

CITY OF NEBRASKA CITY, NEBRASKA
 MINUTES OF CITY COUNCIL REGULAR MEETING
 February 19, 2018

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 February 19, 2018. 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 6:10 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 then led in the Pledge of Allegiance. Upon roll call the following answered present: Paul Davis, Patrick Wehling, Vic Johns and Vice President Gloria Glover. Absent: Mayor Bequette. The following City Officials were present: City Administrator Grayson Path, City Attorney David Partsch, Police Chief David Lacy, Police Captain Lonnie Neeman, Utilities Director Leroy Frana, Utilities Treasurer Jeff Kohrs, Library Director Donna Kruse, Construction and Facility Manager Marty Stovall, City Administrator Intern Michael Schulte and City Clerk-Treasurer Randy Dunster.

Vice President Glover excused Mayor Bequette as he was out of town visiting family. Vice President Glover also stated that agenda item 13 would be addressed ahead of items 10 and 11.

Vice President Glover moved to approve the following consent items:

Approve the Morton James Public Library Endowment Funds Policies/Procedures.

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 opened the Public Hearing to amend the Redevelopment Plan to include a tax increment financing project in the Redevelopment area located at the end of Oak St off Grundman Blvd. Andrew Willis, Dan Mauk and Jackie Smith spoke in favor of the request. Vice President Glover moved to close the Public Hearing, seconded by Commissioner Johns. Upon roll call the following voted YES: Johns, Wehling, Davis and Vice President Glover. Voting NO: None. Motion carried.

Treasurer's report was given, as of January 31, 2018, Total Nebraska City funds of \$6,550,113.42. Total Cash and Reserve for Nebraska City Utilities of \$16,641,905.31. Total City of Nebraska City and Utility funds \$23,192,018.73. Council acknowledged receipt of City Administrator Report. Grayson Path spoke regarding his report. Council acknowledged receipt of Utility Financial Report for period ending December 31, 2017. Council acknowledged receipt of Utility Claims for period ending January 31, 2018.

Moved by Commissioner Johns and seconded by Davis to accept the minutes from the February 5, 2018 City Council Meeting with the amended second by Commissioner Johns of Resolution 2770-18. Upon roll call the following voted YES: Davis, Wehling, Johns and Vice President Glover. Voting NO: None. Motion carried.

Moved by Vice President Glover and seconded by Wehling to Approve the NCTC request to use Central Ave from 7th - 8th Street and the Sunken Parking lot from 1:00pm to 11:00pm for the Farm to Fork Dinner on Sunday August 19, 2018. Amy Allgood spoke to explain the request. Upon roll call the following voted YES: Davis, Wehling, Johns 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 February 6, 2018 to February 19, 2018. 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					
February 19, 2018					
Action Technology Serv	Computer	2,700.00	Mercer's Do-It-Best	Sup	124.74
Adkins Signs	Rep/Maint	120.00	Merchant Services	CC Serv Fees	357.96
American National Bank	Loan	1,117.56	Midwest Service & Sales	Road Mark	740.00
Arbor Mart, Inc	Fuel	1,953.61	Miller Monroe Farrell	Bonds	85.33
AVAC	Anim Exp	864.80	Mullenax Auto Supply	Rep/Maint	115.01
Barco Municipal Prod	Road Mark	431.91	Municipal Emergency	Sup	30.00
Bill Walters & Son Shop	Rep/Maint	460.68	Napa Auto Parts	Rep/Maint	806.76
BKD	Audit	12,000.00	Nationwide Trust Contr	Pension	2,146.00
Bohl Plumbing & Heating	Rep/Maint	105.00	Nationwide	Inv	16,768.51
Bound Tree Medical LLC	Sup	1,548.88	NC Area Econ Develop	Admin	832.50
Jenni Brant Ceramics	Computer	320.00	NC Museum Assoc	Grant	20,000.00
Capital Business Systems	Contract	212.90	NC Newspress	Adv	1,293.85
Card Services	Multi	1,425.79	NC Utilities	Utilities	9,809.41
Constructors, Inc.	Hwy 75/2	24,496.30	NE Dept of Revenue	Sls Tax	62.45
Db Enviromental	Rep/Maint	247.00	NE Liquor Control Comm	Misc	45.00
Douglas Tire Co.	Rep/Maint	561.34	NE Salt and Grain Co	Chemicals	5,722.13

Eakes Office Solutions	Sup	64.27	Neopost Postage	Postage	400.00
ETS Corporation	CC Serv Fees	17.50	O'Reilly Auto Parts	Rep/Maint	87.59
Fareway Stores, Inc.	Rep/Maint	27.15	Otoe County Clerk	Dispatch	4,987.50
Feld Fire	Donation	37,140.00	Payroll	Payroll	119,813.82
Fire Protection Service	Rep/Maint	240.00	Peters, P.	Grants	1,500.00
First Wireless	Communicatio	172.00	Shell	Fuel	2,129.30
Galls, LLC	Uniforms	49.99	Spiral Communications	Tele	2,180.36
Gatehouse Media NE	Adv	29.24	Stutheit Implement	Rep/Maint	517.70
Hireright LLC	Background	81.09	UHC	HRA	5,885.72
Ideal Pure Water	Sup	69.70	Unifirst Corporation	Contract	97.76
JEO Consulting	Engineering	4,769.25	VAIRKKO	Computer	193.40
Kubota of Omaha	Rep/Maint	2,334.41	Verizon Wireless	Tele	14.06
Landis Engine Company	Rep/Maint	57.95	Westlake Ace Hardware	Equip	42.66
Matheson Tri-Gas, Inc.	Sup	120.54	Windstream,Inc.	Tele	1,483.90

Moved by Vice President Glover and seconded by Johns for final passage of **Ordinance 3005-18** for the voluntary annexation of the Nebraska City Senior Patio Homes LP location, (Final reading). Upon roll call the following voted YES: Johns, Wehling, Davis and Vice President Glover. Voting NO: None. Motion carried.

