

CITY OF NEBRASKA CITY, NEBRASKA
MINUTES OF CITY COUNCIL REGULAR MEETING
May 7, 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 May 7, 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.

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 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, Fire Chief Alan Viox, Utilities Director Jeff Kohrs, Deputy Clerk-Treasurer Patricia Moore and City Clerk-Treasurer Randy Dunster.

Mayor Bequette moved to approve the following consent items:

Approve minutes from the April 16, 2018 City Council Meeting.

Approve the SDL request for Backswing Brewing Co for June 17, 2018 from 3:00 – 8:00 PM at Whispering Pines Bed and Breakfast located at 2018 6th Ave.

Approve the contract with Matthew Helms as an Independent Contractor for the purpose of providing the public with golf lessons and authorize Commissioner Wehling to sign.

Approve changing the WildWood Golf Course Liquor License from Class “C” beer on Sale only to class “I” beer and alcohol on sale only.

Approve the Nebraska City Swim Team schedule for 2018.

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

Mayor Bequette announced the election results of the Nebraska City Volunteer Fire Department Officers. Fire Chief Alan Viox introduced the newly elected and re-elected Volunteer Fire Department Officers.

Mayor Bequette announced recognition of awards presented to the Police Department. Chief Lacy and Sargent Richardson explained the awards.

Mayor Bequette Recognized Kadynce Mullins for receiving the 2018 Prudential Spirit of Community Award.

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 April 17, 2018 to May 7, 2018. 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					
May 7, 2018					
A-1 Locksmith	Rep/Maint	1,841.00	Mead Lumber	Sup	314.28
Access Systems	Contract	275.84	Mercer's Do-It-Best	Sup	292.05
Action Technology Services	Computer	2,138.35	Miller Monroe Farrell	Ins	7,664.66
Adkins Signs	Road Marking	50.00	Mullenax Auto Supply	Sup	32.88
American National Bank	Loan	669.05	Municipal Emergency Serv	Rep/Maint	550.00
American Recycling	Trash Removal	320.50	Napa Auto Parts	Sup	40.08
Arbor Mart, Inc	Fuel	2,941.11	Nationwide	Inv	13,667.50
Arbor Valley Animal Clinic	Animal Exp	98.00	NC Clerk-Treasurer	Petty	50.00
Richard D. Bennett, Jr.	Rep/Maint	10,839.64	NC Museum Association	Curator	2,406.25
Bill Walters & Son Shop	Rep/Maint	243.33	NC Utilities	Utilities	7,837.38
Bound Tree Medical LLC	Sup	2,728.82	NC Tourism & Commerce	Tourism	7,083.33
Boyle, K.	Training	137.34	Flagship Publishing Inc	Adv	315.00
Brown's Shoe Fit Company	Uniform	140.00	Neopost USA	Postage	89.85
Brownville Village	Adv	50.00	O'Reilly Auto Parts	Sup	60.64
BSN Sports	Ballfield	616.92	Otoe County Clerk	Rfnd	2,347.20
Card Services	Sup	58.97	Payroll	Payroll	109,901.60
CB Plumbing	Rep/Maint	1,441.18	Premier-Midwest Beverage	Bev	35.50
Concrete Industries, Inc.	Concrete	314.04	Quality Brands of Linc	Bev	449.95
Douglas Tire Co.	Rep/Maint	1,358.78	Quill Corporation	Sup	769.62
Eakes Office Solutions	Sup	754.99	River View Pest Control	Pst Cntrl	466.00
Fareway Stores, Inc.	Concession	323.88	Sanchez, J.	Rfnd	25.00
Fastenal Company	Sup	49.67	Schneider Electric & Refrig	Rep/Maint	882.94
Fire Protection Service	Rep/Maint	178.00	Schomerus, G.	Rfnd	200.00
Fire Station Software	Communication	82.00	Spiral Communications	Tele	1,090.54
Galls, LLC	Uniform	7.34	St. Mary's Comm Hospital	Background	33.00
Gatehouse Media NE	Adv	18.31	Tag's One Stop	Fuel	97.46
Grimm's Gardens	Rep/Maint	159.68	Lumberjack Company	Stump Removal	3,650.00

