

CITY OF NEBRASKA CITY, NEBRASKA  
MINUTES OF CITY COUNCIL REGULAR MEETING  
May 20, 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 May 20, 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 Bryan 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, Vic Johns, Gloria Glover and Mayor Bequette. Absent: Patrick Wehling. The following City Officials were present: City Administrator Grayson Path, City Administration Intern Clayton Keller, Police Chief David Lacy, Fire Chief Rob Schreiner, Utilities Director Jeff Kohrs, Library Director Donna Kruse, Construction and Facility Manager Marty Stovall, Paramedic Manager Andrew Snodgrass and City Clerk-Treasurer Randy Dunster.

Mayor Bequette moved to approve the following consent items:

Approve minutes from the May 6, 2019 City Council Meeting.

Approve parking for the River City Classic Car Club Applejack Car Show on September 22, 2019.

Approve the BPW recommendation to replace 250' of 2" Steel Gas Main with 2" Poly at 22nd Street between Central and 1st Avenues at a cost of \$13,546.62.

Approve the BPW recommendation to bury Single Phase 4160 and set a pad mount transformer in Bennett, NE for a cost to NCU of \$8,483.45 and a total cost of \$12,533.64.

Approve the BPW recommendation to purchase and install Ten Shark 200 Meters for metering of the generators and Power Station Metering at Plan Site #1 for a total cost of \$90,275.00. Motion seconded by Commissioner Johns. Upon roll call the following voted YES: Davis, Glover, Johns and Mayor Bequette. Voting NO: None. Motion carried

Mayor Bequette announced the resignation of Sargent Jeff Lant and recognized Lant's 22 years of service on the Nebraska City Police Department.

Chief Lacy announced the promotion of Officer Jason Holman to Police Sargent.

Mayor Bequette administered the Oath of Office to Casey Fertig as an Officer in the Nebraska City Police Department.

Mayor Bequette opened the Public Hearing on the Intent to use Nebraska City Growth Funds from the Economic Development Plan for KMV Properties, LLC. as a loan in the amount of \$92,000.00 for the renovation of 823 Central Ave, Nebraska City, NE. Dan Mauk, Kiel Vanderveen, JoAnn Martins & Jim Kuhn spoke to explain the request and in favor of the proposal. Mayor Bequette moved to close the Public Hearing, seconded by Commissioner Glover. Upon roll call the following voted YES: Johns, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

Treasurer's report was given, as of April 30, 2019, Total Nebraska City funds of \$9,293,005.93. Total Cash and Reserve for Nebraska City Utilities of \$17,942,965.84. Total City of Nebraska City and Utility funds \$27,235,971.77.

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

Council acknowledged receipt of Utility Financial Report for period ending March 2019.

Council acknowledged receipt of Utility Claims for period ending April 2019.

Moved by Commissioner Glover and seconded by Davis to accept the report of new claims against the City and approving disposition of claims set for the period of May 7, 2019 to May 20, 2019. Upon roll call the following voted YES: Davis with abstention to any claims pertaining to West Lake Ace Hardware, Johns, Glover and Mayor Bequette. Voting NO: None. Motion carried.

Claims List					
May 20, 2019					
A-1 Locksmith & Sec	Rep/Maint	925.00		Mercer's Do-It-Best	Rep/Main/Sup 62.10
American National Bank	Loan	3,362.74		Merchant Services	CC Service 291.21
Arbor Mart, Inc	Fuel	2,237.38		Midwest Turf & Irr	Rep/Maint 774.26
Arrow Int'l	Sup	610.50		Miller & Sons Golf Cars	Rep/Maint 357.33
Barco Municipal Prod	Road Mark	345.29		Miller Monroe Farrell	Ins 7,899.34
Barrett Construction Co	Grav & Borr	795.00		Molly McNeely Dent	TIF 2,973.06
Benefiel Truck Repair	Rep/Maint	95.00		Morrison, K.	Training 1,642.53
Robert Moyer	Rep/Maint	85.00		Napa Auto Parts	Sup 819.09
Bohl Plumb & Heating	Rep/Maint	156.00		Nationwide Bonds	Off Bond 100.00
Bound Tree Medical LLC	Sup	854.64		Nationwide Trust Contr	Inv 2,146.00
Brown's Shoe Fit Co	Postage	10.89		Nationwide	Inv 14,055.42
BSN Sports	Rep/Maint	4,663.75		NC Clerk - Treasurer	Multiple 71.39
Capital Business Sys	Contract	222.94		NC Newspress	Adv 915.55
Card Services	Multiple	1,295.96		NC Utilities	Utilities 7,600.01
CB Plumbing	Rep/Maint	1,112.30		NE Dept of Rev	Sls Tax 2,024.69
Channing Bete Company	Training	400.93		NE Dept of Trans	Construction 82,130.52
Commercial State Bank	TIF	473.45		NEFSMA	Training 120.00
Creative Product Sourc	Donation	45.20		O'Reilly Auto Parts	Rep/Maint 46.17

