

CITY OF NEBRASKA CITY, NEBRASKA
MINUTES OF CITY COUNCIL REGULAR MEETING
February 18, 2019

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 18, 2019. 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 Administration Intern Clayton Keller, City Attorney David Partsch, Police Captain Lonnie Neeman, Utilities Director Jeff Kohrs, Utilities Treasurer Mona Kuhlengel, Library Director Donna Kruse, Construction and Facility Manager Marty Stovall and City Clerk-Treasurer Randy Dunster.

Mayor Bequette moved to approve the following consent items:

Approve minutes from the February 4, 2019 City Council Meeting.

Approve a lease agreement with George Horner for the Wildwood House Apartment.

Approve the Application for Electricians Registration to Work for Sentry Electric.

Approve the BPW recommendation to purchase a NeoPost Folder/Inserter for preparing Utility Billing Statements in the amount of \$14,408.00.

Approve the BPW recommendation to approve the Water Work Order #312 to purchase a new fiberglass Utility Box in the amount of \$15,439.93 for Truck #27.

Approve the BPW recommendation to approve the Electric Work Order #108 to bury infrastructure and set transformers near Bennet, NE in the amount of \$112,760.27 with the Utilities paying \$47,815.89 of the cost and the customer paying \$64,944.38. 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 opened the Public Hearing on the One and Six Year Road and Street Plan. Marty Stovall spoke to explain the request. No comments were made by the public. Mayor Bequette moved to close the Public Hearing, seconded by Commissioner Johns. Upon roll call the following voted YES: Johns, Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

Treasurer's report was given, as of January 31, 2019, Total Nebraska City funds of \$8,740,938.57. Total Cash and Reserve for Nebraska City Utilities of \$16,930,790.59. Total City of Nebraska City and Utility funds \$25,671,729.16.

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, 2018.

Council acknowledged receipt of Utility Claims for period ending January 31, 2019.

Moved by Mayor Bequette and seconded by Johns to suspend the rules to follow the agenda and move agenda item #18 to right after item #13 and item #16 right after item #18 and then continue with the rest of the agenda. 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 Glover to approve the lease agreement with American National Bank to use their basement for Library operations during the Library HVAC replacement project. 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 accept the report of new claims against the City and approving disposition of claims set for the period of February 5, 2019 to February 18, 2019. 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					
February 18, 2019					
Action Tech Serv	Computer	1,200.00	Merchant Services	CC Fees	224.55
American Nat Bank	Loan/Lease	3,362.74	Midwest Turf and Irr	Rep/Main	160.75
Arbor Mart, Inc	Fuel	2,170.49	Miller Monroe Farrell	Bond	53.33
AVAC	Anim Exp	167.00	Mocnik, L.	Refnd	200.00
Barrett Construction Co	Contract	3,230.00	Morrison, K.	Training	13.00
Bennett, R.	Contract	1,123.12	Mullenax Auto Supply	Rep/Main	554.60
Bennett, S.	Emply Asst	240.00	Municipal Emerg Serv	Decon Bucket Adapter	77.26
Bill Walters & Son	Rep/Main	23.51	Napa Auto Parts	Rep/Main	209.00
Bohl Plumb & Heating	Rep/Main	37.50	Natl Arbor Day Found	Membership	15.00
Bound Tree Medical	Sup	32.00	Nationwide	Inv	13,041.86
Brown Glass Co	Rep/Main	85.00	Nationwide Trust Con	Pension	2,146.00
Brown's Shoe Fit Co	Uniform	210.95	NC Area Econ Dev	Admin Exp	382.50
Capital Business Sys	Contract	209.22	NC Museum Association	Grant	20,000.00
Card Services	Multiple	6,151.37	NC Utilities	Utilities	8,118.81
Casey's General Stores	Fuel	169.57	NE Dept of Rev	Sls Tax	96.66
Citizen Printing Co	Sup	90.00	NE Health & Human	Misc	40.00

