

CITY OF NEBRASKA CITY, NEBRASKA  
 MINUTES OF CITY COUNCIL REGULAR MEETING  
 October 21, 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 October 21, 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, Vic Johns, Gloria Glover and Mayor Bequette. Absent: Patrick Wehling. The following City Officials were present: City Administrator Grayson Path, City Attorney Drew Graham, Police Chief David Lacy, Fire Chief Rob Schreiner, Utilities Director Jeff Kohrs, 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 October 7, 2019 City Council Meeting.

Approve the BPW recommendation of Water/Sewer Work Orders #318 & #446 to purchase two sets of the Smart Shore System for \$17,635.43.

Approve the BPW recommendation to approve Gas Work Order #236 to replace 5,000' of Steel Gas Main with 3" Poly at 42 and C Road for \$40,624.70.

Approve the Nebraska Library Internship Grant Agreement in the amount of \$1,000.00 with the Nebraska Library Commission and authorize Donna Kruse to sign. Motion seconded by Commissioner Glover. Upon roll call the following voted YES: Davis, Glover, Johns and Mayor Bequette. Voting NO: None. Motion carried

Council gave unanimous consent to approve Tyrel Hernes as a new Volunteer FireFighter.

Moved by Mayor Bequette to re-appoint Jeri Johns, Brad Kingery and Steven Recker to the Board of Adjustments. Upon roll call the following voted YES: Johns, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Mayor Bequette to appoint Katie Mocnik to the Citizen's Advisory Review Committee. Upon roll call the following voted YES: Johns, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

Bill Hayes gave the Council a report on the Civil War Reenactment.

Treasurer's report was given, as of September 30, 2019, Total Nebraska City funds of \$7,799,841.42. Total Cash and Reserve for Nebraska City Utilities of \$16,806,141.17. Total City of Nebraska City and Utility funds \$24,605,982.59.

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

Grayson Path reported on the collection and use of Occupation Taxes by the City of Nebraska City pursuant to State Statute §18-1208(5).

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

Council acknowledged receipt of Utility Claims for period ending September 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 October 8, 2019 to October 21, 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					
October 21, 2019					
American National Bank	Loan	3362.74	Municipal Emerg Serv	Donation	3,144.89
Arbor Mart, Inc	Fuel	2009.45	Napa Auto Parts	Multiple	605.22
Arbor Valley Animal Clinic	Anim Exp	372.55	Nationwide Trust Contr	Pension	2,146.00
AT& T Mobility	Tele/Int	92.96	NC Area Ec Development	Transfer	237,188.75
Behrends, C.	Rfnd	25.00	NC Clerk - Treasurer	Multiple	91.84
Blue Cross Blue Shield	Ins	130860.06	NC NEWS PRESS	Adv	220.00
Bohl Plumb & Heating	Rep/Maint	75.00	Nebraska City Utilities	Utilities	11,988.06
Bound Tree Medical LLC	Sup	2154.41	Ne Dept of Rev	Sls Tax	1,577.97
Capital Business Sys	Contract	263.29	NE Law Enforcement Train	Pre Employ	60.00
Card Services	Multiple	1239.55	NE Plan & Zon Assoc.	Conference	340.00
Concrete Industries, Inc.	Concrete	191.50	O'Reilly Auto Parts	Rep/Maint	5.88
Consolidated Manag	Training	186.23	Otoe County Clerk	Dispatch	4,987.50
DAS State Accounting	Commun	290.00	Payroll	Payroll	118,483.93
Douglas Tire Co.	Rep/Maint	249.95	Protech Electrical Serv	Rep/Maint	4,218.50
EMS Billing Services, Inc	Billing Serv	5639.63	Quality Brands	Bev	88.30
Fareway Stores, Inc.	Sup	60.20	Quill Corporation	Sup	47.98
Frontier	Rep/Maint	178.50	Reed Company	Cap Out	51,500.00
Galls, LLC	Investigation	44.13	Sirchie Finger Print Labs	Investigation	83.70
Gatehouse Media	Adv	95.50	Spiral Communications	Tele/Int	1,155.23
Grimm's Gardens	Rep/Maint	173.99	Stryker Medical	Sup	840.00
Henry Motors Service	Rep/Maint	1794.00	Svanda, K.	Rfnd	25.00
JEO Consulting Group	Cap Improv	6450.20	Tag's One Stop	Fuel	30.97
Johnson Controls Sec	Contract	218.32	TASC	Group Ins	206.40
Kubota of Omaha	Rep/Maint	487.22	The Graphic Edge	Sft Mdse	480.12

