

CITY OF NEBRASKA CITY, NEBRASKA
MINUTES OF CITY COUNCIL REGULAR MEETING
March 6, 2017

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 March 6, 2017. 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, Police Chief David Lacy, Utilities Director Leroy Frana, Construction and Facility Manager Marty Stovall, and City Clerk-Treasurer Randy Dunster.

Mayor Bequette moved to approve the following consent items:

Approve minutes from the February 20, 2017 City Council Meeting.

Approve the Nebraska City Farmers Market request to use the Memorial Building parking lot every Thursday, May 11th thru August 31st 2017 and waive sign requirement for banner at 8th & Central. Motion seconded by Commissioner Johns. Upon roll call the following voted YES: Davis, Wehling, Glover, Johns and Mayor Bequette. Voting NO: None. Motion carried

Mayor Bequette proclaimed March 18th 2017 as Natural Gas Utility Workers Day.

Kelly Bequette gave a report on the Nebraska City, Nebraska 150 Committee Report.

Marty Stovall reported on receiving three separate awards: the Nebraska Concrete Pavement Association Award for Steinhart Trail Project, the Nebraska Concrete Pavement Association Award for South 11th Street Project, and the American Council of Engineering Companies Award for South 11th Street Project.

Moved by Commissioner Glover and seconded by Johns to accept the report of new claims against the City and approving disposition of claims set for the period of February 21, 2017 to March 20, 2017. Upon roll call the following voted YES: Davis with abstention on the claim pertaining to West Lake Ace Hardware, Wehling, Johns, Glover and Mayor Bequette. Voting NO: None. Motion carried.

CLAIMS LIST

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Action Technology Serv	Computer	400.00		NC Clerk - Treasurer	Postage 1.61
ALTEC Industries	Rep/Maint	2633.03		NC Museum Assoc.	Contr 2431.25
American Nat. Bank	Loan	669.05		NE Law Enforcement	Training 100.00
American Recycling	Garabage	144.50		NC Newspress	Adv 279.75
Arbor Mart, Inc	Fuel	1764.96		NCTC	Contr 7083.33
Associated Fire Protect	Rep/Maint	220.00		NE Salt & Grain	Chem 4989.81
Richard D. Bennett, Jr.	Rock	1249.03		O'Reilly Auto Parts	Rep/Maint 89.79
Vivial	Adv	24.69		Otoe County Title Co	CDBG 27.00
Bishop P&H	Grant	227.80		Office Warehouse	Sup 43.99
Bound Tree Medical LLC	Sup	630.63		Otoe County Clerk	Contr 1489.00
Channing Bete Company	Training	59.45		Path, G.	Conf/Travel 130.02
Cline Williams Wright	TIF	2449.99		Payroll	Payroll 87,822.71
Cocca Develop.	Rfnd	200.00		Physio-Control, Inc	Sup 208.00
Douglas Tire Co.	Rep/Maint	95.95		Quality Brands of Linc	Bev 161.60
Dunster, R.	Mileage	27.23		River View Pest Control	Pest Cntrl 176.00
Eakes Office Solutions	Sup	161.82		S Systems	Computer 789.97
Galls, LLC	Uniforms	89.95		Shelter Home Service LLC	Rep/Maint 52.00
Gatehouse Media	Adv	42.13		St. Mary's Hospital	Ins 735.00
Goings Home	Rfnd	200.00		St. Mary's Hospital	Bckgrnd 33.00
Guardian	Ins	8,888.71		Stutheit Implement	Sup 313.31
Henry Motors Serv	Rep/Maint	394.04		Thurman's Bike & Sport	Grant 38.00
Hopkins Automotive Inc.	Rep/Maint	98.90		Tom's Radio	Communications 900.00
Inland Truck Parts	Rep/Maint	1029.96		Tree Worx Tree Service	Stump Rem 235.00
Jones Automotive, Inc.	Cap Out	247.50		UHC	Ins 110,079.41
Landis Engine Company	Rep/Maint	643.41		Van Wall Turf & Irrigation	Rep/Maint 1673.83
Lincoln Financial	Ins	5,075.12		Verizon Wireless	Tele 196.37
Matheson Tri-Gas, Inc.	Sup	295.18		Wehling, P.	Conf/Travel 209.64
Mercer's Do-It-Best	Equip	116.10		Westlake Ace	Ballfields 29.78
Nationwide	Inv	11,891.44		Windstream, Inc.	Tele 121.90

