

CITY OF NEBRASKA CITY, NEBRASKA
MINUTES OF CITY COUNCIL REGULAR MEETING
June 19, 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 June 19, 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 Captain Lonnie Neeman, Utilities Director Leroy Frana, Library Director Donna Kruse, Construction and Facility Manager Marty Stovall, Deputy City Clerk-Treasurer Patricia Moore and City Clerk-Treasurer Randy Dunster.

Mayor Bequette moved to approve the following consent items:

Approve minutes from the June 5, 2017 City Council Meeting.

Approve minutes from the June 13, 2017 Special Housing Summit Meeting.

Approve Central Ave. parking for the Apple Jack Car Show September 17, 2017.

Approve temporary extension to rental agreement for the Wildwood Period House.

Motion seconded by Commissioner Davis. Upon roll call the following voted YES: Davis, Wehling, Glover, and Mayor Bequette. Voting NO: None. Motion carried

Moved by Mayor Bequette to re-appoint of Richard Gibson, Charles Stoner and Rick Freshman to the Planning Commission. Upon roll call the following voted YES: Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Mayor Bequette to re-appoint of Rob Schreiner and Beth Hammond to the Nebraska City Tree Board. Upon roll call the following voted YES: Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

Jeanna Stavez gave a report from the NCTC on the progress of the NE 150 events and the Farm to Fork Dinner and Chautauqua events.

Treasurer's report was given, as of May 31, 2017, Total Nebraska City funds of \$6,916,659.95. Total Cash and Reserve for Nebraska City Utilities of \$15,973,256.18. Total City of Nebraska City and Utility funds \$22,889,916.13.

Council acknowledged receipt of City Administrator Report. Grayson Path spoke regarding his report.

Council acknowledged receipt of Utility Financial Report for period ending April 30, 2017.

Council acknowledged receipt of Utility Claims for period ending May 31, 2017.

Moved by Commissioner Glover and seconded by Davis to approve the granting of 10 day passes to the Aquatic Center for weekly Friday giveaways through B103. 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 Mayor Bequette to accept the report of new claims against the City and approving disposition of claims set for the period of June 6, 2017 to June 19, 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.

CLAIMS LIST					
June 19, 2017					
A-1 Locksmith	Rep/Maint	60.00	K&Z/Quality Brands	Bev	638.00
ACCO	Chem	781.40	Knapp Roofing	Rep/Maint	2965.00
Adkins Signs	Rep/Maint	80.00	Kohtz, K.	Artist	105.00
Allgood, K.	Rfnd	100.00	Kustom Signals	Rep/Maint	80.50
Ambassador Wellness	Training	100.00	Landis Engine Company	Rep/Maint	263.53
American National Bank	Loan/Lease	8082.56	Larson Motors	Rep/Maint	651.35
American Recycling	Garbage	341.75	Lyon, P.	Artist	47.63
Anderson Auto Group	Rep/Maint	774.83	Martin Marietta Mat	Gravel & Borrow	1215.21
Arbor Mart, Inc	Fuel	1524.56	Matheson Tri-Gas, Inc.	SUP	102.54
Armored Republic	Donation	61.90	McGinty, P.	Artists	45.00
Aupperle, M.	Artist	57.75	MD Aquatics, LLP	Chem	1178.00
Bennett, R.	Rock & Sand	786.99	Mercer's Do-It-Best	Equip	627.09
Vivial	Adv	25.70	Mullenax Auto Supply	Rep/Maint	24.66
Bill Walters & Son Shop	Rep/Maint	685.87	Napa Auto Parts	Rep/Maint	51.37
Bohl P&H	Irrigation	70.00	Nationwide	Inv	13,185.01
Bound Tree Medical LLC	Sup	820.00	Nationwide Trust Cont	Inv	2146.00
Bridgestone Golf, Inc.	Golf Balls	34.50	NC Newspress	Adv	220.88
Capital Business Sys	Contract Serv/Sup	136.91	NC Utilities	Utilities	13985.17
Carmichael, A.	Artist	44.82	Ne Dept of Rev	Sls Tax	4,227.00

Casey's General Stores	Fuel	40.26
CDW Government, Inc	Computer	60.77
Cede & Co	Prin	65,000.00
Cede & Co	Int	16,370.00
Coca-Cola of Linc	Bev	1403.98
Concrete Industries, Inc.	Rep/Maint	21.50
Consolidated Manag	Training	164.81
Creative Sites, LLC.	Rep/Maint	1519.00
Cunningham, J.	Rfnd	25.00
Danko Emergency Equip	Fire Act	159.35
Douglas Tire Co.	Rep/Maint	299.00
Eakes Office Solutions	Sup	656.57
Edmisten, Gl.	Postage	25.34
Emergency Repair Serv	Rep/Maint	206.15
EMS Billing Serv	Billing Serv	5343.55
Engel, B.	Artist	87.75
Fareway Stores, Inc.	Concessions	1037.91
Fastenal Company	Sup	58.74
Feld Fire	Rep/Maint	179.94
Fey, J.	Artist	122.25
Frerichs, N.	Artist	39.00
Galeton Gloves	Sup	183.57
Galls, LLC	Unif	121.99
Gatehouse Media	Adv	30.72
Gawart, J.	Rfnd	200.00
Grimm's Gardens	Rep/Maint	99.26
Hargis, M.	Artist	113.40
Heine, L	Artist	37.50
Heritage Falls Candles	Artist	53.38
Hireright	Background	27.03
Hunzeker, M.	Artist	85.50
Husker Auto Group	Rep/Maint	312.50
Ideal Pure Water	Sup	82.20
Independent Distributor	Concessions	317.60
JEO Consulting Group	Kearney Hill	37214.50
K&Z Distributing	Bev	145.2

