

CITY OF NEBRASKA CITY, NEBRASKA
 MINUTES OF CITY COUNCIL REGULAR MEETING
 November 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 November 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, Construction and Facility Manager Marty Stovall and City Clerk-Treasurer Randy Dunster.

Mayor Bequette moved to approve the following consent items:

Approve changes to minutes from the October 2, 2017 City Council Meeting.

Approve minutes from the October 16, 2017 City Council Meeting.

Approve Subordination Agreement to allow homeowner to refinance mortgage with Quicken Loans Inc., ISAOA allowing for refinancing of 1st lien reflected on Subordination Agreement #201302639.

Authorize the Mayor to sign a CDBG Comprehensive Development Phase I Project extension request letter to the Nebraska Department of Economic Development.

Approve the purchase agreement with Musco for softball complex lighting.

Approve the bid for purchase of a 2018 Case Wheel Loader for the Street Department. Motion seconded by Commissioner Wehling. Upon roll call the following voted YES: Davis, Wehling, Glover, Johns and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Mayor Bequette and seconded by Glover to re-appoint Dan Mauk to the Housing Authority Board. Upon roll call the following voted YES: Johns, Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

Mayor Bequette proclaimed November 11th as Nebraska City Schools Honor all Veterans Day, 11/11 at 11:00.

Mayor Bequette proclaimed November 11th -19th as Jaycee Family Week. Laura Liesmeyer explained the upcoming Jaycee Family Week events.

Mayor Bequette proclaimed November 2017, Alzheimer's Disease Awareness Month. Jade Harrah and Vicky Smith from Nebraska City Care & Rehabilitation were present to receive the proclamation.

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

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 October 17, 2017 to November 6, 2017. Upon roll call the following voted YES: Davis with abstention to any claims pertaining to West Lake Ace Hardware, Wehling, Johns, Glover and Mayor Bequette. Voting NO: None. Motion carried.

CLAIMS LIST					
November 6, 2017					
Action Systems	Contract	247.9		Municipal Emergency	Rep/Maint 374.52
Action Technology	Computer	451.78		Napa Auto Parts	Rep/Maint 253.76
Adkins Signs	Road Mark	147.5		National Entertain	Planned 360
American Recycling	Garbage	199.25		Nationwide	Inv 13,586.02
Arbor Mart, Inc	Fuel	3,045.40		NC Ballfield Improve	Grant 9,640.00
AVAC	Animal Exp	231		NC Clerk - Treasurer	Donation 35.2
Vivial	Adv	51.4		NC Museum Assoc	Curator 2,406.25
Bill Walters & Son	Rep/Main	1,370.87		NCU	Utilities 6,208.68
BLR	Computer	1,195.00		NCTC	Tourism 7,083.33
Blue Cove Pool & Spa	Rfnd	200		NE Dept of Labor	Rep/Maint 24
Bound Tree Medical	Sup	4,612.57		NE Law Enf Training	Training 210
Brown's Shoe Fit Co	Postage	14.1		Neeman, L.	Donation 20.18
Card Services	Rep/Main	130.74		Neopost USA	Postage 89.85
Child Advocacy Cntr	Inv Exp	200		NFM	Grant 596.99
Commercial State	Loan/Lease	669.05		NOWWA	Training 195
Concrete Industries	Concrete	25.8		O'Reilly Auto Parts	Sup 258.45
Consolidated Manag	Training	12.68		Odey's Inc.	Rep/Maint 347.35
Crown Awards	Awards	232.66		Otoe County Clerk	County BP 3,750.96
Danko Emergency Eq	Rep/Maint	63.73		Otoe County Court	Court Exp 2
Data Technologies	Computer	9,899.03		Page County Eng.	Asphalt 423.92
DHHS	Misc	115		Paul Davis Rest.	Rfnd 100
Douglas Tire Co.	Rep/Maint	1,097.46		Payroll	Payroll 115,105.83
Eakes Office Sol	Sup	304.4		Police Chiefs Assoc.	Dues 50