ORDINANCE NO. 3005-18

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.

Moved by Commissioner Johns and seconded by Vice President Glover to approve **Resolution 2771-18** approving and adopting the Amendment to the Redevelopment Plan to include the proposed Nebraska City Senior Patio Homes LP redevelopment project. 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 2772-18** approving the Redevelopment Agreement for the Nebraska City Senior Patio Homes LP Project authorizing the use of Tax Increment Financing and authorizing the CDA to implement the agreement. Andrew Willis spoke to explain the request. 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 Vice President Glover to consider moving forward on option two for the KPE report on Library HVAC. Chad Lichty, Grayson Path, Donna Kruse and Marty Stovall spoke to explain the request. 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 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 three 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 3008-18** to approve the BANS for the 4th Corso Viaduct Project. John Trecek of Ameritas 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. 3008-18

AN ORDINANCE PROVIDING FOR THE ISSUANCE OF STREET IMPROVEMENT BOND ANTICIPATION NOTES, SERIES 2018, IN THE AMOUNT OF EIGHT HUNDRED TWENTY FIVE THOUSAND DOLLARS (\$825,000) FOR THE PURPOSE OF PAYING THE COSTS OF CONSTRUCTING PAVING IMPROVEMENTS WITHIN THE CITY OF NEBRASKA CITY, NEBRASKA; AGREEING TO ISSUE BONDS TO PAY THE NOTES AND ACCRUED INTEREST AT MATURITY; PRESCRIBING THE FORM OF THE NOTES; AUTHORIZING THE SALE AND DELIVERY OF THE NOTES TO THE PURCHASER AND ORDERING THE PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM.

Moved by Commissioner Johns and seconded by Vice President Glover to write a letter of support for the Blue Rivers Area Agency and table the request for \$2,500 funding. Upon roll call, the following voted YES: Wehling, Davis, Johns and Vice President Glover. Voting NO: None. Motion carried.

Moved by Commissioner Johns and seconded by Wehling to authorize the City Administrator to sign the Nebraska Department of Environmental Quality Litter Reduction and Recycling Grant Agreement. Upon roll call, the following voted YES: Wehling, Davis, Johns and Vice President Glover. Voting NO: None. Motion carried.

Moved by Commissioner Johns and seconded by Wehling to approve agreement between City of Nebraska City and Keep

Nebraska City Beautiful to perform NDEQ Grant agreement. Upon roll call, the following voted YES: Wehling, Davis, Johns and Vice President Glover. Voting NO: None. Motion carried.

Moved by Commissioner Wehling and seconded by Johns to approve the NCTC request to place 24 wireless speakers along Central Avenue from 5th Street to 12th Street and 8th Street South to 1st Corso for use at events in Memorial Way and in the Memorial building parking Lot. Amy Allgood, Mark Kattleman, Marty Stovall and Leroy Frana spoke on the item. Upon roll call, the following voted YES: Wehling, Davis, Johns and Vice President Glover. Voting NO: None. Motion carried.

Moved by Commissioner Johns and seconded by Vice President Glover to send acknowledgment of ownership of the Steinhart Park Road Timber Bridge and authorizing staff to negotiate a Task Order with JEO Consulting Group, Inc. to engineer the needed repairs. Upon roll call, the following voted YES: Wehling, Davis, Johns and Vice President Glover. Voting NO: None. Motion carried.

Moved by Commissioner Davis and seconded by Johns to approve **Resolution 2773-18** regarding withdrawal from National Public Gas Agency and approval of Mutual Release. 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 Johns to approve JEO task order for City Hall roof replacement design for a total amount not to exceed \$29,880.00. Marty Stovall spoke to explain the item. Upon roll call, the following voted YES: Wehling, Davis, Johns and Vice President Glover. Voting NO: None. Motion carried.

Moved by Commissioner Davis and seconded by Johns to approve **Resolution 2776-18** correcting examples in Econ. Dev. Plan of allocations for Growth Fund. Upon roll call the following voted YES: Johns, Wehling, Davis and Vice President Glover. Voting NO: None. Motion carried.

Moved by Commissioner Davis and seconded by Wehling to approve the Board of Public Works recommendation to purchase a 2019 Freightliner M-2 Digger Derrick Truck for \$318,134.00. Jeff Kohrs and Carl Abbott spoke to explain the item. Upon roll call, the following voted YES: Wehling, Davis, Johns and Vice President Glover. Voting NO: None. Motion carried.

Meeting Adjourned at 8:05 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