

CITY OF NEBRASKA CITY, NEBRASKA  
MINUTES OF CITY COUNCIL REGULAR MEETING  
March 16, 2020

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 March 16, 2020. 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, Gloria Glover and Mayor Bequette. Absent: Vic Johns. 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, Fire Apparatus Engineer Steve Reckor and City Clerk-Treasurer Randy Dunster.

Mayor Bequette moved to approve the following consent items:

Approve minutes from the March 2, 2020 City Council Meeting.

Discussion/action to approve the donation of a Steinhart Aquatic Center Family Pass for the 2020 season for the Lourdes Event fundraiser auction on March 28, 2020.

Approve the BPW GWO#242 and WWO#322 to purchase a 2020 Cat 236D Skid Loader and trade in the 2005 Skid Loader for a net cost of \$26,230.00. Motion seconded by Commissioner Glover. Upon roll call the following voted YES: Davis, Wehling, Glover and Mayor Bequette. Voting NO: None. Motion carried

Mayor Bequette administered the Oath of Office to Kolton Bohac as a new Police Officer.

Mayor Bequette called for the consent of the council to appoint Wendy Snodgrass to the Board of Health. Upon roll call the following voted YES: Davis, Wehling, Glover, and Mayor Bequette. Voting NO: None. Motion carried.

Mayor Bequette announced that Nebraska City has been identified as a Tree City of the World. Austin Mackrill spoke to explain the new Arbor Day program.

Mayor Bequette proclaimed April 5 – 11 as Public Transportation Week. Bobbie Lechner spoke about the proclamation.

Treasurer's Monthly report was given, as of February 29, 2020, Total Nebraska City funds of \$6,254,404.34. Total Cash and Reserve for Nebraska City Utilities of \$16,039,091.80. Total City of Nebraska City and Utility funds \$22,293,496.14.

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

Council acknowledged receipt of Utility Financial Report for period ending January 31, 2020.

Council acknowledged receipt of Utility Claims for period ending February 29, 2020.

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 March 3, 2020 to March 16, 2020. Upon roll call the following voted YES: Davis with abstention to any claims pertaining to West Lake Ace Hardware, Wehling, Glover and Mayor Bequette. Voting NO: None. Motion carried.

Claims List					
March 16, 2020					
ACCESS SYSTEMS LEASING	Contract Ser	46.09	Nebraska City Utilities	Utilities	588.20
American Recycling &	Trash	21.46	Pepsi-Cola of Lincoln	Beverages	289.80
Arbor Valley Animal Clinic	Animal Expense	457.50	R & R Products Co.	Rep/maint	121.58
Capital Business Systems	Contract Ser	99.81	Unifirst Corporation	Contract Ser	56.15
Card Services	Training	374.28	VIVIAL MEDIA	Adv	16.20
Katie Drake-Heng	Training	61.87	WESTLAKE ACE HARDWARE	Sup	98.67
DUNSTER, RANDY	Training	75.21	Card Services	Training	693.30
ESSER FLOORING	Rep/maint Bldg	1,250.60	S Systems	Computer	99.99
Gatehouse Media NE Holdings	Adv	217.69	ACCESS SYSTEMS LEASING	Contract Ser	182.79
GWORKS	Sup	370.67	Card Services	Sup	142.92
Mercer's Do-It-Best	Sup	4.99	NATIONAL ENTERTAINMENT TE	Egg Hunt	480.00
Miller Monroe Farrell	Ins	1,558.00	S Systems	Computer	209.98
MOORE, PATRICIA	Training	20.72	Windstream, Inc.	Phone	52.08
Nebraska City Utilities	Utilities	520.00	American Recycling &	Trash	15.20
Otoe County Treasurer	Property Tax	22.44	Arbor Mart, Inc	Fuel	22.19
Marty Stovall	Training	69.37	Capital Business Systems	Contract Ser	121.39
Video Home Theater	Capital Impr	1,004.00	Consolidated Management Co	Training	88.87
A-1 MOBILE HOMES	Rfnd	100.00	Douglas Tire Co.	Rep/Maint	55.90
ACCESS SYSTEMS LEASING	Contact Ser	23.04	GALLS, LLC	Uniforms	31.48
Arbor Mart, Inc	Fuel	37.67	GREAT PLAINS UNIFORMS	Uniforms	86.00
Card Services	Training	150.00	Mercer's Do-It-Best	Sup	8.18
Chris Carlson	Rfnd	200.00	Mullenax Auto Supply	Rep/Maint	11.75
Matthew Jacobsen	Rfnd	25.00	Nationwide Trust Contributions	Retirement Plan	2,146.00

