

CITY OF NEBRASKA CITY, NEBRASKA
 MINUTES OF CITY COUNCIL REGULAR MEETING
 October 16, 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 October 16, 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. The Vice President 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 led in the Pledge of Allegiance. Upon roll call the following answered present: Paul Davis, Patrick Wehling, Vic Johns and Gloria Glover. Absent: Mayor Bryan Bequette. The following City Officials were present: City Administrator Grayson Path, City Attorney David Partsch, Police Captain Lonnie Neeman, Utilities Director Leroy Frana, Utilities Treasurer Jeff Kohrs, and City Clerk-Treasurer Randy Dunster.

Commissioner Wehling moved to approve the following consent items:
 Approve the BPW WO#214 in the amount of \$14,746.47 to extend a 2” Poly gas main from the East side of Hwy 50, across the Hwy West along an Easement for the new hospital in Syracuse NE. Motion seconded by Commissioner Davis. Upon roll call the following voted YES: Davis, Wehling, Johns and Vice President Glover. Voting NO: None. Motion carried

Vice President Glover opened the Public Hearing on whether the City should enter a renewal of the City’s cable television franchise with Time Warner Cable, now known as Charter Communications – Spectrum. Grayson Path and Dave Partsch spoke to explain the request and Jeremiah Blakely with Charter Communications spoke in favor. Vice President Glover 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.

Ted Beilman gave a report from NCTC on the progress of the NE 150 events.
 Bill Hayes gave a report on the Civil War Reenactment that took place October 7th & 8th 2017.
 Treasurer’s report was given, as of September 30, 2017, Total Nebraska City funds of \$6,850,673.10. Total Cash and Reserve for Nebraska City Utilities of \$16,843,656.13. Total City of Nebraska City and Utility funds \$23,694,329.23.
 Council acknowledged receipt of City Administrator Report. Grayson Path spoke regarding his report.
 Council acknowledged receipt of Utility Financial Report for period ending August 2017.
 Council acknowledged receipt of Utility Claims for period ending September 2017.

Moved by Commissioner Wehling and seconded by Johns to approve the corrected minutes from the October 02, 2017 City Council Meeting. Upon roll call the following voted YES: Johns, Wehling, Davis and Vice President Glover. Voting NO: None. Motion carried.

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 October 3, 2017 to October 16, 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					
October 16, 2017					
A-1 Locksmith	Rep/Maint	125.00		Miller Monroe Farrell	Ins 1453.50
Action Technology Serv	Computer	400.00		Moyer, N.	Artist Sales 29.26
Alloway, P.	Artist Sales	40.13		Mullenax Auto Supply	Sup 9.29
American National Bank	Loan/Lease	1117.56		Mutual of Omaha	Rfnd 96.46
American Recycling	Garabage	199.25		Napa Auto Parts	Rep/Maint 134.26
Arbor Mart, Inc	Fuel	1920.20		Nationwide Trust Cont	Inv 2146.00
AVAC	Anim Exp	56.00		Nationwide	Inv 13559.42
Arrow Manufacturing	Rep/Maint	134.94		NC Newspress	Adv 199.51
Barco Municipal Prod	Road Marking	613.85		NC Rotary Club	Dues 375.00
Baylor, S.	Artist Sales	227.25		NC Utilities	Utilities 12915.71
Berger, D.	Artist Sales	5.63		NE Dept of Rev	Sls Tax 1232.94
Bill Walters & Son Shop	Rep/Maint	273.33		NE Environmental Prod	Rep/Maint 573.24
BKD	Audit	5500.00		NE Law Enforcement	Training 280.00
Bound Tree Medical LLC	Sup	766.14		Neopost USA	Postage 89.85
Boyd, E.	Artist Sales	80.01		Nichols, P&S	Artist Sales 86.44
Briley, C.	Artist Sales	30.00		O'Reilly Auto Parts	Sup 16.98
Brown's Shoe Fit Co	Postage Meter Rental	19.58		Osborn, N.	Rfnd 25.00
Buell Manufacturing	Supplies	237.03		Otoe County Clerk	Dispatch 4987.50
Capital Business Sys	Supplies	146.72		Page County's Engineers Off	Asphalt 982.95
Card Services	Multiple	1589.55		Painter, M.	Artist Sales 40.00
Casey's General Stores	Fuel	123.25		Parts, T.	Artist Sales 72.55
CDW Government, Inc	Equip	73.70		Payroll	Payroll 98,236.66
Coca-Cola of Lincoln	Bev	51.67		Precision Concrete Cut	Rep/Maint 2460.20

