

CITY OF NEBRASKA CITY, NEBRASKA
MINUTES OF CITY COUNCIL REGULAR MEETING
September 18, 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 September 18, 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.

Vice President Glover called the meeting to order at 6:00 p.m. Vice President Glover 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. Vice President Glover stated that Mayor Bequette was absent due to his deployment to help out with hurricane relief in Florida. Vice President Glover then led in the Pledge of Allegiance. Upon roll call the following answered present: Paul Davis, Patrick Wehling, Vic Johns and Gloria Glover. Absent: Mayor Bequette. The following City Officials were present: City Administrator Grayson Path, Police Captain Lonnie Neeman, Fire Chief Alan Viox. Utilities Director Leroy Frana, Utilities Treasurer Jeff Kohrs, Utilities Meter Technician and First Class Lineman Howard Orndorff, Gas Superintendent Ron Lechner, Library Director Donna Kruse, Construction and Facility Manager Marty Stovall and City Clerk-Treasurer Randy Dunster.

Vice President Glover moved to approve the following consent items:

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

Approve a three year term renewal of the Interlocal Agreement between the Cities of Nebraska City and Syracuse for Building Inspection Services.

Approve the use of the North two parking spaces on the West side of Mercer's DoltBest store on October 5th from 8:00 AM to 3:00 PM for the store's Grand Reopening.

Approve the BPW Electric Work Order #142 to replace Cooling Tower #6 at Power Plant site #2 inclusive of Electrical work, I-Beam and materials, plus estimated labor \$39,867.34.

Approve the BPW Gas Work Order #212 to replace approximately 1200' of 1 1/4" Steel main with 3" HDPE main from Syracuse Power Plant District Regulator Station and attach services in preparation of NG line extension to Syracuse Hospital \$21,998.98.

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

Vice President Glover proclaimed September 24th -30th as Women of Today Week. Laura Wachter and Christine Rice were present to receive the Proclamation.

Vice President Glover proclaimed October 1st – 7th as Public Power and Public Natural Gas Week. Leroy Frana, Jeff Kohrs, Ron Lechner and Howard Orndorff were present to receive the Proclamation.

Vice President Glover opened the Public Hearing on the Annual Appropriation Bill, FY 17/18 Budget. Grayson Path spoke to explain the proposed budget. Commissioner Wehling moved to close the Public Hearing, seconded by Commissioner Davis. Upon roll call the following voted YES: Johns, Wehling, Davis and Vice President Glover. Voting NO: None. Motion carried.

Vice President Glover opened the Public Hearing to set Fiscal Year 2017/2018 Final Tax Request. Grayson Path spoke to explain the proposal. Commissioner Johns moved to close the Public Hearing, seconded by Commissioner Wehling. Upon roll call the following voted YES: Johns, Wehling, Davis and Vice President Glover. Voting NO: None. Motion carried.

Vice President Glover opened the Public Hearing on Liquor License Class A application for High Plains Pizza Hut Inc. DBA as Pizza Hut at 1104 14th Corso. Debbie Wiebusche spoke in favor of granting the liquor license. Commissioner Davis moved to close the Public Hearing, seconded by Commissioner Wehling. Upon roll call the following voted YES: Johns, Wehling, Davis and Vice President Glover. Voting NO: None. Motion carried.

Vice President Glover opened the Public Hearing on property rezone of the property located at 2005 4th Corso. Marty Stovall spoke to explain the request. Commissioner Wehling moved to close the Public Hearing, seconded by Commissioner Davis. Commissioner Johns stated that he would be abstaining from the vote as he was the agent representing the buyer of the property. Upon roll call the following voted YES: Wehling, Davis and Vice President Glover. Abstain: Johns. Voting NO: None. Motion carried.

Donna Kruse and Ted Beilman gave a report on the progress of the NE 150 events.