NC Veterans Memorial	Grant Purch	4172.00
O'Reilly Auto Parts	Rep/Maint	72.31
Otoe County Clerk	June Dispatch Services	9499.82
Partsch, T.	Artist Sales	38.92
Payroll	Payroll	115057.68
Peterson, J.	Reim	355.38
PNC Equip.	Loan/Lease	2728.00
Profit Source	Grant	5900.00
River View Pest Control	Pest Cntrl	412.00
Ruwe, D.	Artist	91.50
S Systems	Computer	90.00
Sanchez, J.	Rfnd	25.00
Sharon's Steampunk	Artist	30.00
Shell	Fuel	2089.24
Spiral Communications	Tele	1048.26
Stuck, Jim	Rfnd	25.00
Sunset Law Enforcement	Ammunition	2375.98
Sysco Lincoln	Concessions	3486.11
Tag's One Stop	Fuel	90.38
Thiele Geotech	Kearney Hill	1253.00
Tielke's Sandwiches	Concessions	63.22
Tree Top Products	Rep/Maint	1275.54
Tree Worx Tree Serv	Stump Removal	1175.00
Twisted K	Donation Purch	77.50
UHC	HRA	6645.76
Unifirst Corporation	Contract Serv/Sup	178.57
Universal Publications	Adv	120.00
Verizon Wireless	Tele	14.06
Vierregger Electric	Rep/Maint	345.00
Wahl, R.	Artists	82.50
Walde, S.	Artists	30.75
Walters, A.	Artists	95.25
Wellsandt, K.	Artists	192.00
Westlake Ace	Supplies	427.14
Windstream, Inc.	Tele	960.69

Moved by Mayor Bequette and seconded by Glover to approve NCTC request to host a carnival in Steinhart Park June 29th thru July 2nd. Amy Allgood 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 Mayor Bequette and seconded by Davis to approve NCTC use of the Sunken parking lot from 6:00 PM on Friday July 21st through July 22nd for the 2nd annual Arbor Town Throw Down 3 on 3 basketball tournament to be held at the Sunken Parking lot on July 22nd at 8:00 AM. Amy Allgood 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 Wehling to approve NCTC lemon days Sidewalk Sale July 27-30 and use of the Memorial Way Saturday July 29th for booths as well as use of the Sunken parking lot July 29th with a rain date of July 30th for a Bike Rodeo. Amy Allgood spoke to explain the request. Upon roll call the following voted YES: Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

Mayor Bequette announced that the request from Three Hills Events Center was withdrawn.

Moved by Commissioner Glover and seconded by Wehling to approve funding for paving the section between south 11th street project and south interchange project. Marty Stovall 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 Mayor Bequette and seconded by Glover to approve **Resolution 2749-17** to approve the change to the personnel manual break policy. Dave Partsch spoke to explain the request. Upon roll call the following voted YES: Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

RESOLUTION NO. 2749-17

WHEREAS, the Mayor and Commissioners of the City of Nebraska City, Nebraska, have previously adopted and revised a Personnel Manual for the employees of the City of Nebraska City,
AND WHEREAS, the Personnel Manual is periodically updated as needed to reflect the current policies of the City affecting its employees,
AND WHEREAS, the City administration and Department Heads are recommending changes to certain provisions of the Manual,
NOW THEREFORE, BE IT RESOLVED by the Mayor and Commissioners of the City of Nebraska City that the changes reflected in Attachment "A" hereto are adopted and are to be incorporated in a revised Personnel Manual to be published in pamphlet form with the original maintained at the office of the City Clerk-Treasurer.

Passed and approved this 5th day of June, 2017.

Bryan Bequette, Mayor

ATTEST:

Randy Dunster, City Clerk-Treasurer

Moved by Mayor Bequette and seconded by Glover 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 Glover for final passage of **Ordinance 2991-17** creating Street Improvement District No. 2017-1 for the North 11th Street Project. Grayson Path 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. 2991-17

AN ORDINANCE CREATING STREET IMPROVEMENT DISTRICT NO. 2017-1 IN THE CITY OF NEBRASKA CITY, NEBRASKA, ORDERING THE CONSTRUCTION OF STREET IMPROVEMENTS THEREIN AND ORDERING THE PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM.

BE IT ORDAINED BY THE MAYOR AND BOARD OF COMMISSIONERS OF THE CITY OF NEBRASKA CITY, NEBRASKA, as follows:

Section 1. That there be and hereby is created in the City of Nebraska City, Nebraska, a paving district to be known and designated as Street Improvement District No. 2017-1 of the City of Nebraska City, Nebraska.