Guardian	Ins	8,977.53	Thurman's Bike & Sport	Uniform	106.00
Hincapie, J.	Rfnd	25.00	Tree City Tees	Uniform	118.85
Hireright	Background	27.03	UHC	Ins	126,783.00
Hopkins Automotive Inc.	Rep/Maint	28.07	UHC	HRA	5,715.53
ICMA Membership Ren	Dues	773.39	Unifirst Corporation	Contract	191.77
In the Swim	Rep/Maint	1,285.99	Union Pacific Railroad	4th Corso	1,682.93
JEO Consulting Group, Inc.	Cap Out	2,665.57	United Seeds, Inc.	Sup	450.00
K&Z Distributing	Bev	196.35	Vairkko	Computer	193.40
Kubota of Omaha	Rep/Maint	154.62	Verizon Wireless	Tele	662.32
Landis Engine Co, Inc.	Rep/Maint	26.99	Vern Waskom Company	Resale	298.50
Lincoln Financial	Ins	5,335.49	Warner, J.	Rfnd	25.00
Lind Lawn	Rep/Maint	1,700.00	Westlake Ace Hardware	Rep/Maint	657.87
Matheson Tri-Gas, Inc.	Sup	247.83	Zahn, N.	Rfnd	200.00
McGinnis, P.	Rfnd	70.00	Zimco Supply Co.	Chemicals	8,168.80

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 Johns for final passage of **Ordinance 3013-18** to approve BANs for the North 11th Street Project. John Trecek spoke to explain the ordinance. Upon roll call the following voted YES: Johns, Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

ORDINANCE NO. 3013-18

AN ORDINANCE PROVIDING FOR THE ISSUANCE OF STREET IMPROVEMENT BOND ANTICIPATION NOTES, SERIES 2018B, IN THE AMOUNT OF TWO MILLION FOUR HUNDRED TWENTY THOUSAND DOLLARS (\$2,420,000) 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.

Council held a discussion to learn the results of the feasibility study and to identify projects for the CDBG Comprehensive Development Phase II, Year II application process. Betsy Goodman, Marty Stovall and Grayson Path spoke on the different options. The Council selected option 2 as presented by Betsy Goodman.

Moved by Mayor Bequette and seconded by Glover to approve a proposal for asbestos and lead-based paint inspection service with B2E, for the Morton-James Public Library HVAC project and move forward with a service order. Upon roll call the following voted YES: Johns, Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Commissioner Glover and seconded by Johns to approve the Sidewalk Cafe Permit Application for the Keeping Room located at 717 Central Ave. Mayor Bequette declared a conflict of interest as part owner of the Keeping Room. Kelly Bequette spoke to explain the request. Upon roll call, the following voted YES: Davis, Wehling, Johns and Glover. Voting NO: None. Abstain: Mayor Bequette. Motion carried.

Council held a discussion regarding proposed comparable pay study report recommendations for Full-Time positions. Paul Essman explained the comparability study results.

Moved by Commissioner Wehling and seconded by Glover to approve a community appreciation picnic at North Wildwood Park June 10, 2018 from 11:00 AM to 2:00 PM with a rain date of June 12, 2018 5:00 PM to 8:00 PM. Holly Olson spoke to explain the request. Upon roll call, the following voted YES: Davis, Wehling, Johns, Glover and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Mayor Bequette and seconded by Wehling to approve **Resolution 2788-18** to approve the surrender of the EMS annuity contract with Athene. Upon roll call the following voted YES: Johns, Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

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 Johns for final passage of **Ordinance 3010-18** to approve the Zoning and Subdivision Plan. Upon roll call the following voted YES: Johns, Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

ORDINANCE NO. 3010-18

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING AND SUBDIVISION REGULATIONS OF THE CITY OF NEBRASKA CITY, NEBRASKA, TO ESTABLISH REVISED COMPREHENSIVE ZONING REGULATIONS PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT, AND

