

CITY OF NEBRASKA CITY, NEBRASKA  
 MINUTES OF CITY COUNCIL REGULAR MEETING  
 September 16, 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 September 16, 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 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, Fire Chief Rob Schreiner, Utilities Director Jeff Kohrs, 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 September 3, 2019 City Council Meeting.

Approve a Block Party Request to be held on 6th Ave from 17th St to 18th Street on September 21, 2019 from 5:30pm to 10:30pm.

Approve the BPW recommendation to build a garage at Power Plant #1 for \$37,073.00.

Approve Electric Work Order #122 to install 13,800 Volt electrical services to Hidden Falls RV Park for \$39,916.12.

Approve the BPW recommendation to approve Gas Work Order #234 and Water Work Order #316 to purchase a new 2019 John Deere Model 210L-EP Tractor/Loader for \$80,669.08.

Approve BPW recommendation to approve Electric Work Order #124 to install line extension and set a pad mount transformer on North 38th Road south of "F" Road for \$12,975.93. Motion seconded by Commissioner Wehling. Upon roll call the following voted YES: Davis, Wehling, Glover, Johns and Mayor Bequette. Voting NO: None. Motion carried

Mayor Bequette proclaimed September 22-28, 2019 as Women of Today Week. Joyce Harpster was present to receive the Proclamation.

Mayor Bequette opened the Public Hearing the use of \$400,000.00 of Economic Development Revolving Loan Fund for a loan to Gregory Welding to assist in purchasing equipment. Dan Mauk, Drew Graham and Grayson Path spoke to explain the request. No comments were made by the public. Commissioner Johns declared his intention to abstain from voting because he was also interested in applying for the same funds for another business entity. Mayor Bequette moved to close the Public Hearing, seconded by Commissioner Glover. Upon roll call the following voted YES: Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Abstain: Johns. Motion carried.

Mayor Bequette opened the Public Hearing for the purpose of hearing support, criticism, suggestions, or observations of taxpayers relating to setting the FY19/20 final tax request at a different amount than the FY18/19 tax request. Grayson Path, Dan Mauk, Jim Kuhn spoke to explain the request. Mayor Bequette moved to close the Public Hearing, seconded by Commissioner Glover. Upon roll call the following voted YES: Johns, Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

Mayor Bequette opened the Public Hearing for the purpose of hearing support, criticism, suggestions, or observations of taxpayers relating to the proposed FY19/20 Budget. Grayson Path, Andrew Snodgrass and Chief Schreiner spoke to explain the request. 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 August 31, 2019, Total Nebraska City funds of \$7,789,903.07. Total Cash and Reserve for Nebraska City Utilities of \$16,808,883.14. Total City of Nebraska City and Utility funds \$24,649,705.60.

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

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

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

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 September 4, 2019 to September 16, 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					
September 16, 2019					
10 Men LLC	Cap Imp	1885.42	M. E. Collins Contracting	CDBG	85843.28
Access Systems Leasing	Contract	257.35	Macy, B.	Artist	44.63
Action Technology Serv	Computer	6564.19	Matheson Tri-Gas, Inc.	Sup	404.13
Aden, J.	Artist	27.00	MD Aquatics, LLP	Chem	1178.00
American National Bank	Loan/Admin	3388.52	Mead Lumber	Sup	822.11
American Recycling	Trash	441.75	Mercer's Do-It-Best	Sup	24.75
Arbor Mart, Inc	Fuel	2196.66	Merchant Services	CC Fees	161.20