Keith Morrison	Training	29.58	Nebraska City Utilities	Utilities	993.29
Ideal Pure Water	Contract Ser	14.00	NE Law Enforcement Training Ct	Training	200.00
Nebraska City Utilities	Utilities	514.60	Otoe County Clerk	Dispatch	4,987.50
Windstream, Inc.	Phone	243.93	Otoe County Court	Court Fees	34.00
Drew Graham	Training	462.39	Rhoades, Vickie	Training	40.44
2 BROTHERS BLUE LINE BBQ	Awards Dinner	2,080.00	Schneider Electric & Refrig.	Rep/Maint	268.50
A-1 Locksmith	Rep/maint Bldg	70.00	WESTLAKE ACE HARDWARE	Rep/Maint	6.29
ACCESS SYSTEMS LEASING	Contract Ser	62.59	WEX BANK	Fuel	1,922.64
American Recycling &	Trash	21.46	Windstream, Inc.	Phone	204.56
Arbor Mart, Inc	Fuel	124.14	Arbor Mart, Inc	Fuel	28.92
Brown's Shoe Fit Company	Uniforms	37.50	Capital Business Systems	Contract Ser	29.77
Capital Business Systems	Contract Ser	13.47	Eakes Office Solutions	Sup	72.96
Card Services	Awards Dinner	579.99	Mercer's Do-It-Best	Sup	64.38
Fareway Stores, Inc.	Training	36.89	Nebraska City Utilities	Utilities	483.77
FELD FIRE	Sup	50.00	American Recycling &	Trash	15.20
MUNICIPAL EMERGENCY SERV	Rep/Maint	190.19	JEFF BROWN ROOFING	Rep/Maint	90.00
Nebraska City Utilities	Utilities	519.82	Nebraska City Utilities	Utilities	606.79
O'Reilly Auto Parts	Rep/Maint	3.99	ACCESS SYSTEMS LEASING	Contract Ser	62.59
Time Warner Cable	Cable	56.14	American Recycling &	Trash	21.46
American Recycling &	Trash	31.91	Arbor Mart, Inc	Fuel	702.76
Arbor Mart, Inc	Fuel	22.63	Bound Tree Medical LLC	Medical Sup	107.85
Benefiel Truck Repair	Lawn Mower transfer to Kubota	175.00	Brown's Shoe Fit Company	Uniforms	20.25
Eakes Office Solutions	Sup	183.88	Capital Business Systems	Contract Ser	23.29
Ideal Pure Water	Contract Ser	12.00	Card Services	Equip	449.20
Industrial Sales Company, Inc.	Sup	35.72	Matheson Tri-Gas, Inc.	Medical Sup	570.57
Kreifels Electric L.L.C.	Rep/Maint	956.07	Nebraska City Utilities	Utilities	670.50
Ag Solutions Group LLC	Rep/Maint	712.18	Stryker Medical	Medical Sup	300.77
Landis Engine Company, Inc.	Equip	370.00	Time Warner Cable	Cable	56.13
Mead Lumber	Rep/Maint	940.12	VAIRKKO	Contract Ser	84.00
Mercer's Do-It-Best	Rep/Maint	66.52	WESTLAKE ACE HARDWARE	Sup	55.55
Nebraska City Utilities	Utilities	1,599.51	AMERICAN NATIONAL BANK	Loan	3,362.74
Odey's Inc.	Rep/Maint	10,230.08	American Recycling &	Trash	73.38
Tree Worx Tree Service, LLC	Rep/Maint	325.00	Arbor Mart, Inc	Fuel	886.43
Unifirst Corporation	Contract Ser	56.15	Gatehouse Media NE Holdings	Adv	36.50
ACCESS SYSTEMS LEASING	Contract Ser	18.29	Ideal Pure Water	Contract Ser	25.00
American Recycling &	Trash	46.02	Inland Truck Parts	Rep/Maint	385.08
Arbor Mart, Inc	Fuel	72.49	Michael Todd and Company	Rep/Maint	1,190.22
Beelner Service, Inc.	Rep/Maint	227.50	Nebraska City Utilities	Utilities	1,180.49
Robert Moyer	Rep/Maint	2,419.09	Nebraska Salt and Grain Co.	Sup	3,334.40
Card Services	Sup	12.49	PRODUCTIVITY PLUS ACCT	Rep/Maint	1,373.39
Fareway Stores, Inc.	Resale	507.75	SAPP BROS TRAVEL CENTERS INC	Rep/Maint	199.99
Ideal Pure Water	Contract Ser	12.00	Unifirst Corporation	Contract Ser	135.33
Miller & Sons Golf Cars	Finance Charge	4.96	LEO A DALY	CDBG	8,519.80