Treasurer's report was given, as of August 31, 2017, Total Nebraska City funds of \$6,142,932.32. Total Cash and Reserve for Nebraska City Utilities of \$16,188,358.17. Total City of Nebraska City and Utility funds \$22,331,282.41.

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

Council acknowledged receipt of Utility Financial Report for period ending July 31, 2017.

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

Moved by Vice President 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 September 6, 2017 to September 18, 2017. Upon roll call the following voted YES: Davis with abstention to any claims pertaining to West Lake Ace Hardware, Wehling, Johns and Vice President Glover. Voting NO: None. Motion carried.

CLAIMS LIST

September 18, 2017

Access System	Contr	217.16	McGinty, P.	Artist	37.50
Action Technology	Computer	400.00	MD Aquatics, LLP	Chemicals	1,178.00
Adkins Signs	Road Marking	20.00	Mercer's Do-It-Best	Sup	265.01
ANB	Loan	1,117.56	Midwest Concrete	Rep/Main	4,000.00
Apley, P.	Artist	215.25	Miller & Sons Golf	Rep/Main	1,245.80
Arbor Mart, Inc	Fuel	1,408.93	Moyer, N.	Artist	31.88
Vivial	Adv	25.70	Mullenax Auto Supply	Rep/Main	64.86
Bound Tree Medical	Sup	893.14	Municipal Code Corp	Codification	275.00
Brown's Shoe Fit Co	Unif	188.00	Municipal Emergency	Unif	270.00
Capital Business Sys	Contr	150.88	Napa Auto Parts	Equip	53.85
Card Services	Mult	729.38	Nationwide	Inv	13,782.50
Carmichael, A.	Artist	52.31	Nationwide Trust	Pension	2,146.00
Casey's General	Fuel	109.52	NC Newspress	Adv	518.70
Citizen Printing	Adv	376.25	NC Utilities	Utilities	16,016.60
Concrete Industries	Concrete	661.76	NCTC	Adv	600.00
Consolidated Manag	Training	38.40	NE Dept of Rev	Misc.	25.00
Coventry Healthcare	Rfnd	57.92	NE Dept of Rev	Bev	2,052.02
Danko Emergency	Activity	65.55	NE Statewide Arboretum	Dues	130.00
Douglas Tire Co.	Rep/Main	295.89	North American Dir	Adv	200.00
Dunster, R.	Conference	196.85	NSVFA	Dues	840.00
Eakes Office Sol	Sup	117.13	O'Reilly Auto Parts	Sup	36.35
Eklund, D. W.	Artist	70.90	Otoe County Clerk	Dispatch	4,987.50
EMS Billing Serv	Billing Serv	5,218.58	Page County's Eng	Asphalt	1,858.75
Enchanted Arboretum	Misc.	35.00	Painter, M.	Artist	42.95
Engel, B.	Artist	36.75	Paper Tiger Shred	Garbage	52.00
Fareway Stores, Inc.	Concessions	24.93	Payroll	Payroll	99,960.38
Fastenal Company	Sup	65.06	Pearce Construction	Rfnd	200.00
Fey, J.	Artist	47.25	PNC Equip Finance	Lease	2,728.00
First Wireless, Inc.	Commun	300.00	Precision Concrete	Rep/Main	9,156.10
Frame, J.	Artist	80.25	Quality Brands of Linc	Bev	509.20
Frana, D.	Artist	26.25	Radar Shop	Rep/Main	258.00
Frerichs, N.	Artist	36.00	Radiology Associates	Jail Exp	8.49
Fritschle, K.	Artist	35.00	River View Pest	Pest Cntrl	362.00
Galls, LLC	Uniforms	601.65	Ruwe, D.	Artist	60.00
Gatehouse Media	Cap Out	38.19	Sandry Fire Supply	Unif	5,674.50
Glock Professional	Training	250.00	Schneider Electric	Rep/Main	1,165.00
Hargis, M.	Artist	39.76	SEND	CDBG	7,500.00
Heine, L.	Artist	37.50	Shell	Fuel	1,509.65
Henry Motors Serv	Rep/Main	191.04	Shipley Flooring	Donation	1,000.00
Heritage Falls Candles	Artist	33.34	Sparks, V.	Artist	97.50
Holliday, M.	Artist	68.98	Sykes, S.	Artist	39.00
Hopkins Automotive	Rep/Main	5.69	Mead, T.	Rfnd	25.00
Hopper, C.	Contra Rev	35.00	Tielke's Sandwiches	Concessions	58.63
Hunzeker, M.	Artist	102.00	Tom's Radio	Commun	900.00
Ideal Pure Water	Sup	105.45	Tree Worx Tree Serv	Tree	1,900.00
JEO Consulting Group	Engineering	13,921.11	UHC	HRA	1,629.86
Jones & Bartlett Lear	Training	74.30	Unifirst Corporation	Contr	189.17
Jones Automotive	Cap Out	14,348.98	VAIRKKO	Computer	270.90
Kohtz, K.	Artist	46.50	Verizon Wireless	Tele	14.04
Korytowski, D.	Artist	30.00	Wahl, R.	Artist	45.00
Lamb, M.	Artist	126.00	Walde, S.	Artist	27.00
Larson Motors	Rep/Main	1,204.80	Walters, A.	Artist	40.50
Long, H.	Rfnd	75.00	Wellcare of NE	Rfnd	180.13
Lyon, P.	Artist	93.38	Wellsandt, K.	Artist	54.00
Mar-Car Services	Rep/Main	410.00	Westlake Ace	Rep/Main	95.99
Matheson Tri-Gas	Sup	222.48	Windstream, Inc.	Tele	1,526.11
Hudsen, M.	Rfnd	25.00			