Moved by Commissioner Johns and seconded by Wehling to approve the Professional Services Agreement with JEO Consulting Group, Inc. for project No. 100080.00 North 11th Street & Orchard Drive improvements. Marty Stovall 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 Commissioner Johns and seconded by Mayor Bequette to approve the Arbor Day Event April 28th –April 30th 2017 with multiple requests from the Nebraska Chamber of Tourism and Commerce. Amy Allgood 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 Johns to approve Chief Lacy's request to extend an offer for hire to Officer Buetzer at step 5 on the Police Officers step rate as published in our employee manual and in following with the FOP. Chief Lacy spoke to explain the request. Upon roll call the following voted YES: Johns, Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried. Mayor Bequette swore in Officer Buetzer to his new position.

Moved by Mayor Bequette and seconded by Davis to approve one Aquatic Center family pass for the Legally Prom Silent Auction. Carrisa Phillips spoke to explain the request. Commissioner Wehling stated that he would abstain from the conversation because he is the Chair of the Nebraska City Ballfield Improvement Association. Upon roll call the following voted YES: Johns, Glover, Davis and Mayor Bequette. Voting NO: None. Abstain: Wehling. Motion carried.

Moved by Mayor Bequette and seconded by Johns that the statutory rule requiring reading on three different days be suspended. Upon roll call the following voted YES: Johns, Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried. Mayor Bequette declared that the motion adopted by three fifths vote of the council and the statutory rule suspended for the consideration of said ordinance.

Moved by Mayor Bequette and seconded by Glover for final passage of **Ordinance 2981-17** to narrow the street right-of-way on 4th Rue. Dave Partsch spoke to explain the request. Linda Willberger spoke in opposition to the Ordinance. Upon roll call the following voted YES: Johns, Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

ORDINANCE 2981-16

AN ORDINANCE TO VACATE A PORTION OF CITY STREET WIDTH ON 4TH RUE WITHIN NEBRASKA CITY, OTOE COUNTY, NEBRASKA, AS DESCRIBED IN SECTIONS 1 AND 2 HEREOF; AND DECLARING AN EFFECTIVE DATE.

Moved by Mayor Bequette and seconded by Wehling that the statutory rule requiring reading on three different days be suspended. Upon roll call the following voted YES: Johns, Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried. Mayor Bequette declared that the motion adopted by three fifths vote of the council and the statutory rule suspended for the consideration of said ordinance.

Moved by Mayor Bequette and seconded by Johns for final passage of **Ordinance 2984-17** to approve Manufactured Home Community Annual Permit Fee increase. Upon roll call the following voted YES: Johns, Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

ORDINANCE 2984-17

AN ORDINANCE AMENDING SECTION 21-20 OF THE CODE OF THE CITY OF NEBRASKA CITY, NEBRASKA; REPEALING ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; APPROVING PUBLICATION IN PAMPHLET FORM; AND DECLARING AN EFFECTIVE DATE.

Mayor Bequette introduced the third reading of **Ordinance 2986-17** for the annexation of Lot A-1 and Lot A-2 at W1/2NW1/4, 21-8-14 (Arbor Crossing development).

Moved by Mayor Bequette and seconded by Wehling for final passage of **Ordinance 2986-17** for the annexation of Lot A-1 and Lot A-2 at W1/2NW1/4, 21-8-14 (Arbor Crossing development).

Commissioner Johns declared his intent to abstain due to a commercial listing. Upon roll call the following voted YES: Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Abstain: Johns. Motion carried.

ORDINANCE 2986-17

AN ORDINANCE OF THE CITY OF NEBRASKA CITY, NEBRASKA, TO EXTEND THE BOUNDARIES AND INCLUDE WITHIN THE CORPORATE LIMITS OF AND ANNEX TO THE CITY OF NEBRASKA CITY, NEBRASKA, CERTAIN CONTIGUOUS AND ADJACENT LANDS OUTSIDE THE CITY OF NEBRASKA CITY, OTOE COUNTY, NEBRASKA, AS DESCRIBED IN SECTION 2 HEREOF, AND TO PROVIDE FOR SERVICE BENEFITS THERETO; REPEALING ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; APPROVING PUBLICATION IN PAMPHLET FORM; AND DECLARING AN EFFECTIVE DATE.

Moved by Mayor Bequette and seconded by Glover to excuse six consecutive meeting absences by Commissioner Johns. Upon roll call the following voted YES: Johns, Glover, Wehling, Davis and Mayor Bequette. Voting NO: None. Motion carried.

Meeting Adjourned at 6:58 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