AMENDMENT THEREOF AND REVISED SUBDIVISION REGULATIONS REGULATING THE SUBDIVISION OF LAND, REQUIRING AND REGULATING THE PREPARATION AND PRESENTATION OF PRELIMINARY AND FINAL PLATS FOR SUCH PURPOSE, ESTABLISHING MINIMUM SUBDIVISION DESIGN STANDARDS, PROVIDING MINIMUM IMPROVEMENTS TO BE MADE OR GUARANTEED TO BE MADE BY THE SUBDIVIDER, SETTING FORTH THE PROCEDURE TO BE FOLLOWED BY THE CITY COUNCIL IN APPLYING THESE RULES, REGULATIONS AND STANDARDS, SETTING FORTH A SCHEDULE OF FEES, PRESCRIBING PENALTIES FOR VIOLATIONS OF THE PROVISIONS OF THIS ORDINANCE; 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 Mayor Bequette 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, 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 Johns for final passage of **Ordinance 3011-18** Water Rate Ordinance from BPW. Upon roll call the following voted YES: Johns, Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

ORDINANCE NO. 3011-18

AN ORDINANCE TO ESTABLISH A SCHEDULE OF RATES TO BE CHARGED FOR WATER SERVICE FURNISHED BY THE COMBINED UTILITY SYSTEM OF THE CITY OF NEBRASKA CITY, NEBRASKA, TO REPEAL ORDINANCE #2763-09 OF THE CITY OF NEBRASKA CITY, NEBRASKA AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; AND TO DECLARE AN EFFECTIVE DATE.

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 3012-18** Sanitary Sewer Ordinance from BPW. Upon roll call the following voted YES: Johns, Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

ORDINANCE NO. 3012-18

AN ORDINANCE TO ESTABLISH A SCHEDULE OF RATES TO BE CHARGED FOR SANITARY SEWER SERVICE FURNISHED BY THE COMBINED UTILITY SYSTEM OF THE CITY OF NEBRASKA CITY, NEBRASKA, TO REPEAL ORDINANCE No. 2851-11 OF THE CITY OF NEBRASKA CITY; AND TO DECLARE AN EFFECTIVE DATE.

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 Glover for final passage of **Ordinance 3014-18** to approve 2012 International Building Code. Upon roll call the following voted YES: Johns, Wehling, Glover, Davis and Mayor Bequette.

Voting NO: None. Motion carried.

ORDINANCE NO. 3014-18

AN ORDINANCE OF THE CITY OF NEBRASKA CITY, NEBRASKA, ADOPTING THE 2012 EDITION OF THE *INTERNATIONAL BUILDING CODE*, REGULATING AND GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS AND STRUCTURES; BY PROVIDING THE STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND OTHER PHYSICAL THINGS AND CONDITIONS ESSENTIAL TO ENSURE THAT STRUCTURES ARE SAFE, SANITARY AND FIT FOR OCCUPATION AND USE; AND THE CONDEMNATION OF BUILDINGS AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY AND USE AND THE DEMOLITION OF SUCH STRUCTURES IN THE CITY OF NEBRASKA CITY; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE; REPEALING ORDINANCE NO. 2834-11 OF THE CODE OF THE CITY OF NEBRASKA CITY, AND ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH; AND DECLARING AN EFFECTIVE DATE.

Moved by Mayor Bequette 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, 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 3015-18** to approve 2012 International Residence Code. Upon roll call the following voted YES: Johns, Wehling, Glover, Davis and Mayor Bequette.

ORDINANCE NO. 3015-18

AN ORDINANCE OF THE CITY OF NEBRASKA CITY, NEBRASKA, ADOPTING THE 2012 EDITION OF THE *INTERNATIONAL RESIDENTIAL CODE*, REGULATING AND GOVERNING THE CONSTRUCTION, ALTERATION, MOVEMENT, ENLARGEMENT, REPLACEMENT, REPAIR, EQUIPMENT, LOCATION, REMOVAL AND DEMOLITION OF DETACHED ONE AND TWO-FAMILY DWELLINGS AND MULTIPLE SINGLE-FAMILY DWELLINGS (TOWNHOUSES) NOT MORE THAN THREE STORIES IN HEIGHT WITH SEPARATE MEANS OF EGRESS IN THE CITY OF NEBRASKA CITY, REPEALING ORDINANCE NO. 2835-11 OF THE CODE OF THE CITY OF NEBRASKA CITY, AND ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE; AND DECLARING AN EFFECTIVE DATE.

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 Johns for final passage of **Ordinance 3016-18** to approve 2012 International Plumbing Code. Upon roll call the following voted YES: Johns, Wehling, Glover, Davis and Mayor Bequette.

