

CITY OF NEBRASKA CITY, NEBRASKA
MINUTES OF CITY COUNCIL REGULAR MEETING
August 17, 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 August 17, 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: Jim Stark, Jeff Crunk, Vic Johns, Mindy Briley and Mayor Bequette. The following City Officials were present: City Administrator Grayson Path, City Clerk-Treasurer Mark Marcotte, City Attorney David Partsch, Police Chief David Lacy, Building Inspector Alan Viox and Public Properties Director/Zoning Director Dan Gittinger.

Commissioner Johns moved to approve the minutes of the August 3, 2015, City Council Regular Meeting, seconded by Commissioner Stark. Upon roll call the following voted YES: Briley, Stark, Johns and Mayor Bequette. Voting NO: None. Abstain: Crunk. Motion adopted.

Commissioner Briley moved to pay all claims as presented, with the exception of two, under public properties, for Grimm's Garden totaling \$1,240.00., seconded by Commissioner Stark. Upon roll call the following voted YES: Johns, Crunk, Stark, Briley and Mayor Bequette. Voting NO: None. Motion passed.

ACCO	Sup	696.90	Matheson Tri-Gas, Inc.	Sup	149.12
Adkins Signs	Sup	211.00	Mead Lumber	Sup	6.79
Alamar Uniforms	Unif	172.98	Mercer's Do-It-Best	Sup	530.85
All Roads Barricades	Rep	1449.25	Midwest Farmers Coop	Sup	109.56
Amerine Builders, Inc	Rfnd	200.00	Mullenax Auto Supply	Sup	334.31
Arbor Mart, Inc	Fuel	1606.93	Nationwide	Inv	13059.63
Bando, C.	Sftware	89.98	NC Newspress	Adv	675.15
BCBS EMS	Rfnd	478.95	NC Public School Dist.11	ROW	540.00
Becker, S.	Rfnd	25.00	Nebraska City Utilities	Util	12211.53
Bill Walters & Son	Rep	636.01	NE Dept of Revenue	Sls Tax	1553.84
Bishop P & H	Rep	246.25	NE Game & Parks	ROW	260.00
Bound Tree	Sup	624.76	North American Direct.	Adv	220.00
Bridgestone Golf, Inc.	Mdse	139.50	NSVFA	Dues	840.00
Brown Glass Company	Rep	103.20	O'Reilly Auto Parts	Sup	143.98
Capital Business Sys	Contr	182.95	Odey's Inc.	Sup	498.00
Card Services	Misc.	398.03	Omaha Tractor, Inc.	Rep	366.76
Casey's	Fuel	172.61	Otoe County Clerk	Contr	4423.46
CFS Inspections	Misc.	695.00	Otoe County Treasurer	Contr	599.80
City of NC WW	Artist	1678.26	Packaging Horizons	Sup	53.77
Coca-Cola Refreshments	Bev	412.60	Paper Tiger	Contr	35.00
DeGoyler, W.	Rfnd	25.00	Payroll	Payroll	102,932.41
Diamond Vogel	Sup	836.25	Purchase Power	Postage	402.50
Double Eagle	Bev	297.40	Radke, K.	Misc.	521.69
Douglas Tire Co.	Rep	434.64	Rodriguez, T.	Rfnd	53.15
Eakes Office Solutions	Sup	259.59	Schaulis, S.	Dance	2479.04
EMS Billing Services, Inc	Contr	4951.80	Scharp, V.	Rfnd	134.78
Fareway Stores, Inc.	Conc	210.44	Shell	Fuel	1752.70
Fastenal Company	Sup	14.06	Sirchie Finger Print Labs	Sup	121.86