DAS State Accounting	Commun	290.00	Odey's Inc.	Rep/Maint	613.20
Douglas Tire Co.	Rep/Maint	1,536.36	Otoe County Clerk	Dispatch	4,987.50
Eakes Office Solutions	Sup	93.40	Paper Tiger Shredding	Garabage	35.00
EMS Billing Services	Billing Serv	4,155.00	Payroll	Payroll	107,991.98
ETS	CC Service	413.03	Pepsi-Cola of Lincoln	Beverages	297.70
Fareway Stores, Inc.	TIF	396.34	Quality Brands	Bev	451.35
Gatehouse Media	Adv	171.88	Ragland, M.	Rep/Maint	245.00
Great Plains Uniforms	Unif	218.00	Shelter Home Service	Rfnd	100.00
Ideal Pure Water	Sup	33.95	Simon Contractors	Construction	266,637.49
Iowa League of Cities	Adv	130.00	Smith, E.	Rfnd	25.00
JEO Consulting Group	Construction	20,203.00	Thurman's Bike & Sport	TIF	4,828.08
Johnson Bros of NE	Beverages	78.10	Time Warner Cable	Telephone	109.47
K & Z Distributing	Bev	227.60	Tree Worx Tree Service	Tree & Stump	1,600.00
KNCB	Clean Up	3,728.10	UHC	HRA	4,968.98
Kreifels Electric L.L.C.	Rep/Maint	2,437.50	Unifirst Corporation	Contract	105.04
Ag Solutions Group LLC	Rep/Maint	1,949.89	Union Pacific Railroad	Construction	237.70
Landis Engine Co	Air Filter	10.50	Verizon Wirelss	Telephone	38.98
Language Line Services	Telephone	14.41	Walmart	Rfnd/Rev	616.83
Larson Motors	Rep/Maint	161.39	Westlake Ace Hardware	Rep/Maint	254.69
Matheson Tri-Gas, Inc.	Sup	53.07	Wex Bank	Fuel	4,073.36
MD Aquatics, LLP	Chem	1,178.00	Windstream, Inc.	Telephone	934.00
Mead Lumber	Sup	3.79			

Moved by Mayor Bequette and seconded by Johns to approve **Resolution 2819-19** To use Nebraska City Growth Funds from the Economic Development Plan for KMV Properties, LLC. as a loan in the amount of \$92,000.00 for the renovation of 823 Central Ave. Upon roll call the following voted YES: Johns, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Mayor Bequette and seconded by Johns to approve the sidewalk obstruction permit for KMV Properties, LLC. Marty Stovall and Kiel Vanderveen spoke to explain the request. Upon roll call the following voted YES: Johns, 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, 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 3034-19** to amend City Code 24-91 regarding the time of use of Public Exhibition or display of Display Fireworks. Grayson Path spoke to explain the request. Sally Wredt spoke to ask questions. Upon roll call the following voted YES: Johns, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

#### ORDINANCE NO. 3034 -19

AN ORDINANCE AMENDING SECTION 24-91 OF THE CODE OF THE CITY OF NEBRASKA CITY, NEBRASKA; TO REPEAL ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; AND TO DECLARE AN EFFECTIVE DATE.

Moved by Commissioner Johns and seconded by Glover to approve the requests for the Community Picnic set for June 9, 2019 with a rain date of June 11, 2019. Amy Allgood spoke to explain the request. Upon roll call, the following voted YES: Davis, Johns, Glover and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Mayor Bequette and seconded by Johns to approve contract no. 19-03-150 for Civic and Community Center Financing Funding (CCCFF) with the Nebraska Department of Economic Development for the Morton-James Public Library Exterior Renovation Project and authorize the Mayor to sign. Grayson Path spoke to explain the request. Upon roll call the following voted YES: Johns, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Mayor Bequette and seconded by Johns to table the EMS CIP request to renovate the EMS House kitchen until the budget process in July. Andrew Snodgrass and Grayson Path spoke to explain the request. Upon roll call the following voted YES: Johns, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Commissioner Johns and seconded by Glover to award the bid and approve the Professional Services Agreement with 10 Men Roofing for the Recreation Office Roof Replacement project for \$18,854.22 and authorize the Mayor to sign. Grayson Path spoke to explain the request. Upon roll call, the following voted YES: Davis, Johns, Glover and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Mayor Bequette and seconded by Glover to approve the letter agreement between the City of Nebraska City and Brandt, Horan, Hallstrom & Stilmock for Interim Legal Services and authorize the City Administrator to sign. Andrew Snodgrass and Grayson Path spoke to explain the request. Upon roll call the following voted YES: Johns, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Mayor Bequette and seconded by Glover to Table the Occupational Medicine Services Agreement with CHI Health St. Mary's for health resource services and authorize the Mayor to sign. Grayson Path spoke to explain the request. Upon roll call the following voted YES: Johns, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Mayor Bequette and seconded by Johns to approve the Architect Agreement with Leo A Daly for architecture services for the CDBG Project 18-TD-002 for the Veteran's Memorial Building in an amount of \$77,900.00 and authorize the Mayor to sign. Grayson Path spoke to explain the request. Upon roll call the following voted YES: Johns, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Mayor Bequette and seconded by Johns to approve the Release and Settlement Agreement between Arnold Ehlers and the City of Nebraska City to include a settlement contribution, and authorize the Mayor to sign. Grayson Path spoke to explain the request. Upon roll call the following voted YES: Johns, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

Meeting Adjourned at 7:04 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.

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Randy A. Dunster, City Clerk-Treasurer