Kuhn, J.	Rfnd	100.00	The Radar Shop	Investigation	330.50
Landis Engine Co	Misc Parts	37.70	Tielke's Sandwiches	Concession	9.75
Lawn Barber	Clean Up	190.00	Time Warner Cable	Tele/Int	112.27
M.E. Collins	Cap Improv	62964.90	Titan Machinery	Rep/Maint	670.84
Martens, E.	Rfnd	100.00	Tree Worx Tree Serv	Stump Rem	940.00
Matheson Tri-Gas, Inc.	Sup	183.97	Unifirst Corporation	Contract	127.24
Mercer's Do-It-Best	Multiple	304.38	Verizon Wireless	Tele/Int	14.04
Merchant Services	CC Fee	292.46	Westlake Ace Hardware	Rep/Maint	40.96
Merchant Services 2	CC Fee	302.62	Wex Bank	Fuel	1,759.73
Midwest Service & Sales	Equip	4150.00			

Moved by Mayor Bequette and seconded by Johns to approve the CHI Health Partners Settlement Agreement related to claims for individuals in NCPD custody and authorize the Mayor to sign on behalf of the City. Drew Graham and Chief Lacy 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 approve the Underwriting Engagement and Disclosure Letter Agreement with DA Davidson for pursuing the North 11th Street Bond. 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 Commissioner Johns and seconded by Mayor Bequette to approve **Resolution 2829-19** to install a Stop sign at 14th Corso and 13th Street for east-bound traffic. Upon roll call, the following voted YES: Davis, Johns, Glover and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Commissioner Johns and seconded by Glover to approve **Resolution 2830-19** to call for early redemption of the District Improvement bonds of Paving District No. 217. Grayson Path spoke to explain the resolution. Upon roll call, the following voted YES: Davis, Johns, Glover and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Commissioner Johns and seconded by Mayor Bequette to approve **Resolution 2831-19** to approve the loan to purchase a snow blower for the Case Loader, a used dump truck and a sander for the Street Department. Marty Stovall spoke to explain the resolution. 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 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 3037-19** to amend Section 5-11 of the Code of the City of Nebraska City to remove authorization for the consumption of alcoholic liquor in the City Fire-Rescue Complex. Chief Schreiner spoke to explain the request. Upon roll call the following voted YES: Johns, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

### **ORDINANCE NO. 3037-19**

AN ORDINANCE TO AMEND SECTION 5-11 OF THE CODE OF THE CITY OF NEBRASKA CITY, NEBRASKA, TO REMOVE AUTHORIZATION FOR THE CONSUMPTION OF ALCOHOLIC LIQUOR IN THE CITY FIRE-RESCUE COMPLEX, A FACILITY OWNED BY THE CITY OF NEBRASKA CITY, NEBRASKA; REPEAL THE ORIGINAL SECTION AND TO PROVIDE FOR AN EFFECTIVE DATE.

Moved by Commissioner Johns and seconded by Davis to approve the proposal from Thiele Geotech Inc. for the approval of 6<sup>th</sup> Street Pavement Improvement Project and allow the Mayor to sign. Marty Stovall spoke to explain the resolution. Upon roll call, the following voted YES: Davis, Johns, Glover and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Commissioner Davis and seconded by Johns to authorize the application for a grant through NDEE for the Utilities to install a DC Quick-charge Vehicle Charging Station. Marty Stovall spoke to explain the resolution. 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 give written consent of assignment of the Billing Services Agreement from EMS Billing Services, Inc. to Quick Med Claims 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 6:58 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