

CITY OF NEBRASKA CITY, NEBRASKA
MINUTES OF CITY COUNCIL REGULAR MEETING
April 18, 2016

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 April 18, 2016. 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, Gloria Glover and Mayor Bequette. Absent: None. The following City Officials were present: City Administrator Grayson Path, City Clerk-Treasurer Randy Dunster, City Attorney David Partsch, Library Director Rasmus Thoeners, Chief of Police David Lacy and Public Properties Director/Zoning Director Dan Giittinger.

Mayor Bequette moved to approve the following consent items:
Accepting the report of new claims against the City and approving disposition of claims set for the period of March 5, 2016 to March 18, 2016
Approve recommendation from BPW to approve Electric WO 102 for a line extension in Terra Oaks \$7745.04
Motion seconded by Commissioner Johns. Upon roll call the following voted YES: Stark, Crunk, Glover, Johns and Mayor Bequette. Voting NO: None. Motion carried

CLAIMS LIST					
April 18, 2016					
Arbor Mart, Inc	Fuel	1,158.35	Mullenax Auto	Sup	62.73
Arbor Outdoor Power	Rep	37.38	Napa Auto Parts	Rep	114.47
AVAC	Contr	27.00	Nationwide	Inv	13,703.85
Associated Fire Pro	Rep	355.00	NC Newspress	Adv	702.63
Beelner Service, Inc.	Maint	591.00	NC Rotary Club	Dues	375.00
Bohl P & H	Rep	628.72	NC Utilities	Util	6,397.32
Bound Tree	Sup	417.88	NE Dept of Revenue	Sls Tax	1,265.93
Brown's Shoe Fit	Unif	182.35	NE Dept of Roads	Constr	13,804.21
Brownville Village	Adv	50.00	NE UC Fund	Unemp.	320.16
Callaway Golf	Mdse	306.72	O'Reilly Auto Parts	Sup	50.38
Capital Business Sys	Sup	143.93	Omaha Tractor, Inc.	Belt	104.85
Card Services	Misc.	1,097.29	Otoe County Clerk	Contr	4,423.46
Casey's	Fuel	30.23	Paper Tiger	Trash	35.00
Channing Bete Co	Training	351.91	Payroll	Payroll	99,347.48
Citizen Printing Co	Sup	237.50	Peterson Mfg.	Sup	216.15
Consolidated Manag	Training	235.75	Physio-Control, Inc	Contr	484.81
Douglas Tire Co.	Rep	1,891.84	Productivity Pluss	Rep	944.58
Eakes Office Sol	Sup	182.87	Purchase Power	Postage	402.50
Eggers Brothers, Inc.	Rep	204.27	Quality Brands Linc	Beverages	156.90
EMS Billing Services	Contr	6,642.39	RR Donnelley	Investigation	104.42
Fareway Stores, Inc.	Concessions	87.33	S & P Capital	Misc	119.00
Foreman Jr, Wayne	Rfnd	70.00	Schneider Electric	Rep	5,444.77
Great Plains Black Hist	Unif	273.00	Shell	Fuel	1,453.15
Guardian-NCU	Ins	4,259.60	Lumberjack Company	Stump Rem.	1,100.00
Hireright	Med	35.83	Toolkit Group	Sup	301.00
Hopkins Automotive	Oil & Fil	52.33	Tielke's Sandwiches	Concessions	27.90
Ideal Pure Water	Sup	118.95	Top Quality Glove	Sup	178.90
KR Creative	Fine Arts	78.00	Tree City Tees	Unif	164.95
Kreifels Electric L.L.C.	Rep	528.38	Tree Worx Tree Serv	Stump Rem.	1,645.00
Landis Engine Co	Sup	75.90	Tyco Integrated Sec	Misc	154.95
Lincoln Financial-NCU	Ins	2,663.60	UHC-Lincoln Financial	Ins	61,675.28
Loveland Grass Pad	Sup	149.00	Unifirst Corporation	Sup	158.18
Matheson Tri-Gas	Sup	136.50	Van Wall Turf	Sup	890.39
Mead Lumber	Rep	55.35	Verizon	Tele	15.09
Mercer's Do-It-Best	Rep/Sup	489.42	Westlake Ace	Sup	68.45
Midwest Farmers	Sup	1,246.05	Windstream, Inc.	Tele	1,510.33

Midwest Turf and Irr	Sup	960.24	Zerofriction	Sup	142.50
Miracle Mudjacking	Rep	12,345.00			

Mayor Bequette proclaimed the dates of May 1-7, 2016 as ELKS National Youth Week

Mayor Bequette opened the Public Hearing for Liquor License Class C Application for Justin Cunningham and Theodore G Cunningham DBA Little Ted's Pub & Grill, LLC at 416 Central Ave. Justin Cunningham spoke representing Little Ted's Pub & Grill, LLC.

No one spoke in favor of the plan. No one spoke in opposition of the plan. Mayor Bequette moved to close the public hearing, seconded by Commissioner Crunk. Upon roll call the following voted YES: Johns, Crunk, Stark, Glover and Mayor Bequette. Voting NO: None. Motion carried.

Mayor Bequette stated that the Public Hearing to consider the use of \$60,000 of the LB840 Economic Development Loan Fund for the property at 416 Central Avenue was rescinded.