Commercial Turf	Rep/Maint	1600.00	Prestige Flag & Banner	Rep/Maint	192.55
Concrete Industries, Inc.	Concrete	382.75	Quality Brands of Linc	Bev	105.60
Consolidated Manag	Training	46.53	Quill Corporation	Sup	158.10
Copenhaver, P.	Artist Sales	40.50	Richardson, C.	Training	142.31
Data Technologies	Training	170.00	Ruwe, D.	Artist Sales	48.75
Douglas Tire Co.	Rep/Maint	3227.50	S Systems	Computer	29.99
Eakes Office Solutions	Sup	135.28	Schmitz Land Surveying, In	Tree Remov	104.00
EMS Billing Services, Inc	Billing Serv	6718.26	Schneider Electric & Ref	Rep/Maint	274.80
Fareway Stores, Inc.	Concessions	62.29	Sharon's Steampunk	Artist Sales	67.50
Feld Fire	Rep/Maint	340.00	Shell	Fuel	1824.94
Fey, B.	Artist Sales	56.25	Shipley Flooring	Grant	1098.00
Fire Protection Service	Rep/Maint	14.00	Sorenson, K.	Artist Sales	45.00
Frana, D.	Artist Sales	48.75	Southeast Plumbing	Rep/Maint	97.00
Friedli, P.	Business Cards	14.98	State Chemical Manuf	Chem	152.78
Fritschle, K.	Artist Sales	72.00	Tag's One Stop	Fuel	53.30
Gadeken, J.	Rfnd	25.00	TASC	Ins	339.75
Galls, LLC	Uniform	424.34	Thurman's Bike & Sport	Planned Events	821.75
Gatehouse Media NE	Adv	159.28	Tielke's Sandwiches	Concessions	
W. W. Grainger	Rep/Maint	216.53	Tielke's Sandwiches	Concessions	46.67
Green Lamb Properties	Grant	570.00	Trade Well Pallet, Inc.	Rep/Maint	2000.00
Green Thumb LLC	Rep/Maint	1500.00	Tyco Integrated Security	Contract Serv/Sup	175.74
Green, G.	Artist Sales	27.75	UHC	HRA	724.36
Heritage Falls	Artist Sales	87.89	Unifirst Corporation	Contract Serv/Sup	336.58
Holliday, M.	Artist Sales	42.00	VAIRKKO	Computer	270.90
Hunseker, Marsha	Artist Sales	85.50	Van Diest Supply Co.	Chemicals	1516.00
Ideal Pure Water	Sup	49.45	Van Wall Turf & Irr	Cap Outlays	23125.88
Kohtz, K.	Artist Sales	63.00	Verizon Wireless	Tele	14.06
Kreifels Electric L.L.C.	Rep/Maint	130.00	Viox, L.	Artist Sales	96.00
Kreifels Plumbing	Rep/Maint	793.85	Wahl, R.	Artist Sales	127.50
Lamb, M.	Artist Sales	60.00	Walters, A.	Artist Sales	30.38
Landis Engine Company	Rep/Maint	19.50	Warner, J.	Rfnd	100.00
Larson Motors	Rep/Maint	33.00	Wellsandt, K.	Artist Sales	72.00
Little, M.	Artist Sales	26.25	Westlake Ace Hardware	Grant	631.27
Lyon, P.	Artist Sales	40.69	Wick's	Rep/Maint	67.87
Martin Marietta	Gravel	586.08	Windstream, Inc.	Tele	1421.13
Matheson Tri-Gas, Inc.	Sup	226.76	Wurtele, G.	Artist Sales	55.00
Mercer's Do-It-Best	Sup	54.11			

Moved by Commissioner Johns and seconded by Glover to approve street closure from 9th Street from the alley North to Central Ave on October 31, 2017 from 3:30-5:00 PM for the Nebraska City Trail of Treats to take pictures. Upon roll call the following voted YES: Johns, Wehling, Davis and Vice President Glover. Voting NO: None. Motion carried.