Gatehouse Media	Adv	186.44	Southeast P & H	Rep	191.50
Giittinger, D.	Mileage	75.15	St. Mary's	Sup	49.56
Guardian	Ins	3780.62	Tielke's Sandwiches	Conc	89.47
Hopkins Automotive Inc.	Sup	10.25	Tree City Tees	Unif	77.48
Ideal Pure Water	Contr	158.88	Tree Worx	Contr	1410.00
Jebro Inc.	Sup	2119.67	TRICARE	Rfnd	479.41
K & Z Distributing	Bev	53.20	UHC	Ins	57600.58
KR Creative	Sftware	136.75	Unifirst Corporation	Contr	92.28
Kreifel, J.	Rfnd	25.00	Verizon	Tele	14.06
Landis Engine	Sup	106.20	Viox, A.	Rfnd	100.00
Lincoln Financial	Ins	2604.61	Warner, J.	Rfnd	100.00
Lynn Peavey Company	Sup	16.05	Westlake	Sup	50.51
Marcotte, M.	Mileage	138.23	Wilhite, L.	Rfnd	100.00
Marshall Truck	Equip	47,500.00	Windstream, Inc.	Tele	1746.88
Martin Marietta	Sup	264.44	Wurtele, G.	Misc.	372.64

Moved by Commissioner Crunk and seconded by Stark to approve the Electrician Registration to Work Permit to GS Electric Inc. Upon roll call the following voted YES: Briley, Johns, Stark, Crunk and Mayor Bequette. Voting NO: None. Motion carried.

Mayor Bequette proclaimed August 22, 2015, as Disabled American Veterans Forget-Me-Not Day and urged the support of all citizens and organizations for that day.

Treasurer's report was given, As of July 31, 2015, Total Nebraska City funds of \$7,807,104.26, Total Cash and Reserve for Nebraska City Utilities of \$16,176,577.33. Total of City of Nebraska City funds \$23,983,681.59. Council acknowledged receipt.

City Administrator Report was given. Council acknowledged receipt.

City Administrator gave an update on Budget Material and Council set a Budget Meeting for August 24, 2015.

Moved by Commissioner Briley and seconded by Crunk to accept BKD's bid for the annual audit. Chris Linder, Audit Director for BKD, discussed the audit letter and fee which is consistent with last year. Upon roll call, the following voted YES: Stark, Johns, Crunk, Briley and Mayor Bequette. Voting NO: None. Motion carried.

Leroy Frana presented the recommendation to approve the 3 agreements with NDOR on S. Hwy 75 and Hwy 2 Intersection for Utility work. Leroy Frana stated these are estimates and actual cost will be known at the completion of the project. Moved by Commissioner Stark and seconded by Briley to approve agreement with NDOR on S. Hwy 75 and Hwy 2 Intersection for Utility work and authorize Mayor to sign same. Upon roll call, the following voted YES: Johns, Briley, Stark and Mayor Bequette. Voting NO: Crunk. Motion carried.

Moved by Mayor Bequette and seconded by Johns to table American Tower corporations request for consent until we have copies of the Management Agreements and an understanding from the Corporations on how they are going to make good on the back pay due the City. Upon roll call, the following voted YES: Stark, Crunk, Briley, Johns and Mayor Bequette. Voting NO: None. Motion carried.

Mayor Bequette introduced Resolution #2677-15 Gating 62 Road North of Transfer Station. Moved by Commissioner Johns and seconded by Briley to amend the description to read no farther south than the south edge of the Ramold property Upon roll call, the following voted YES: Stark, Crunk, Briley, Johns Mayor Bequette. Voting NO: None. Motion carried.

Moved by Mayor Bequette and seconded by Briley to consider the Resolution #2677-15 as amended. Upon roll call, the following voted YES: Stark, Crunk, Johns, Briley and Mayor Bequette. Voting NO: None. Motion carried. A true and correct copy of said resolution is as follows:

RESOLUTION NO. 2677-15

Gating 62 Road North of Transfer Station

WHEREAS the City of Nebraska City previously approved a request to allow the placement of an unlocked gate on 62 Road from David M. Ramold, the property owner at 603 N 62 Road, Nebraska City, Otoe County, Nebraska, just north of the City's Transfer Station, and

WHEREAS since the placement of said gate on 62 Road, a neighboring property owner has encountered issues with the gate impeding her ability to use the public roadway for inspections of her adjacent property;

NOW THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of Nebraska City, Nebraska, reaffirm Resolution #2659-15, in all respects, other than condition #1 shall be and hereby is amended to provide that the gate must be immediately removed and may be replaced on 62 Road no farther south than the south edge of the Ramold property.

