded by Crunk to approve the purchase of two Fairbanks Morse Pumps for the Main Lift Station at the Waste Water Treatment Facility. Upon roll call the following voted YES: Crunk, Johns and Mayor Bequette. Voting NO: None. Motion carried.

Leroy Frana presented the recommendation to approve Electric Work Order #186 in the amount of \$87,594.14 to provide for the installation of Underground 3 Phase and Single Phase Primary Electric Lines in the North 11<sup>th</sup>, North 10<sup>th</sup> and Terrace Drive Area. Move by Mayor Bequette and seconded by Johns to approve Electric Work Order #186 in the amount of \$87,594.14. Upon roll call the following voted YES: Crunk, Johns and Mayor Bequette. Voted NO: None. Motion carried.

Leroy Frana presented the recommendation from the BPW to approve bid for replacement of Forestry Truck #35 with an Altec LR7-60-E-70 from Altec Industries in the amount of \$139,809.00 less trade plus applicable Sales Taxes. Moved by Commissioner Johns and seconded by Crunk to approve the bid for replacement of Forestry Truck #35 with an Altec LR7-60-E-70 from Altec Industries in the amount of \$139,809.00. Upon roll call the following voted YES: Crunk, Johns and Mayor Bequette. Voting NO: None. Motion carried.

Bill Moore thanked the council for the approval of the work to be done near his house on 11<sup>th</sup> Street by the Board of Public Works.

EMS Manager, Andrew Snodgrass explained the EMS Collections. Move by Mayor Bequette and seconded by Johns to go to collections and contract through EMS Billing with American Accounts & Advisors Incorporated effective billing of October 1, 2015. Upon roll call the following voted YES: Crunk, Johns and Mayor Bequette. Voted NO: None. Motion carried.

Lisa Beethe, representing Southeast Nebraska Development District, discussed the Housing Committee recommended Bid/Contract on Project #4 with North Construction, LLC in the amount of \$24,947.62 and Project #2 with Doty Construction in the amount of \$6,655.00. Moved by Commissioner Crunk and seconded by Johns to approve Housing Committee recommended Bid/Contract on Project #4 with North Construction, LLC in the amount of \$24,947.62 and Project #2 with Doty Construction in the amount of \$6,655.00. Upon roll call the following voted YES: Johns, Crunk and Mayor Bequette. Voting NO: None. Motion carried.

Mayor Bequette introduced Resolution 2683-15 Authorizing Mayor to execute general Administration contract between SENDD and City of Nebraska City for Contract #14-CIS-003. Moved by Commissioner Johns and seconded by Crunk to approve Resolution 2683-15 for passage after reading. Upon roll call, the following voted YES: Crunk, Johns and Mayor Bequette. Voting NO: None. Motion carried. A true and correct copy of said resolution is as follows:

Resolution 2683-15  
Authorizing Chief Elected Official to Execute General Administration Contract  
Between SENDD & City of Nebraska City  
For #14-CIS-003

WHEREAS, the City of Nebraska City, Nebraska, as an eligible unit of general purpose government has been awarded by the Nebraska Department of Economic Development, a Community Development Block Grant (CDBG) Contract #14-CIS-003 in the amount of \$220,000; and, said grant budget identified funds for the potential of contracting general administration services support;

WHEREAS, the City of Nebraska City, Nebraska will find it in its best interest to enter into a contract not to exceed \$20,000 for General Administration Services with SENDD for such project services, and SENDD has the capacity to provide such services; and

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Nebraska City, Nebraska, hereby directs and authorizes the Mayor of the City of Nebraska City, Nebraska to proceed with the execution of said contract with SENDD for an amount based on costs incurred not to exceed \$20,000 for Comprehensive Investment & Stabilization General Administration Services for this project.

Passed and approved this 19th day of October, 2015.

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Bryan Bequette, Mayor of Nebraska City, NE

ATTEST:

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Mark Marcotte, City Clerk of Nebraska City, NE

Mayor Bequette announced there was no reason to discuss or vote on Item 19, Consider LB840 application from BobbyScott BBQ; Resolution 2684-15, because application had been withdrawn.

Meeting Adjourned at 7:59 P.M.

#### AFFIDAVIT

I, the undersigned City Clerk for the City of Nebraska City, Nebraska, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Mayor and Board of Commissioners, 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 subjects 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 said minutes from which the foregoing proceedings have been extracted 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.

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Mark E. Marcotte, City Clerk-Treasurer