

CITY OF NEBRASKA CITY, NEBRASKA  
MINUTES OF CITY COUNCIL REGULAR MEETING  
May 15, 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 May 15, 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, Gloria Glover and Mayor Bequette. Absent: Vic Johns. The following City Officials were present: City Administrator Grayson Path, City Attorney David Partsch, Police Chief David Lacy, Library Director Donna Kruse, 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 May 1, 2017 City Council Meeting.  
Approve waiving the shelter reservation fee for the Nebraska City Soccer Association picnic on May 22nd. Upon roll call the following voted YES: Davis, Wehling, Glover and Mayor Bequette. Voting NO: None. Motion carried

Mayor Bequette announced the re-appointment of John Wentzl to the Tree Board. Upon roll call the following voted YES: Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

Mayor Bequette introduced the South East Nebraska Development District Executive Director Tom Bliss.

Mayor Bequette announced the Town Hall Meeting to be held on May 18, 2017 at the Morton James Public Library at 6:00 PM.

Mayor Bequette proclaimed May 14th thru May 20th National Police Week. Chief David Lacy spoke of the proclamation.

Mayor Bequette proclaimed May 21st thru May 27th National EMS Week.

Treasurer's report was given, as of April 30, 2017, Total Nebraska City funds of \$6,365,916.16. Total Cash and Reserve for Nebraska City Utilities of \$15,903,762.99. Total City of Nebraska City and Utility funds \$22,269,679.15. Council acknowledged receipt of City Administrator Report. Grayson Path spoke regarding his report.

Moved by Commissioner Glover and seconded by Wehling to accept the report of new claims against the City and approving disposition of claims set for the period of May 2, 2017 to May 15, 2017. Upon roll call the following voted YES: Davis with abstention to any claims pertaining to West Lake Ace Hardware, Wehling, Glover and Mayor Bequette. Voting NO: None. Motion carried.

<b>CLAIMS LIST</b>					
May 15, 2017					
ACCO	Chem	983.85	Larson Motors	Rep/Maint	36.27
Action Technology	Computer	400.00	League of NE Municipalities	Conference	105.00
American Recycling	Garabage	266.75	Lynn Peavey Co	Investigate	31.00
Anderson Auto	Rep/Maint	180.18	Martin Marietta Mat	Gravel	1301.69
Arbor Mart, Inc	Fuel	2488.75	Matheson Tri-Gas, Inc.	Sup	242.09
Associated Supply	Chemicals	3291.29	MD Aquatics, LLP	Chem	1178.00
Award Plus	Unif	84.00	Mercer's Do-It-Best	Rep/Maint	186.70
B.C. Meyer Construct	Rfnd	200.00	Meyer, R.	Rfnd	200.00
BCBS EMS	Rfnd	539.78	Midwest Farmers Co	Chem	175.16
Beelner Service, Inc.	Irrigation	460.50	Morrow & Assoc	Emp. Cand. Qual	4262.08
Richard D. Bennett, Jr.	Gravel	2197.13	Mullenax Auto Supply	Sup	182.07
Vivial	Adv	24.69	Napa Auto Parts	Sup	116.77
Bill Walters & Son	Rep/Maint	149.95	Nationwide Bonds	Off. Bond	100.00
Bob's Welding Shop	Rep/Maint	295.00	Nationwide Trust Cont	Pre Pension	2146.00
Bound Tree Medical	Sup	460.59	Nationwide	Inv	13,293.99
Callaway Golf Sales	Mrcdse	2498.59	NC Newspress	Adv	845.12
Capital Business Sys	Contract	112.23	NC Rotary	Dues/Memberships	375.00
Card Services	Mult.	1685.10	NC Utilities	Util	6338.87
Casey's General	Fuel	90.67	NC Veterans Mem	Grant	3278.04
Jonathan Casey	Conf	49.22	NE Dept of Rev	Sls Tax	1,388.06
CB Plumbing Serv	Rep/Maint	470.70	NEOPOST	Postage	133.16
Chaney, P.	Rfnd	25.00	O'Reilly Auto Parts	Rep/Maint	135.37
Coles Concessions	Rfnd	155.00	Odey's Inc.	Rep/Maint	6710.95
Consolidated Manag	Training	228.57	Otoe County Clerk	Dispatch	4423.46
Douglas Tire Co.	Rep/Maint	72.95	Paper Tiger Shredding, Inc	Garabage	52.00
Dunster, R.	Travel	29.48	Payroll	Payroll	100,327.20