Mayor Bequette opened the Public Hearing concerning new application 16-TFHO-16017 for Homeownership Opportunity Program and Demolition Guideline. Judi Meyer of the South East Nebraska Development District spoke to explain the program and to state that no written communications were submitted regarding the hearing. Dan Mauk also spoke in support of the program. No one spoke in opposition of the plan. Mayor Bequette moved to close the public hearing, seconded by Commissioner Crunk. Upon roll call the following voted YES: Johns, Crunk, Stark, Glover and Mayor Bequette. Voting NO: None. Motion carried.

Mayor Bequette opened the mid-project Public Hearing on City's Owner Occupied Rehabilitation Program 14-HO-3S058 and Nuckolls Square Project #13-CIS-103. Judi Meyer of the South East Nebraska Development District spoke to explain the program and that no written communications were received. No one spoke in opposition of the plan. Mayor Bequette moved to close the public hearing, seconded by Commissioner Glover. Upon roll call the following voted YES: Johns, Crunk, Stark, Glover and Mayor Bequette. Voting NO: None. Motion carried.

Treasurer's report was given, as of March 31, 2016, Total Nebraska City funds of \$7,897,742.52. Total Cash and Reserve for Nebraska City Utilities of \$16,607,798.73. Total City of Nebraska City and Utility funds \$24,505,541.25.

Council acknowledged receipt of City Administrator Report.

Council acknowledged receipt of Utility Financial Report for period ending March 31, 2016.

Council acknowledged receipt of Utility Claims for period ending February 29, 2016.

Moved by Mayor Bequette and seconded by Stark to approve minutes from the April 4, 2016 City Council Meeting. Upon roll call, the following voted YES: Stark, Glover, Johns and Mayor Bequette. Voting NO: None. Abstain: Crunk Motion carried.

Moved by Mayor Bequette and seconded by Johns to adopt Policy on Public Records Requests and Copy Fee Schedule. Upon roll call, the following voted YES: Crunk, Stark, Glover, Johns and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Commissioner Stark and seconded by Johns to approve Resolution 2701-16 Utilizing Nebraska Affordable Housing Program funds. Upon roll call, the following voted YES: Glover, Johns, Crunk, Stark and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Commissioner Stark and seconded by Johns to approve Resolution 2702-16 Use of funds for demolition of blighted and substandard structures. Upon roll call, the following voted YES: Glover, Johns, Crunk, Stark and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Commissioner Stark and seconded by Glover to approve Resolution 2703-16 Authorize Mayor to apply for the Nebraska Affordable Housing Program Funds through NDED and amend the amount by an additional \$5,000.00. Upon roll call, the following voted YES: Glover, Johns, Crunk, Stark and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Mayor Bequette and seconded by Stark to send the approval recommendation to the liquor control commission for Liquor License Class C Application for Justin Cunningham and Theodore G Cunningham DBA Little Ted's Pub & Grill, LLC. Upon roll call, the following voted YES: Crunk, Stark, Glover, Johns and Mayor Bequette. Voting NO: None. Motion carried.

Mayor Bequette tabled Resolution 2704-16 Approving LB840 loan agreement for Justin Cunningham and Theodore G Cunningham DBA Little Ted's Pub & Grill, LLC at 416 Central Ave.

Moved by Commissioner Johns and seconded by Stark to authorize Mayor to sign agreement between City and Contractor for 11th Street Construction Contract. Upon roll call, the following voted YES: Glover, Johns, Crunk, Stark and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Commissioner Stark and seconded by Johns to appoint Grayson Path, City Administrator, as the City's Project Liaison to the Nebraska Department of Roads for the 4th Corso Viaduct project and to authorize Mayor to sign the letter stating such. Upon roll call, the following voted YES: Glover, Johns, Crunk, Stark and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Commissioner Stark and seconded by Johns to approve the official request by the Nebraska Department of Roads take over Responsible Charge (RC) duties for the 4th Corso Viaduct project and to authorize Mayor to sign. Upon roll call, the following voted YES: Glover, Johns, Crunk, Stark and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Mayor Bequette and seconded by Stark to not move the Memorial Way Tile Mural until further discussion at our May 2nd meeting. Amy Allgood representing LNC Class 6 spoke in opposition to moving the tile mural. Kent Schwartz also spoke on the various options available for the tile mural and the painted mural. Upon roll call, the following voted YES: Glover, Johns, Crunk, Stark and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Commissioner Stark and seconded by Johns to approve the Mayor to sign the consent to sublease and lease back to American Tower Corporation for the Steinhart Communication Tower site. Upon roll call, the following voted YES: Glover, Johns, Crunk, Stark and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Mayor Bequette and seconded by Crunk to approve Mr. Jim Kuhn's request to be able to refinish the Steinhart Park Directional Sign. Upon roll call, the following voted YES: Glover, Johns, Crunk, Stark and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Commissioner Johns and seconded by Stark to approve the request of the Nebraska City Jaycees Independence Day Celebration Fundraiser on June 11, 2016 with a rain date of June 18, 2016 from 9:00 AM to 1:00 PM requesting annual road block on 10th Street and Central Ave. Upon roll call, the following voted YES: Glover, Johns, Crunk, Stark and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Commissioner Crunk and seconded by Johns to authorize the Mayor to sign the Professional Agreement with JEO Consulting Group, Inc. for Final Design and Construction Oversight of the Kearney Hill CIS Project. Upon roll call, the following voted YES: Glover, Johns, Crunk, Stark and Mayor Bequette. Voting NO: None. Motion carried.

Mayor Bequette gave recommendation for Mr. Dan Güttinger as this was his last meeting before taking early retirement.

Meeting Adjourned at 7:21 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.

Randy Dunster, City Clerk-Treasurer