Section 2. That the following streets shall be improved by milling and asphalt overlay, curb, gutter and storm sewer construction as required, street replacement over Table Creek, and such other necessary appurtenances related thereto:

North 11th Street, from 1st Avenue north to the corporate limits of the City.

Section 3. Said street shall be improved at public cost and said improvements shall be made in accordance with the plans, specifications and estimate prepared by the special engineers for the City, all as approved or to be approved by the Mayor and Board of Commissioners.

Section 4. Notice of the creation of said District shall be published as provided by law in the *Nebraska City News-Press*, a legal newspaper published in and of general circulation in Nebraska City, Nebraska.

Section 5. This ordinance shall be published in pamphlet form and take effect as provided by law.

PASSED AND APPROVED this ____ day of _____, 2017.

ATTEST:

Mayor

City Clerk

(S E A L)

Moved by Mayor Bequette and seconded by Wehling to approve **Resolution 2750-17** to hold a hearing as to the sufficiency of any written objections filed objecting to the creation of Street Improvement District No. 2017-1. Upon roll call the following voted YES: Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

RESOLUTION NO. 2750-17

BE IT RESOLVED BY THE MAYOR AND BOARD OF COMMISSIONERS OF THE CITY OF NEBRASKA CITY, NEBRASKA, as follows:

The Mayor and Board of Commissioners hereby find and determine that the Mayor and Board will meet on the 17th day of July, 2017, at 6:00 o'clock P.M. at the regular meeting place of the Board, at which time a hearing will be held as to the sufficiency of the written objections filed objecting to the creation of Street Improvement District No. 2017-1 of the City and as to the existence of the required facts and conditions relative to the creation of the District. The Clerk is hereby instructed to cause notice of this hearing to be included in the Notice of Creation of the District, published as provided by law.

PASSED AND APPROVED this ____ day of _____, 2017.

ATTEST:

Mayor

City Clerk

(SEAL)

Moved by Mayor Bequette and seconded by Glover 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 Glover for final passage of **Ordinance 2992-17** creating Street Improvement District No. 2017-2 for the 4th Corso Viaduct Project. Upon roll call the following voted YES: Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

ORDINANCE NO. 2992-17

AN ORDINANCE CREATING STREET IMPROVEMENT DISTRICT NO. 2017-2 IN THE CITY OF NEBRASKA CITY, NEBRASKA, ORDERING THE CONSTRUCTION OF STREET IMPROVEMENTS THEREIN AND ORDERING THE PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM.

BE IT ORDAINED BY THE MAYOR AND BOARD OF COMMISSIONERS OF THE CITY OF NEBRASKA CITY, NEBRASKA, as follows:

Section 1. That there be and hereby is created in the City of Nebraska City, Nebraska, a paving district to be known and designated as Street Improvement District No. 2017-2 of the City of Nebraska City, Nebraska.

Section 2. That the following street shall be improved by street and viaduct replacement over South 3rd Street, Union Pacific Railroad line, and Table Creek; abutment construction, road resurfacing as necessary, gutter and storm sewer construction as required utility replacement as required, and such other necessary appurtenances related thereto:

The 4th Corso located in between 1st Street and 4th Street.

Section 3. Said street shall be improved at public cost and said improvements shall be made in accordance with the plans, specifications and estimate prepared by the special engineers for the City, all as approved or to be approved by the Mayor and Board of Commissioners.

Section 4. Notice of the creation of said District shall be published as provided by law in the *Nebraska City News-Press*, a legal newspaper published in and of general circulation in Nebraska City, Nebraska.

Section 5. This ordinance shall be published in pamphlet form and take effect as provided by law.

PASSED AND APPROVED this ____ day of _____, 2017.

ATTEST:

Mayor

City Clerk

(S E A L)

Moved by Mayor Bequette and seconded by Wehling to approve **Resolution 2751-17** to hold a hearing as to the sufficiency of any written objections filed objecting to the creation of Street Improvement District No. 2017-2. Upon roll call the following voted YES: Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

RESOLUTION NO. 2751-17

BE IT RESOLVED BY THE MAYOR AND BOARD OF COMMISSIONERS OF THE CITY OF NEBRASKA CITY, NEBRASKA, as follows:

The Mayor and Board of Commissioners hereby find and determine that the Mayor and Board will meet on the 17th day of July, 2017, at 6:00 o'clock P.M. at the regular meeting place of the Board, at which time a hearing will be held as to the sufficiency of the written objections filed objecting to the creation of Street Improvement District No. 2017-2 of the City and as to the existence of the required facts and conditions relative to the creation of the District. The Clerk is hereby instructed to cause notice of this hearing to be included in the Notice of Creation of the District, published as provided by law.

PASSED AND APPROVED this ____ day of _____, 2017.

ATTEST:

Mayor

City Clerk

(SEAL)

Council held a discussion on the policy for City grant applications and expenditures. Duane Smith spoke regarding the grant application process for the Wirth Foundation.

Meeting Adjourned at 7:15 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.

Randy A. Dunster, City Clerk-Treasurer