ORDINANCE NO. 3016-18

AN ORDINANCE OF THE CITY OF NEBRASKA CITY, NEBRASKA, ADOPTING THE 2012 EDITION OF THE *INTERNATIONAL PLUMBING CODE*, REGULATING AND GOVERNING THE DESIGN, CONSTRUCTION, QUALITY OF MATERIALS, ERECTION, INSTALLATION, ALTERATION, REPAIR, LOCATION, RELOCATION, REPLACEMENT, ADDITION TO, USE OR MAINTENANCE OF PLUMBING SYSTEMS IN THE CITY OF NEBRASKA CITY; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; REPEALING ORDINANCE NO. 2837-11 OF THE CODE OF THE CITY OF NEBRASKA CITY AND ALL OTHER ORDINANCES AND PARTS OF THE ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

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 Johns for final passage of **Ordinance 3017-18** to approve 2012 International Fuel-Gas Code. Upon roll call the following voted YES: Johns, Wehling, Glover, Davis and Mayor Bequette.

ORDINANCE NO. 3017-18

AN ORDINANCE OF THE CITY OF NEBRASKA CITY, NEBRASKA, ADOPTING THE 2012 EDITION OF THE *INTERNATIONAL FUEL GAS CODE*, REGULATING AND GOVERNING FUEL GAS SYSTEMS AND GAS-FIRED APPLIANCES IN THE CITY OF NEBRASKA CITY; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; REPEALING ORDINANCE NO. 2838-11 OF THE CODE OF THE CITY OF NEBRASKA CITY AND ALL OTHER ORDINANCES AND PARTS OF THE ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

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 Johns for final passage of **Ordinance 3018-18** to approve 2012 International Mechanical Code. Upon roll call the following voted YES: Johns, Wehling, Glover, Davis and Mayor Bequette.

ORDINANCE NO. 3018-18

AN ORDINANCE OF THE CITY OF NEBRASKA CITY, NEBRASKA, ADOPTING THE 2012 EDITION OF THE *INTERNATIONAL MECHANICAL CODE*, REGULATING AND GOVERNING THE DESIGN, CONSTRUCTION, QUALITY OF MATERIALS, ERECTION, INSTALLATION, ALTERATION, REPAIR, LOCATION, RELOCATION, REPLACEMENT, ADDITION TO, USE OR MAINTENANCE OF MECHANICAL SYSTEMS IN THE CITY OF NEBRASKA CITY; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; REPEALING ORDINANCE NO. 2836-11 OF THE CODE OF THE CITY OF NEBRASKA CITY AND ALL OTHER ORDINANCES AND PARTS OF THE ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Moved by Mayor Bequette 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, 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 3019-18** to approve 2012 International Property Maintenance Code. Upon roll call the following voted YES: Johns, Wehling, Glover, Davis and Mayor Bequette.

ORDINANCE NO. 3019-18

AN ORDINANCE OF THE CITY OF NEBRASKA CITY, NEBRASKA, ADOPTING THE 2012 EDITION OF THE *INTERNATIONAL PROPERTY MAINTENANCE CODE*, REGULATING AND GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS AND STRUCTURES; BY PROVIDING THE STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND OTHER PHYSICAL THINGS AND CONDITIONS ESSENTIAL TO ENSURE THAT STRUCTURES ARE SAFE, SANITARY AND FIT FOR OCCUPATION AND USE; AND THE CONDEMNATION OF BUILDINGS AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY AND USE AND THE DEMOLITION OF SUCH STRUCTURES IN THE CITY OF NEBRASKA CITY; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE; REPEALING ORDINANCE NO. 2877-12 OF THE CODE OF THE CITY OF NEBRASKA CITY, AND ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH; AND DECLARING AN EFFECTIVE DATE.

Moved by Commissioner Glover and seconded by Wehling for the Council to go into closed session with the City Attorney, City Administrator and the Construction and Facility Manager for the purpose of negotiations on the sale of property and on reason for the protection of public interest. Upon roll call, the following voted YES: Glover, Wehling, Johns, Davis and Mayor Bequette. Voting NO: None. Motion carried. Council went into closed session at 8:15 PM Council resumed Open Session at 8:24 PM. Council directed the City Attorney to provide the counter-offer discussed in closed session to the potential buyer.

Meeting Adjourned at 8:25 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