Moved by Commissioner Johns 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, Davis and Vice President Glover. Voting NO: None. Motion carried. Vice President Glover declared that the motion adopted by four fifths vote of the council and the statutory rule suspended for the consideration of said ordinance.

Moved by Vice President Glover and seconded by Johns for final passage of **Ordinance 2993-17** to approve the Annual Appropriation Bill, FY 17/18 Budget. Grayson Path spoke to explain the request. Upon roll call the following voted YES: Johns, Wehling, Davis and Vice President Glover. Voting NO: None. Motion carried.

ORDINANCE NO. 2993-17

AN ORDINANCE TO ADOPT THE BUDGET STATEMENT TO BE TERMED THE 2017-2018 ANNUAL APPROPRIATION BILL; TO APPROPRIATE SUMS FOR NECESSARY EXPENSES AND LIABILITIES; AND TO PROVIDE FOR AN EFFECTIVE DATE. BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF NEBRASKA CITY, NEBRASKA:

SECTION 1: That after complying with all procedures required by law, the budget presented and set forth in the budget statement is hereby approved as the Annual Appropriation Bill for the fiscal year beginning October 1, 2017, through September 30, 2018. All sums of money contained in the budget statement are hereby appropriated for the necessary expenses and liabilities of the City of Nebraska City. A copy of the budget document shall be forwarded as provided by law to the Auditor of Public Accounts, State Capitol, Lincoln, Nebraska, and to the County Clerk of Otoe County, Nebraska, for use by the levying authority.

SECTION 2: This ordinance shall take effect and be in force from and after its passage, approval and publication as required by law.

Passed and approved this 18th day of September, 2017.

Gloria Glover, Vice President

Attest:

Randy Dunster, City Clerk- Treasurer

Moved by Commissioner Johns and seconded by Wehling to approve **Resolution 2757-17** to approve Property tax request for fiscal year beginning October 1, 2017 be set at: General Fund \$1,261,575.14; Bonded Indebtedness Fund \$409,022.76. Upon roll call the following voted YES: Johns, Wehling, Davis and Vice President Glover. Voting NO: None. Motion carried.