Credit Management Serv	Misc Pay	329.97	NE Liquor Control Com	Misc	45.00
DAS State Accting	Comm	290.00	NE Planning & Zoning	Training	380.00
Douglas Tire Co.	Rep/Main	78.00	O'Reilly Auto Parts	Rep/Main	100.83
Eakes Office Solutions	Sup	327.01	Otoe County Clerk	Dispatch	4,987.50
Eggers Brothers, Inc.	Rep/Main	754.40	Otoe Co Mutual Aid	Dues	20.00
Emergency Repair Serv	Rep/Main	288.58	Otoe Co Treasurer	Election	519.12
EMS Billing Serv	Billing Serv	2,313.06	Payroll	Payroll	94,963.56
ETS	CC Fees	26.03	Quill Corporation	Sup	258.08
Fareway Stores	Sup	2.97	R & R Products Co.	Rep/Main	518.54
Fastenal Company	Equip	2.94	R Carts	Rep/Main	3,551.56
Feld Fire	Rep/Main	600.00	River View Pest Cont	Pst Cntrl	183.00
Galls, LLC	Uniform	1,147.71	Simon Contractors	Construction	82,154.61
Gatehouse Media	Adv	755.00	SE Plumbing & Heating	Rep/Main	409.00
Hireright, LLC	Screening	277.04	Spiral Communications	Telephone	1,120.01
Ideal Pure Water	Sup	118.45	Tag's One Stop	Fuel	67.39
JEO Consulting Group	Construction	12,347.50	Targets Online	Ammunition	99.10
Johnny's Cycle	Rep/Main	36.95	Tom's Radio	Communications	900.00
Jones Automotive, Inc.	Donation	1,486.00	TY's Outdoor Power	Rep/Main	836.75
Lacy, D.	Misc	14.00	Unifirst Corporation	Contract	115.89
Landis Engine Co	Rep/Main	11.70	Vairkko	Computer	84.00
Lanuage Line Serv	Telephone	18.98	Verizon Wireless	Telephone	43.48
Matheson Tri-Gas, Inc.	Sup	417.23	W-K Repair	Rep/Main	165.00
Mead Lumber	Rep/Main	16.89	Westlake Ace	Rep/Main	28.79
Menards - Lincoln	Rep/Main	512.26	Wex Bank	Fuel	30.47
Mercer's Do-It-Best	Rep/Main	135.35	Wurtele, G.	Equip	85.60

Moved by Mayor Bequette and seconded by Johns for the Council to go into closed session with Legal Council and the City Administrator to discuss litigation strategy related to case CI 15-62 Ehlers v Nebraska City for the protection of the public interest and for keeping pre-trial litigation strategy private. Upon roll call, the following voted YES: Glover, Wehling, Johns, Davis and Mayor Bequette. Voting NO: None. Motion carried. Council relocated to Administrator Path's office for the closed session at 6:14 PM. Open Session resumed at 6:52 PM with no action taken with item #18 Litigation Strategy Session, CI 15-62.

Moved by Commissioner Glover and seconded by Johns to accept the Health, Dental, Life & AD&D Insurance Renewal changes for 2019 & 2020 be moved from the current January 1st renewal date to an October 1st renewal date. Upon roll call, the following voted YES: Davis, Wehling, Johns, Glover and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Commissioner Johns and seconded by Wehling to approve **Resolution 2815-19** to approve the One and Six Year Road and Street Plan as detailed. Upon roll call the following voted YES: Johns, Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

Dr Richard Bristol spoke to the Council regarding his request for either a Proclamation, Resolution or Ordinance stating the Protections of Freedom of Religion. The Council directed the City Attorney to research other cities and towns in Nebraska who may be doing this also and report to them his findings.

Moved by Commissioner Wehling and seconded by Johns to award the bid of \$21,310.00 to Baragary Construction, Inc. for the CDBG Nuckolls Square Park Restroom Facility ADA Improvement Project and authorize the Mayor to sign the contract. Upon roll call the following voted YES: Johns, Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

Grayson Path reported to the Council regarding the report on Department Budget Fiscal Year End Estimates in accordance with the Budget and Financial Policy Item #3. No action was taken.

Moved by Commissioner Johns and seconded by Wehling to approve the NDED Community Development Block Grant (CDBG) contract 16-CD-204 for \$510,000.00 in grant funds with City match of \$107,500.00 and leverage of \$107,500.00 for improvements to 6th Street and sidewalk ramps as well as a purchase-rehab-resell program with down-payment assistance. Upon roll call the following voted YES: Johns, Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Commissioner Johns and seconded by Mayor Bequette to approve the Community Development Block Grant (CDBG) Certified Administrator Agreement with SENDD for the 16-CD-204 CDBG Project. Upon roll call the following voted YES: Johns, Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Commissioner Johns and seconded by Mayor Bequette to approve the NDED Community Development Block Grant (CDBG) contract 18-TD-002 for \$425,000.00 in grant funds with donated match of \$120,000.00 for ADA Accessibility Improvements to the Memorial Building, Restroom Upgrades, and Installation of a new Elevator. Upon roll call the following voted YES: Johns, Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Commissioner Johns and seconded by Davis to approve the Second Amendment to the Steinhart Park Communication Tower Site Lease Agreement. 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 to approve the amended Civic and Community Center Financing Fund (CCCFF) grant application for the Library Exterior Renovation Project changing the grant amount from \$150,000 to \$202,500 for an estimated \$420,000 total cost project. Upon roll call the following voted YES: Johns, Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

Meeting Adjourned at 7:59 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