

CITY OF NEBRASKA CITY, NEBRASKA
 MINUTES OF CITY COUNCIL REGULAR MEETING
 December 19, 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 December 19, 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: Paul Davis, Patrick Wehling, Vic Johns, Gloria Glover and Mayor Bequette. Absent: None. The following City Officials were present: City Administrator Grayson Path, City Attorney David Partsch, City Clerk-Treasurer Randy Dunster, Police Chief David Lacy, Utilities Director Leroy Frana, Utilities Treasurer Jeff Kohrs, and Construction and Facility Manager Marty Stovall.

Mayor Bequette re-appointed Marcia Smith as the Commissioner of the Nebraska City Housing Authority Board. Upon roll call the following voted YES: Johns, Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

Mayor Bequette re-appointed JoAnn Martens to the Citizens Advisory Review Committee. Upon roll call the following voted YES: Johns, Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

Mayor Bequette appointed Brenda Baumann to the Citizens Advisory Review Committee. Upon roll call the following voted YES: Johns, Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

Treasurer's report was given, as of November 30, 2016, Total Nebraska City funds of \$7,143,656.45. Total Cash and Reserve for Nebraska City Utilities of \$16,126,652.83. Total City of Nebraska City and Utility funds \$23,270,309.28. Council acknowledged receipt of City Administrator Report. Grayson Path spoke regarding his report. Council acknowledged receipt of Utility Financial Report for period ending October 31, 2016. Council acknowledged receipt of Utility Claims for period ending November 30, 2016.

Moved by Mayor Bequette and seconded by Wehling to approve the minutes from the December 5, 2016 City Council Meetings. Upon roll call the following voted YES: Johns, Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Commissioner Glover and seconded by Johns accepting the report of new claims against the City and approving disposition of claims set for the period of December 6, 2016 to December 19, 2016. Upon roll call the following voted YES: Johns, Wehling, Glover, Davis, (with abstention with claims pertaining to West Lake Ace Hardware), and Mayor Bequette. Voting NO: None. Motion carried.

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Action Technology Serv	Comp	1,900.00	Loveland Grass Pad	Chem	389.55
Adkins Signs	Donation	160.00	Matheson Tri-Gas, Inc.	Sup	37.13
Alfred Benesech	Constr	7,609.06	Mercer's Do-It-Best	Sup	75.16
American Recycling	Garagbage	199.25	Mullenax Auto Supply	Sup	29.52
Arbor Mart, Inc	Fuel	895.90	Napa Auto Parts	Sup	69.87
AVAC	Animal Exp	294.96	Nationwide Bonds	Off Bond	100.00
BC Meyer Construction	Rfnd	200.00	Nationwide	Invest	13,905.57
Beelner Service, Inc.	Irrigation	660.00	Nationwide Trust	Inv	2,146.00
Berry	Adv	24.69	NC Newspress	Subsc	509.68
Bill Walters & Son Shop	Rep	1,133.16	Nebraska City Utilities	Util	6,070.19
Bishop Plumbing & Heat	Rep	605.00	NE Dept of Revenue	Sls Tax	127.47
Bound Tree Medical LLC	Sup	2,733.22	NE Dept of Roads	Constr	26,184.26
Capital Business Sys	Contr Sup/Ser	120.94	Ne Enviromental Prod	Rep	285.70
Card Services	Misc	925.67	NE Salt and Grain	Chem	1,604.30
Cede and Co	Int	1,897.50	Office Warehouse	Sup	161.95
Cede and Co	Int	14,832.50	Otoe County Clerk	Contr Sup/Ser	4,423.46
Cede and Co	Prin	90,000.00	Otoe County Court	Legal	11.00
Davis, C.	Rfnd	100.00	Payroll	Payroll	100,067.49
Dilley, C.	Rfnd	100.00	Schaulis, S.	Rfnd	25.00
Douglas Tire Co.	Rep	106.95	SEND D	EDRLF/CDBG	15,024.72
Dunster, R.	Mileage	24.48	Shell	Fuel	1,759.13
Eakes Office Solutions	Sup	32.41	SE Area Clerks Assoc.	Dues	20.00
EMS Billing Serv.	Billing Serv.	5,644.32	St. Mary's Hospital	Donation	2,070.14
Gatehouse Media	Adv	20.51	Lumberjack Company	Stump Rem	2,800.00
Giffie, M.	Rfnd	25.00	Top Quality Glove	Sup	163.50
Goetz, M.	Rfnd	77.00	Tree Worx Tree Service	Stump Rem	470.00
Green Lamb Prop	Growth Fund	5,530.66	UHC	HRA	921.65
Hackett, S.	Rfnd	100.00	Unifirst Corporation	Contr Sup/Ser	122.76