Moved by Vice President Glover and seconded by Johns to approve **Resolution 2762-17** to designate Wildwood Period House funds for use by the Wildwood Board. Upon roll call the following voted YES: Johns, Wehling, Davis and Vice President Glover. Voting NO: None. Motion carried.

RESOLUTION NO. 2762-17

A RESOLUTION FOR THE DESIGNATION OF WILDWOOD PERIOD HOUSE FUNDS FOR USE BY THE WILDWOOD BOARD

WHEREAS, the City of Nebraska City, Nebraska through its Wildwood Board maintains at Wildwood Park a period house museum and related art barn gift shop and grounds, known collectively as the Wildwood Period House; and

WHEREAS, the Wildwood Period House has designated funds within the City finances which are currently invested in an amount totaling \$44,549.25; and

WHEREAS, the Finance Commissioner and Wildwood Board wish to clarify through the Governing Body that these funds are not endowed and the principal and interest may be used for approved projects;

NOW, THEREFORE BE IT RESOLVED by the governing body of the City of Nebraska City, Nebraska, that the City of Nebraska City recognizes City investments totaling \$44,549.25 are to continue to be held by the City Clerk-Treasurer separately from the City's general funds; that they are not endowed and the principal and interest is assigned for the benefit and use of the Wildwood Period House as determined by the Wildwood Board and the governing body of the City.

This Resolution is effective immediately upon passage by the governing body.

ADOPTED BY THE GOVERNING BODY AND APPROVED BY THE VICE PRESIDENT IN THE MAYOR'S ABSENCE, this 16th day of October, 2017.

Gloria Glover, Vice President

ATTEST:

Randy Dunster, City Clerk-Treasurer

Moved by Commissioner Johns and seconded by Wehling to approve **Resolution 2763-17** to approve and authorize the Vice President to sign Supplemental Agreement #3 regarding the 4th Corso Viaduct Project. Upon roll call the following voted YES: Johns, Wehling, Davis and Vice President Glover. Voting NO: None. Motion carried.

RESOLUTION

SUPPLEMENTAL PROJECT PROGRAM AGREEMENT NO. 3 – BM1119

City of Nebraska City

Resolution No. 2763-17

Whereas: City of Nebraska City and Nebraska Department of Transportation (NDOT) have previously executed Project Program Agreement BM1119 for a transportation project for which the Local Public Agency (LPA) would like to obtain Federal funds;

Whereas: City of Nebraska City understands that it must continue to strictly follow all Federal, State and local laws, rules, regulations, policies and guidelines applicable to the funding of the Federal-aid project; and

Whereas: City of Nebraska City and NDOT wish to enter into Supplemental Project Program Agreement No. 3 setting out modifications and/or additional duties and/or funding responsibilities for the Federal-aid project.

Be It Resolved: by the Council of the City of Nebraska City that:

Bryan Bequette, Mayor of the City of Nebraska City is hereby authorized to sign the attached Project Program Supplemental Agreement No. 3 between the City of Nebraska City and the NDOT.

City of Nebraska City is committed to providing local funds for the project as required by the Project Program Agreement and any Supplemental Project Program Agreements.

NDOR Project Number: URB-6217(4)

NDOR Control Number: 13159

Project Location: 4th Corso Viaduct

Vice President Glover introduced **Ordinance 2997-17** to approve ATV/UTV registration and operation within City limits. Dave Partsch spoke to explain the changes since the previous reading. Mark Wortley and Duane Smith asked questions regarding the Ordinance. Captain Lonnie Neeman spoke of a potential fine structure for those found in violation of operating an ATV/UTV on City streets without registration. After the discussion with Captain Neeman and Dave Partsch, the Council directed revisions be made to the ordinance and that it be brought back to the next Council meeting.

Meeting Adjourned at 7:07 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