EMS Billing Serv	Billing Serv	6,267.48	Police Officers' Assoc	Dues	180
Fareway Stores, Inc.	Sup	69.89	Quill Corporation	Equip	210.26
Feld Fire	Rep/Maint	40	River Oaks Comm	Legal	225
Galls, LLC	Uniforms	386.38	River View Pest	Pest Control	298
Gatehouse Media NE	Adv	18.46	Rohlf, B & L	Rep/Maint	100
Green Lamb Prop	ECDGF	422.24	Sandry Fire Supply	Vol Unif	260.92
Grimm's Gardens	Flwr Bsket	2,122.86	Schneider Electric	Rep/Maint	529.2
Guardian	Ins	8,974.94	Schumacher, G.	Training	154.08
Gude, T.	Rfnd	100	Spiral Communication	Telephone	1,112.74
Helena Chem.	Rep/Maint	1,375.00	St. Mary's Hosp	Background Inv	167
Henry Motors Serv	Rep/Maint	62.5	Thomson, K.	Program	10.95
Hireright	Background Inv	359.49	Tielke's Sandwiches	Concessions	29.81
J.P. Cooke Co	Animal Exp	91.31	Top Quality Glove	Concessions	124.4
JEO Consulting Group	Cap Out	3,452.45	Trade Well Pallet, Inc.	Rep/Maint	1,000.00
Kubota of Omaha	Equip	120.11	Tree City Tees	Uniforms	39.8
Landis Engine Co	Rep/Maint	12.15	UHC	Ins	111,797.55
Larson Motors	Rep/Maint	64.23	Unifirst Corporation	Contract	191.07
Lincoln Financial	Ins	4,745.15	VAIRKKO	Computer	270.9
Martin Marietta Mat	Gravel	771.37	Vander Haags, Inc.	Rep/Maint	155.32
Matheson Tri-Gas	Sup	346.42	Verizon Wireless	Telephone	338
Mercer's Do-It-Best	Sup	154.85	Vodicka, K.	Rfnd	25
Michael Todd and Co	Road Mark	1,027.50	Wehling, P.	Rep/Maint	100
Midwest Turf and Irri	Rep/Maint	133.83	Westlake Ace Hardware	Sup	63.6
Miller Monroe Farrell	Insurance	1,469.00	Windy Prairie Sys.	Donation	1,800.00
Moore Electric & Ref	Rep/Maint	75	Wurtele, G.	Program	51.42
Mullenax Auto Sup	Sup	94.04			

Moved by Mayor Bequette and seconded by Johns to approve **Resolution 2764-17** to approve the purchase of land from Union Pacific as part of the 4th Corso Viaduct project. Grayson Path spoke to explain the resolution. Upon roll call the following voted YES: Johns, Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

RESOLUTION NO. 2764-17

WHEREAS, the City Council of the City of Nebraska City has received and reviewed a letter agreement attached hereto providing for the City's purchase of certain real estate from Union Pacific Railroad Company as part of the 4th Corso viaduct replacement project;

AND WHEREAS, the City finds it to be in the best interests of the citizens of Nebraska City for it to enter into the attached Agreement;

THEREFORE, BE IT RESOLVED that the City Council directs the approval of the Agreement and authorizes the Mayor to sign the same on behalf of the City.

Duly passed and approved by a majority of the City Council this 6th day of November, 2017.

Bryan Bequette, Mayor

ATTEST:

Randy Dunster, City Clerk-Treasurer

Mayor Bequette introduced Ordinance 2999-17 for the voluntary annexation of the CHI Health St Mary's Hospital location, and requested the first of three readings.

ORDINANCE NO. 2999-17

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.

Mayor Bequette introduced **Ordinance 2997-17** to approve ATV/UTV registration and operation within City limits. 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 Wehling for final passage of **Ordinance 2997-17** to approve ATV/UTV registration and operation within City limits. Doug Farrar with the Arbor Day Foundation spoke in favor of the Ordinance and Chief Lacy spoke to address the implementation of the Ordinance. Upon roll call the following voted YES: Johns, Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

ORDINANCE NO. 2997-17

AN ORDINANCE AMENDING CHAPTER 35, ARTICLE IV, OF THE CODE OF THE CITY OF NEBRASKA CITY, NEBRASKA, RELATED TO ATVs AND UTVs; 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 announced that the Police Department will be participating in No-Shave-November as a fundraising event for St. Jude's Children's Hospital.

Meeting Adjourned at 6:34 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