

CITY OF NEBRASKA CITY, NEBRASKA
MINUTES OF CITY COUNCIL REGULAR MEETING
August 5, 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 August 5, 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, 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 Drew Graham, Police Chief David Lacy, Building Inspector Keith Morrison, 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 July 29, 2019 City Council Meeting.

Approve the Lied Lodge request to allow parking on the south side of Sylvan Road on August 20, 2019.

Approve the Application for Master Plumbers and Drain Layers License for H and S Plumbing and Heating.

Authorize City grant application to the Paul, John, Anton & Doris Wirth foundation for a total of \$137,500.00 for the Library Exterior Renovation and Preservation Project. Motion seconded by Commissioner Johns. Upon roll call the following voted YES: Davis, Wehling, Glover, Johns and Mayor Bequette. Voting NO: None. Motion carried

Mayor Bequette appointed Drew Graham to the position of City Attorney and administered the oath of office.

Mayor Bequette opened the Public Hearing on the Liquor License Class "D" (Beer, Wine & Distilled Spirits, Off Sale Only) application for Western Oil II Inc dba Speedee Mart 2727 located at 1108 Central Ave. No comments were made by the public. Mayor Bequette moved to close the Public Hearing, seconded by Johns. Upon roll call the following voted YES: Johns, Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

Amy Allgood gave the NCTC Annual Report on the use of City Public funds for FY 18/19.

Moved by Commissioner Glover and seconded by Davis to accept the report of new claims and approving disposition of claims set for the period of July 16, 2019 to August 5, 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					
August 5, 2019					
NMMKS Securities LLC	Rep/Maint	160.00	K & Z Distributing	Bev	305.70
Access Systems Leasing	Contract	257.00	Kuk, M.	Artist	35.00
Action Technology Services	Computer	400.00	Landis Eng Co	Rep/Maint	667.00
Aden, J.	Artist	40.00	Leo A Daly	CDBG Proj	11,685.00
Adkins Signs	Adv	30.00	IACP	Computer	525.00
Almquist, D.	Artist	30.00	League of NE Municip	Conf	2,360.00
American Nat Bank	Loan	1,199.00	Lincoln Financial	Ins	5,854.41
Aqua-Chem, Inc	Chem	2,058.00	Lyon, P.	Artist	45.00
Arbor Mart, Inc	Fuel	4,476.00	M.E. Collins	CDBG Proj	93,762.00
Arbor Outdoor Power	Rep/Maint	57.00	Matheson Tri-Gas, Inc.	Sup	87.00
Arbor Valley Anim Clin	Anim Exp	63.00	Mead Lumber	Rep/Maint	36.00
Associated Fire	Rep/Maint	326.00	Menards-Bellevue	Equip	189.00
Barrett Construction Co	Contract	10,205.00	Mercer's Do-It-Best	Rep/Maint	311.00
Benefiel Truck Repair	Rep/Maint	135.00	Midwest Concrete	Concrete	5,902.00
Vivial	Adv	32.00	Midwest Farmers Coop	Chem	532.00
Bill Walters & Son Shop	Rep/Maint	379.00	Midwest Turf and Irr	Irr Maint	450.00
Cathy Blankenship	Rep/Maint	21.00	Moes, L.	Artist	33.00
Bob's Welding	CDBG Proj	598.00	Mullenax Auto Supply	Rep/Maint	79.00
Bohl Plumbing & Heat	Rep/Maint	131.00	Municipal Emergency	Unif	355.00
Bound Tree Medical	Sup	2,270.00	Napa Auto Parts	Rep/Maint	392.00
Brown Glass Company	Rep/Maint	96.00	Naturally Slim	Emp Asst	385.00
Card Services	Multiple	289.00	NC Clerk - Treasurer	Filing Fee	10.00
CB Plumbing	Rep/Maint	550.00	NC Jaycees	Revenue/Don	2,921.00
City of NC	Inv	22,838.00	NC Museum Assoc	Curator	2,416.00
Concrete Industries	Concrete	603.00	NCTC	Tourism	7,083.00
Consolidated Manag	Training	342.00	NE Dept of Revenue	Sls Tax	5,759.43
Cortez, L.	Rfnd	10.00	NE Dept of Trans	4th Corso	160,438.00
Cottonwood Ren	Rfnd	200.00	NE Law Enf Training	Training	266.00
D & D Communications	Commun	58.00	Neopost USA	Postage	98.00
DAS State Accounting	Tele/Internet	290.00	O'Reilly Auto Parts	Sup	158.00