Moved by Commissioner Wehling and seconded by Davis to approve **Resolution 2760-17** to approve the Fiscal Year 2017-2018 Step Pay Schedule for City Employees. Upon roll call the following voted YES: Johns, Wehling, Davis and Vice President Glover. Voting NO: None. Motion carried.

Moved by Commissioner Johns and seconded by Wehling to approve **Resolution 2759-17** to approve Liquor License Class A application for High Plains Pizza Hut Inc. DBA as Pizza Hut at 1104 14th Corso with a stipulation that all servers take an approved alcohol training course. Upon roll call the following voted YES: Johns, Wehling, Davis and Vice President Glover. Voting NO: None. Motion carried.

Moved by Vice President Glover that the statutory rule requiring reading on three different days be suspended. Without a second to the motion, the first of three readings of Ordinance 2994-17 was completed.

ORDINANCE NO. 2994-17

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF NEBRASKA CITY BY CHANGING THE ZONING CLASSIFICATION OF THE PROPERTY DESCRIBED IN SECTION 1 HEREOF FROM R-2 RESIDENTIAL DISTRICT TO C-3 GENERAL COMMERCIAL DISTRICT; INCORPORATING SAID CHANGE INTO THE OFFICIAL ZONING MAP OF THE CITY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; APPROVING PUBLICATION IN PAMPHLET FORM; AND DECLARING AN EFFECTIVE DATE.

Terry Straw, Sandi Vodicka, Jan Madsen led a discussion regarding the proposal to vacate the alley between 14th St & 15th St in Blk 8 Greggspport Addition. Laura Straw and Dennis Vodicka spoke in favor of the proposal. The Council recommended the City Attorney to draft an Ordinance with the intention of vacating the alley and the requestors to contact the neighboring property owner who would also be affected by the City vacating the alley.

Moved by Vice President Glover and seconded by Johns to approve the closure of Arbor Drive from Park Road to Whitaker Road to hold a block party on Sunday October 1st 2017 from 4:00 PM to 8:00 PM. Faye Booth spoke to explain the request. Upon roll call the following voted YES: Davis, Wehling, Johns and Vice President Glover. Voting NO: None. Motion carried.

Vice President Glover tabled the agenda item to approve bid for EMS ambulance purchase using grant donation funds until the October 2nd City Council Meeting.

Moved by Commissioner Wehling and seconded by Vice President Glover to approve 2018 Wildwood Golf Course rates and to begin selling 2018 season golf passes for new members October 1st. Upon roll call the following voted YES: Johns, Wehling, Davis and Vice President Glover. Voting NO: None. Motion carried.

Moved by Commissioner Wehling and seconded by Davis to approve the City's FY17/18 Property, Auto, Crime, Liability and Workers Compensation Insurance Policies Renewal excluding the offer of terrorism coverage . Upon roll call the following voted YES: Wehling, Davis and Vice President Glover. Abstaining: Johns. Voting NO: None. Motion carried.

Moved by Vice President Glover 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, Davis and Vice President Glover. Voting NO: None. Motion carried. Vice President Glover declared that the motion adopted by four fifths vote of the council and the statutory rule suspended for the consideration of said ordinance.

Moved by Vice President Glover and seconded by Johns for final passage of **Ordinance 2995-17** Recommendation of Rate Ordinances for Natural Gas Rate Adjustment. Leroy Frana spoke to explain the request. Upon roll call the following voted YES: Johns, Wehling, Davis and Vice President Glover. Voting NO: None. Motion carried.

ORDINANCE NO. 2995-17

AN ORDINANCE ESTABLISHING A SCHEDULE OF RATES TO BE CHARGED FOR NATURAL GAS SERVICE FURNISHED BY THE COMBINED UTILITY SYSTEM OF THE CITY OF NEBRASKA CITY, NEBRASKA; TO REPEAL ORDINANCE NO. 2970-15 AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; AND TO DECLARE AN EFFECTIVE DATE.

Meeting Adjourned at 7:28 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. Dünster, City Clerk-Treasurer