Eakes Office Sol.	Off. Sup	282.38	PNC Equipment	Loan/Lease	2728.00
EMS Billing Services	Bill. Serv	2647.41	Profit Source	Grant	7509.00
Fareway Stores, Inc.	Concessions	199.55	QUALCHOICE	Rfnd	1896.00
Fastenal Company	Rep/Maint	2.27	Quality Brands Lincoln	Bev	347.40
Fire Protection Serv	Rep/Maint	18.00	R & R Products Co.	Sup	86.06
Fireguard	Rep/Maint	1371.86	Schneider Electric	Rep/Maint	45.00
Frazier Construction	Rfnd	1195.16	SEND D	CDBG	1,534.10
Galls, LLC	Unif	903.89	Shell	Fuel	1722.83
Gatehouse Media NE Holding	Adv	54.18	Steve Walters & Son	Rep/Maint	300.00
Grimm's Gardens	Rep/Maint	185.25	The Spyglass Group	Tele	2863.17
Henry Motors Serv	Rep/Maint	352.60	Thurman's Bike	Training	102.00
Ideal Pure Water	Off. Sup	61.95	Tielke's Sandwiches	Concessions	53.98
Inland Truck Parts	Rep/Maint	915.51	Tree City Tees	Unif	18.00
JEO Consulting Group	Eng	25405.00	UHC	HRA	3,485.74
John P. Engler, PH.D	Training	350.00	Unifirst Corporation	Contract	176.97
K&Z Distributing	Bev	81.60	VAIRKKO	Computer	270.90
Kehr, B.	Rfnd	169.36	Verizon Wireless	Tele	14.04
Kreifels Plumbing	Rep/Maint	80.95	Westlake Ace	Rep/Maint	69.63
Landis Engine Co	Rep/Maint	32.04	Windstream, Inc.	Tele	1084.04

Moved by Mayor Bequette and seconded by Glover to approve SDL for Backswing Brewing Co. for June 17, 2017 from 3:00 PM to 8:00 PM at Whispering Pines Bed & Breakfast 2018 6<sup>th</sup> Ave, Nebraska City, NE 68410. Cory Sinclair spoke to explain the request. Upon roll call the following voted YES: Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Commissioner Glover and seconded by Davis to approve CDBG Housing Rehabilitation Projects and Contracts for #19 and #20 and authorize the Mayor to sign. Upon roll call, the following voted YES: Wehling, Davis, Glover and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Commissioner Wehling and seconded by Glover to approve a hold harmless agreement with the Housing Authority to install equipment on their building for the 4th Corso Viaduct camera project. Upon roll call, the following voted YES: Wehling, Davis, Glover and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Mayor Bequette and seconded by Wehling to approve the Professional Service Agreement with JEO Consulting Group, Inc. to update the City's Zoning and Subdivision Ordinances for an amount not to exceed \$28,435.00. Upon roll call the following voted YES: Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

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: 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 Wehling for final passage of **Ordinance 2990-17** to create and implement the Nebraska City Chaplain Corps. Grayson Path and David Lacy spoke to explain the request. Upon roll call the following voted YES: Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

#### ORDINANCE NO. 2990-17

AN ORDINANCE CREATING SECTION 29-8 OF THE CODE OF THE CITY OF NEBRASKA CITY, NEBRASKA (NEBRASKA CITY CHAPLAINCY CORPS); REPEALING ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; APPROVING PUBLICATION IN PAMPHLET FORM; AND DECLARING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF NEBRASKA CITY, OTOE COUNTY, NEBRASKA, AS FOLLOWS:

#### **SECTION 1. AMENDMENT:**

That Section 29-8 of the Code of the City of Nebraska City, Nebraska, is hereby created to read as follows:

#### **Sec. 29-8. – NEBRASKA CITY CHAPLAINCY CORPS**

##### **(a) Creation and Purpose**

**The purpose of the Nebraska City Chaplaincy Corps is to support the mission and goals of the Nebraska City Police and Fire/Rescue Departments as well as the Otoe County Sheriff's Office by, upon request, providing volunteer spiritual guidance, counseling, and comfort to emergency personnel and/or their families while additionally serving as a resource to the community in times of personal family crisis. Chaplains will also volunteer during disasters as requested by the appropriate emergency management agency.**