Ideal Pure Water	Sup	79.20	Verizon	Tele	14.04
JEO Consulting Group	CDBG	1,140.00	Westlake Ace	Rep	192.77
Kubota of Omaha	Rep	396.54	Williams, M.	Rfnd	25.00
Landis Engine Company, Inc	Rep	85.45	Windstream, Inc.	Tele	1,600.54
Lawn Barber	Code Comp	660.00	Windy Prairie	Donation	13,600.00

Oliver Borchers-Williams and Maria Andrade presented and held a discussion regarding joining the Sister Cities International Program. The Council recommended that City Administrator Path pursue the paperwork and details for joining the Sister Cities International Program to present at a later date.

Moved by Commissioner Davis and seconded by Mayor Bequette to approve the Bid from Yong Construction of Valley, Nebraska in the amount of \$91,200.00 for the construction of the Maplecrest Sanitary Sewer Improvements at the recommendation of the Board of Public Works. The Utilities Director Leroy Frana spoke to explain the request. Upon roll call the following voted YES: Johns, Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Mayor Bequette and seconded by Wehling to appoint Commissioners Wehling and Glover to work with the staff of Prairie Fire Development Group on negotiating terms on a possible purchase agreement for the property at the North West corner of Industrial Road and Steinhart Park Road while the Attorney drafts a Resolution of support. Nick Jerkovich, Jerod Nook and Dan Mauk all spoke to explain the request. Upon roll call the following voted YES: Wehling, Glover, Davis and Mayor Bequette. Abstain: Johns. Voting NO: None. Motion carried.

Moved by Mayor Bequette and seconded by Glover to table the request from Unite Private Networks to Occupy Nebraska City ROW until more information is acquired from the company. Upon roll call the following voted YES: Johns, Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Commissioner Glover and seconded by Johns to approve the agreement as amended for the Administration of the Economic Development Plan and to be signed by the Mayor. Upon roll call the following voted YES: Johns, Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Mayor Bequette and seconded by Glover to approve **Resolution 2724-16** Tax Increment Financing fee structure with attachment A as amended. Upon roll call the following voted YES: Johns, Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried. A true and correct copy of said resolution is as follows:

RESOLUTION NO. 2724-16

WHEREAS, tax increment financing (“TIF”) is a state authorized public funding mechanism for cities to use to help pay for public improvements associated with redevelopment projects in blighted and substandard areas;

WHEREAS, Nebraska City’s purpose in utilizing TIF is to remove blight, stimulate investment in deteriorating areas and stimulate job creation;

WHEREAS, the Nebraska Community Development Law, Neb. Rev. Stat. §§18-2101, et seq., (the “Act”) authorizes communities to designate blighted and substandard areas that have a preponderance of deteriorating buildings, high unemployment, old structures, unimproved land, low-income residents, and/or a declining population along with other factors as eligible for the use of TIF.

WHEREAS, the City incurs many administrative costs and fees when working with developers on TIF projects; and,

WHEREAS, many municipalities recoup taxpayer expenses through the use of TIF fees paid by the applicants;

THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF NEBRASKA CITY, NEBRASKA:

That the TIF fee structure attached to and made a part of this Resolution as Attachment “A”, be and is hereby adopted. The fees as provided for by Attachment “A” shall be effective immediately and shall continue until amended by further Resolution.

Passed and approved this 19th day of December, 2016.

Bryan Bequette, Mayor

ATTEST:

Randy Dunster
City Clerk-Treasurer

Moved by Commissioner Wehling and seconded by Glover to approve the Wildwood Period House apartment lease agreement with the amendment that the security deposit be equal to one month's rent be added. Upon roll call the following voted YES: Johns, Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

Chief Lacy reported that the Police Department raised \$2,730 from the No-Shave November fundraiser to donate to the local CHI Infusion Center and over \$2000 were raised for the Shop-With-A-Cop Program.

Mayor Bequette announced that the Council would like to reward all of the hard work of the many City employees by awarding an additional Holiday of December 23rd.

Meeting Adjourned at 7:27 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 A. Dunster, City Clerk-Treasurer