Moved by Mayor Bequette and seconded by Wehling to approve Blue Rivers Public Transportation to park their new bus in front of their business during their open house on April 7, 2020 and to receive Food Pantry donations on April 8, 2020. Upon roll call, the following voted YES: Davis, Wehling, Glover and Mayor Bequette. Voting NO: None. Motion carried.

Mayor Bequette introduced a discussion regarding a request to consider a Resolution designating Nebraska City as a Second Amendment Sanctuary City. Bill Aultz spoke to explain the request.

Moved by Commissioner Wehling and seconded by Davis to approve contract for the CDBG 6th Street Improvement Project with Pavers, Inc. for \$334,877.05 and authorize the Mayor to sign. Upon roll call, the following voted YES: Wehling, Davis, Glover and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Mayor Bequette and seconded by Glover to approve the credit card application for the Morton James Public Library. Upon roll call, the following voted YES: Davis, Wehling, Glover and Mayor Bequette. Voting NO: None. Motion carried.

A discussion was held regarding posting for the pending City Administrator vacancy. After the discussion the Council determined by unanimous consent to advertise and do their own hiring for the next City Administrator rather than hire a firm to process the applicants. Grayson Path spoke to explain the options and hiring process.

Moved by Mayor Bequette and seconded by Glover to approve an Assistance to Firefighter Grant Program Application for a 95/5 grant of \$238,870.00 to purchase new Self-Contained Breathing Apparatus, (SCBA) equipment. Steve Recker

spoke to explain the request. Upon roll call, the following voted YES: Davis, Wehling, Glover and Mayor Bequette. Voting NO: None. Motion carried.

Mayor Bequette introduced **Ordinance 3042-20** to authorize the adoption of a new chapter in the municipal code of the City of Nebraska City entitled the "Small Wireless Facilities for the Right-of-Way, for the second reading.

Moved by Mayor Bequette and seconded by Wehling for the Council to go into closed session for the purpose of discussion of the threat of litigation between the Nebraska City Municipal Airport Authority and the fixed-based operator, Infinity Aviation, Inc., and be joined by the City Administrator and the City Attorney.

Council began the closed session at 7:15 PM.

Council came out of closed session and resumed the Open Session at 8:19 PM stating that no action was taken during closed session. No further action was taken.

Meeting Adjourned at 8:19 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