##### **(b) Board of Directors; Composition.**

**There is hereby created in and for the city the Nebraska City Chaplaincy Corps. The Corps shall have a governing body known as the Board of Directors. The Board of Directors shall consist of seven (7) persons and be comprised of the following positions:**

- (1) Lead Chaplain (elected by majority vote of the Board);**
- (2) Nebraska City Chief of Police or his/her Nebraska City Police Department designee;**
- (3) Nebraska City Fire & Rescue Chief or his/her Nebraska City Fire & Rescue designee;**
- (4) Full Time Nebraska City Fire & Rescue Department Employee designated by the Nebraska City Fire & Rescue Chief;**
- (5) Otoe County Sheriff or his/her Otoe County Sheriff's Office designee;**
- (6) Nebraska City Ministerial Association Chair so long as he/she is a Chaplain in this Chaplaincy Corps or his/her designee of a Chaplaincy Corps Chaplain;**
- (7) Chaplaincy Corps Chaplain designated by the Nebraska City Ministerial Association Chair.**

**(c) Appointment and terms of members; compensation.**

**Members of the Board of Directors shall be annually designated at the first meeting in each calendar year or within a reasonable time thereafter. Such Directors shall serve at the discretion of the designating official and may be removed for any or no reason by the designating official. All members of the committee shall serve as such without compensation.**

**(d) Organization, meetings, records.**

**At the first meeting in each year or within a reasonable time thereafter, shall elect a Chairperson, Vice-Chairperson, Lead Chaplain, and such other persons as may be necessary to carry out the Board duties, and shall review and adopt all necessary rules providing for regular and special meetings of said Board and for the conduct of its business. All proceedings shall be well and faithfully set down and preserved in record books which said Board shall provide for that purpose and the records of said Board shall be open to the public.**

**(e) Powers and duties of Board of Directors.**

**The primary function of the Board of Directors is to govern the Chaplaincy Corps. The Board shall adopt such rules/regulations as may be deemed necessary for the Corps not inconsistent with this Section.**

**SECTION 2. REPEAL:**

That all ordinances or portions of ordinances in conflict herewith are hereby repealed.

**SECTION 3. PUBLICATION AND EFFECTIVE DATE:**

This ordinance is adopted and approved for publishing in pamphlet form, and shall be in full force and effect from and after 15 days after its passage, approval, and publication or posting as provided by law. The provisions of this Ordinance shall become and be made part of the Nebraska City Municipal Code and sections of this Ordinance may be renumbered to accomplish such intention.

Passed and approved this \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Bryan Bequette, Mayor

ATTEST:

\_\_\_\_\_  
Randy Dunster, Clerk-Treasurer

Moved by Mayor Bequette and seconded by Wehling to promote two Street Department employees and waive pertinent sections in personnel manual. Upon roll call, the following voted YES: Glover, Wehling, Davis and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Mayor Bequette and seconded by Glover to approve the Civic Community Center Financing Fund Library grant application. Donna Kruse and Grayson Path spoke to explain the request. Upon roll call, the following voted YES: Glover, Wehling, Davis and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Mayor Bequette and seconded by Glover to close the meeting to the public for the purpose of conducting a negotiating strategy session regarding cost share of the Otoe County Sheriff Dispatch Services. The reason for closing the meeting being to keep the City's strategy private during the course of the negotiations. Upon roll call, the following voted YES: Glover, Wehling, Davis and Mayor Bequette. Voting NO: None. Motion carried. Closed session began at 6:54 PM. Moved by Mayor Bequette and seconded by Wehling to come out of closed session and resume the Open Session at 7:34 PM. Upon roll call, the following voted YES: Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Mayor Bequette and seconded by Wehling that the negotiating team stays the same as the Committee that has been orchestrating this, which would be Mayor Bequette, Commissioner of Finance, City Administrator and the Chief of Police. Upon roll call, the following voted YES: Glover, Wehling, Davis and Mayor Bequette. Voting NO: None. Motion carried.

Meeting Adjourned at 7:36 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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Randy A. Dunster, City Clerk-Treasurer