Douglas Tire Co.	Rep/Maint	1,645.00	Otoe County Clerk	County Fees	2,370.00
Eakes Office Solutions	Sup	298.00	Painter, M.	Artist	28.00
Eggers Brothers, Inc.	Rep/Maint	103.00	Payroll	Payroll	294,918.79
Emergency Repair Serv	Rep/Maint	1,431.00	Pepsi-Cola of Lincoln	Beverages	1,394.00
ETS Corporation	CC Service	1,031.27	Quality Brands	Bev	958.25
Fareway Stores, Inc.	Concessions	751.00	Quill Corporation	Sup	57.00
Feld Fire	Equip	350.00	River View Pest Control	Pest Cntrl	471.00
Frerichs, N.	Artist	31.00	SE Plumb & Heat	Rep/Maint	5,572.00
Friedli, P.	Artist	30.00	Spiral Communications	Tele/Internet	1,324.00
Galls, LLC	Uniforms	171.00	Stryker Medical	Rep/Maint	677.00
Gatehouse Media NE	Adv	175.00	Stutheit Implement	Rep/Maint	96.00
Gregg Young Chev	Rep/Maint	1,409.00	Sunflower Sales	Rep/Maint	740.00
Grimm's Gardens	Tree Maint	351.00	Syracuse Football	Planned Ev	1,800.00
Guardian	Ins	9,785.80	Sysco Lincoln	Concessions	2,401.00
Hargis, M.	Artist	63.00	Lumberjack Company	Grant Purch	800.00
Heine, L.	Artist	210.00	Tielke's Sandwiches	Concessions	39.00
Helena Chemical Co	Rep/Maint	1,332.00	UHC	Ins	133,802.85
Henry Motors Service	Rep/Maint	154.00	Unifirst Corporation	Contract	351.00
Hireright, LLC	Background	108.00	Valentino's	Planned Ev	98.00
Holliway, M.	Artist	30.00	Verizon Wireless	Tele/Internet	665.00
Holman, J.	Training	164.00	Wahl, R.	Artist	37.00
Hunzeker, M.	Artist	37.00	Walters, A.	Artist	27.00
Independent Distrib	Concessions	91.00	Waste Container Sys	ECDGF Loan	150,000.00
Infinity Aviation	Interlocal Ag	4,382.00	Westlake Ace Hardware	Rep/Maint	279.00
James, A.	Rfnd	300.00	Whispering Pines B & B	Missoula	705.00
Jason Warner Constr	Rfnd	225.00	Windstream, Inc.	Tele/Internet	805.00
Jeff Brown Roofing	Rep/Maint	125.00	Witmer Public Safety	Uniform	158.00
Johnny's Cycle	Rep/Maint	51.00	Wurtele, G.	Misc/Art/Planned	109.00
Johnson Controls Sec	Contract	218.00			

Moved by Mayor Bequette and seconded by Wehling to approve the Liquor License Class "D" (Beer, Wine & Distilled Spirits, Off Sale Only) application for Western Oil II Inc dba Speedee Mart 2727 located at 1108 Central Ave. 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 Johns to approve pursuant to Section 3.5(b) of the City Personnel Manual to authorize an initial starting pay for Drew A. Graham for the position of City Attorney of Step 4. 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 Johns to approve the Airport Authority Board Resolution 2019-002 approving the Authorities tax request for budget year 2019/2020. Arlin Stutheit 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 Glover to approve requested approximate 3% rate increases for residential monthly service to the American Recycling and Sanitation Franchise Agreement as well as the roughly 3% rate increase on all rates for businesses. Brian Kelly and Grayson Path 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 Commissioner Johns and seconded by Wehling to approve Resolution 2821-19 authorizing the agreement with NDOT for Project No. STP-NBIS(119) for the inspection and re-rating of the Steinhart Park Road Timber Bridge utilizing FHWA 80/20 grant funding, a total project estimate cost of \$2,054.93, and authorize the Mayor to sign. Marty Stovall and Grayson Path spoke to explain the item. 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 Davis to approve the contract with ME Collins for the 2019 Bridge Repair Project in the amount of \$315,494.40 and allow the Mayor to sign. Marty Stovall spoke to explain the item. 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 allow the Mayor to sign Change Order #2 revising the contract completion date for the North 11th Street & Orchard Drive Improvement Project and revising the contract price to \$2,029,720.00. Marty Stovall spoke to explain the item. 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 Glover to authorize the demolition of 408 5th Terrace pursuant to Resolution 2811-19 and City Code 19-65. Keith Morrison 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 Commissioner Johns and seconded by Glover to award a bid to Terracon Consulting, Inc. for Geotechnical Investigation Services for the Memorial Building Elevator and Ramp Project in the amount of \$8,000.00, to be funded by the Veterans Memorial Building Project Corporation, and authorize the Mayor to sign the Professional Services Agreement. Grayson Path spoke to explain the item. 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 Glover 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 3033-19 amending portions of the City of Nebraska City Zoning and Subdivision Ordinances and approving a revised Zoning Map. Keith Morrison and Grayson Path spoke to explain the request. Upon roll call the following voted YES: Johns, Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

ORDINANCE NO. 3033-19

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 THEREFORE 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.

Meeting Adjourned at 7:02 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