Passed and approved this 17th day of August, 2015.

Brian Bequette, Mayor

ATTEST:

Mark Marcotte, City Clerk-Treasurer

Moved by Commissioner Briley and seconded by Crunk to waive the Residency requirement for Rasmus Thoegersen, Library Director, for 1 year. Upon roll call, the following voted YES: Stark, Johns, Crunk, Briley and Mayor Bequette. Voting NO: None. Motion carried.

Council Discussed the 4th Corso Viaduct. Steve Arens, from JEO Consulting Group, explained as Christiansen Brothers were repairing hole in deck of viaduct, they noticed the south steel girder was heavily rusted through. He said basically the south side of bridge is in poor shape and it would be very expensive to repair. Mr. Ahens recommended keeping the entire bridge closed. Jeff Sockel, of Benesch, discussed the process of designing a new bridge. Mr. Sockel stated the estimated cost of a new bridge would be around 7 million. Dan Giittinger discussed purchasing signage for permanent closure. Moved by Mayor Bequette seconded by Johns to table this to a special meeting to convene on the 24th of August at 7:30am. Upon roll call, the following voted YES: Stark, Crunk, Briley, Johns and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Commissioner Johns and seconded by Briley to approve SDL for NCTC to have Beer Garden on Central Avenue, between 8th & 9th Street on September 12, 2015 from 3pm to 8pm. Tim Pendrell of NCTC said this was not for Central Avenue but was Memorial Way. Upon roll call, the following voted YES: Stark, Crunk, Briley, Johns and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Mayor Bequette and seconded by Briley to approve request from NCTC to hold events during AppleJack Festival on September 18-20, 2015 as submitted except for items 10 and 15. Upon roll call, the following voted YES: Stark, Crunk, Johns, Briley and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Mayor Bequette and seconded by Briley to approve SDL for Fox Center, LLC as applied, for September 19th and 20th. Upon roll call, the following voted YES: Stark, Crunk, Johns, Briley and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Commissioner Stark and seconded by Briley to approve SDL for Pioneer Holdings, LLC as applied for. Upon roll call, the following voted YES: Crunk, Briley, Stark and Mayor Bequette. Abstain: Johns. Voting NO: None. Motion carried.

Moved by Mayor Bequette and seconded by Briley to Table request from NCTC to use 2 city shredders and 2 operators, and use of 9 picnic tables for Cornhusking event until staff has had time to look at it. Upon roll call, the following voted YES: Stark, Crunk, Johns, Briley and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Commissioner Stark and seconded by Crunk to approve request from NDOR to approve the updated Urban Area Map and authorize Mayor to sign same. Upon roll call, the

following voted YES: Briley, Johns, Crunk, Stark and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Mayor Bequette and seconded by Stark to form a committee of the City Attorney, City Administrator, Mr. Giittinger, the Commissioner of Roads and Mayor for the review of the 3 RFP's for recommendation to the Council at the next meeting on September 8th. Upon roll call, the following voted YES: Briley, Johns, Crunk, Stark and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Commissioner Stark and seconded by Johns to approve easement from Nebraska Game and Parks for Steinhart Trail Project and authorize Mayor to sign same. Upon roll call, the following voted YES: Crunk, Briley, Johns, Stark and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Mayor Bequette and seconded by Stark to approve the proposed contract with the Fraternal Order of Police, Nebraska City's Police Officers bargaining unit, as amended in Article 21 to reflect the 85, 85 percent and the change to section 5 for the 2 year bargaining agreement, August 1, 2015 to September 30, 2017. Upon roll call, the following voted YES: Johns, Stark, Briley and Mayor Bequette. Voting NO: Crunk. Motion carried.

Meeting Adjourned at 8:15 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.

Mark E. Marcotte, City Clerk-Treasurer