Arbor Valley Anim Clinic	Anim Exp	302.00		Midwest Concrete, LLC	Concrete	6712.50
B.C. Meyer Construction	Rfnd	200.00		Midwest Turf and Irr	Fuel Filter	18.00
Richard D. Bennett, Jr.	Rock & Sand	9555.70		Miller Seed	Rep/Maint	318.20
Berger, D.	Artist	41.25		Miracle Mudjacking	Cap Imp	4360.00
Bivens, J.	Rfnd	100.00		Moews, L.	Artist	90.00
Blunt, J.	Fuel	68.76		Moyer, Nancy	Artist	47.25
Bohl Plumb & Heating	Rep/Maint	261.48		Mullenax Auto Supply	Rep/Maint	21.96
Bound Tree Medical LLC	Sup	1845.76		Municipal Code Corp	Codification	275.00
Brant, Horan, Hallstorm	Litigation	970.50		Napa Auto Parts	Rep/Maint	100.00
Brown's Shoe Fit Co	Uniform	430.75		Nationwide Trust Contr	Pension	2146.00
Callaway Golf Sales Co	Merch	4192.04		NC Newpress	Adv	413.26
Capital Business Sys	Contract	265.69		NC Utilities	Utilities	16552.41
Card Services	Multiple	1501.58		NE Dept of Ag	Anim Exp	175.00
Carmichael, A.	Artist	44.22		Ne Dept of Revenue	Multiple	2558.13
CDW Government, Inc	Sup	315.04		NE Environmental Prod	Rep/Maint	1749.44
Commercial Turf & Tract	Rep/Maint	1825.00		NEOFUNDS - Postage	Postage	400.00
Concrete Industries, Inc.	Rep/Maint	8.75		Nitsick, J.	Artist	37.50
Consolidated Manag	Training	21.17		O'Reilly Auto Parts	Glass Fuses	17.27
Copenhaver, P.J.	Artist	40.50		Otoe County Clerk	Dispatch	4987.50
Cornhusker State Ind	Equip	1728.00		Painter, M.	Rep/Maint	5.02
Danko Emergency Equip	Uniform	6232.50		Paper Tiger Shredding	Trash	35.00
Diamond Vogel	Road Mark	3643.01		Partsch, T.	Artist	51.89
Douglas Tire Co.	Rep/Maint	6943.59		Pavers Inc	Cap Improv	18151.00
Eakes Office Solutions	Sup	60.60		Payroll	Payroll	121906.80
EMS Billing Services	Billing Serv	5768.21		Pepsi-Cola of Lincoln	Beverages	358.70
Engel, B.	Artist	72.00		Precision Concrete	Rep/Maint	2284.00
ETS/Merchant Services	CC Fees	471.75		Quality Brands	Bev	374.35
Fareway Stores, Inc.	Concessions	144.88		Reed Trailer	Donation	3245.00
Farmers & Merch Bank	Loan	14570.32		River View Pest Control	Pest Cntrl	332.00
Fastenal Company	Road Mark	170.04		Shefferd, C.	Artist	30.00
Fey, J.	Artist	36.00		Simon Contractors	Construction	131175.20
Fletemeyer, M.	Artist	26.25		Spiral Communications	Computer	3164.00
Frame, J.	Artist	27.00		Steve Walters & Son	Rep/Maint	12900.00
Frerichs, N.	Artist	30.00		Stryker Medical	Telephone	627.00
Friedli, P.	Artist	30.00		Lumberjack Company	Rep/Maint	4300.00
Fritschle, K.	Artist	120.00		Thiele Geotech	CDBG	791.00
Gatehouse Media	Adv	25.30		Time Warner Cable	Telephone	109.47
Gaylord Brothers	Sup	204.29		Tom's Radio	Commun	900.00
Grimm's Gardens	Rep/Maint	1138.45		Tree Worx Tree Serv	Tree & Stump	5345.00
Helena Chemical Co.	Chem	1082.00		UHC	HRA	1684.66
Henry Motors Service	Rep/Maint	152.55		Unifirst Corporation	Contract	232.89
Holliway, M.	Artist	92.00		Union Pacific Railroad	4th Corso	1676.07
Hopkins Automotive Inc.	Sup	59.88		United Seeds, Inc.	Cap Improv	1570.00
Horner, G.	Training	1902.48		Vairkko	Computers	84.00
Huenink, E & S	Artist	91.50		Van Diest Supply Co.	Chem	1413.50
Hunzeker, M.	Artist	67.50		Verizon Wireless	Telephone	14.06
Ideal Pure Water	Sup	59.95		Viox, L.	Artist	31.50
JEO Consulting Group	Donation	2960.00		Wahl, R.	Artist	206.25
Kubota of Omaha	Rep/Maint	1009.25		Walters, A.	Artist	75.00
Lamb, M.	Artist	24.00		Wellsandt, K.	Artist	42.00
Landis Engine Co	Battery	1665.61		Westlake Ace Hardware	Rep/Maint	495.22
Language Line Services	Telephone	18.78		Wex Bank	Fuel	2093.87
League of Nebr. Munic	Membership Dues 9/2019-8/2020	14033.00		Windstream, Inc.	Telephone	53.86
Lyman-Richey Sand & Gr	Grav & Borr	18.60		Winter Equipment Co.	Rep/Maint	3096.00
Lynn Peavey Company	Inv Exp	96.00		Witmer Public Safety	Sup	446.47
Lyon, P.	Artist	95.25		Wurtele, G.	Artist	34.00

Moved by Commissioner Johns and seconded by Davis to approve the NCTC request to have “No Parking” on 4th and 5th streets between 1st and 2nd Ave on September 21, 2019. Amy Allgood 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 **Resolution 2828-19** to approve the use of \$400,000.00 of Economic Development Revolving Loan Fund for a loan to Gregory Welding to assist in purchasing equipment. Upon roll call the following voted YES: Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Abstain: Johns. Motion carried.

Moved by Mayor Bequette and seconded by Johns to deny the claim from the Mayhew Cabin Foundation for damages to their property due to stormwater and flooding. Drew Graham 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 Mayor Bequette and seconded by Johns to approve **Resolution 2826-19** to set the FY19/20 final property tax rate as amended and read by the Clerk for the General Fund and the Bonded Indebtedness Fund. 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 Mayor Bequette and seconded by Wehling to approve **Resolution 2827-19** to approve the FY19/20 Step Pay Schedule for City Employees with the amendment to the attachment adding full time EMTs. 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 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 3035-19** to adopt the FY19/20 Budget with the amendment to the Construction Fund line, the General Insurance line and the adjustment to the Rescue Department lines for full time EMTs and Paramedic Manager. Upon roll call the following voted YES: Johns, Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

#### ORDINANCE NO. 3035-19

AN ORDINANCE TO ADOPT THE BUDGET STATEMENT TO BE TERMED THE 2019-2020 ANNUAL APPROPRIATION BILL; TO APPROPRIATE SUMS FOR NECESSARY EXPENSES AND LIABILITIES; AND TO PROVIDE FOR AN EFFECTIVE DATE.

Moved by Commissioner Johns and seconded by Wehling to approve the NEMA Public Assistance Program Agreement for reimbursement funding for damages to City infrastructure due to the March 2019 flood and authorize the Mayor and City Administrator to sign the needed documents. Grayson Path and Marty Stovall spoke to explain the request. Upon roll call, the following voted YES: Davis, Wehling, Johns, Glover and Mayor Bequette. Voting NO: None. Motion carried.

Meeting Adjourned at 8:31 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