

CITY OF NEBRASKA CITY, NEBRASKA  
MINUTES OF CITY COUNCIL REGULAR MEETING  
June 1, 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 Gary White Memorial Room of the Rowe Safety Complex, 1518 Central Avenue and by video conference on the Zoom meeting platform, on June 1, 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. The agenda was made available via the City Website, City Hall and 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 and stated that the meeting was being conducted under the Open Meetings Act and under Governor Ricketts' Executive Order Number 20-03 Coronavirus Public Meeting Requirements Limited Waiver as of March 13, 2020. This Executive Order allows us to conduct the meeting by video conference or teleconference and to do so we are using the Zoom platform, as published in our meeting notification. This meeting is also being recorded. You can find information on: The Open Meetings Act at <https://ago.nebraska.gov/open-meetings> and Executive Order 20-03 at [Governor.Nebraska.gov](http://Governor.Nebraska.gov)." 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: Interim City Administrator Marty Stovall, City Attorney Drew Graham, Police Chief David Lacy, Utilities Director Jeff Kohrs, Fire Chief Rob Schreiner, Library Director Donna Kruse, Director of Parks and Recreation Scooter Edmisten, Paramedic Manager Andrew Snodgrass, and City Clerk-Treasurer Randy Dunster.

Mayor Bequette moved to approve the following consent items contingent upon all items in the future be held at the proposed time pursuant to whatever applicable governmental orders or restrictions may be in place:

Approve minutes from the May 18, 2020 City Council Meeting.

Approve closure of 3rd Corso from 17th Street to 18th Street for a Block Party from 4:00pm to midnight on July 4th, 2020. Motion seconded by Commissioner Wehling. Upon roll call the following voted YES: Davis, Wehling, Glover and Mayor Bequette. Voting NO: None. Motion carried.

Mayor Bequette moved to approve the Re-Appointment of Richard Gibson and Richard Freshman to the Planning Commission. Upon roll call the following voted YES: Davis, Wehling, Glover and Mayor Bequette. Voting NO: None. Motion carried.

Mayor Bequette moved to approve the Re-Appointment of Beth Hammond and Rob Schreiner to the Tree Board. Upon roll call the following voted YES: Davis, Wehling, Glover and Mayor Bequette. Voting NO: None. Motion carried.

Mayor Bequette moved to approve the Appointment of Robert Earll to the Cemetery Board. Upon roll call the following voted YES: Davis, Wehling, Glover and Mayor Bequette. Voting NO: None. Motion carried.

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 May 19, 2020 to June 1, 2020. Upon roll call the following voted YES: Davis, Wehling, Glover and Mayor Bequette. Voting NO: None. Motion carried.

Claims List					
June 1, 2020					
Action Technology Services	Contract Serv	400.00	NAPA AUTO PARTS	Sup	283.67
Adkins Signs	Signs	150.00	NC Clerk - Treasurer	Deed Filing	30.00
AMERICAN NATIONAL BANK	Loan	1,199.34	Nebraska City Museum Assoc.	City Curator	2,416.67
AQUA-CHEM, INC	Rep/Maint	24.33	Nebraska City Utilities	Rep/Maint	527.46
Arbor Mart, Inc	Fuel	1,285.33	NC Tourism & Commerce	Tourism	7,083.33
Barrett Construction Company	Grounds	8,050.00	O'Reilly Auto Parts	Rep/Maint	19.99
Robert Moyer	Rep/Maint	12.70	Pepsi-Cola of Lincoln	Beverages	236.60
Bohl Plumbing and Heating	Rep/Maint	155.86	Prime Communications	Sup	611.00
Card Services	Rep/Maint	335.15	Jessica Ruiz	Rfn	100.00
Concrete Industries, Inc.	Rep/Maint	520.93	S Systems	Computer	679.97
Consolidated Management Co	Training	63.51	SPIRAL COMMUNICATIONS	Phone	1,077.24
Cornhusker State Industries	Capital Imprv	236.00	Denise Valenzula	Rfnd	200.00
DAS STATE ACCTG - CENTRAL	Radio Systems Fee	290.00	VERIZON WIRELESS	Phone	466.51
Mike Dickhausen	Rfnd	25.00	WESTLAKE ACE HARDWARE	Rep/Maint	395.17
Douglas Tire Co.	Rep/Maint	10.00	Windstream, Inc.	Phone	225.92
Eakes Office Solutions	Sup	425.68	Sally Wredt	Rfnd	25.00
Emergency Repair Service	Rep/Maint	579.56	Arbor Mart, Inc	Fuel	261.69
FAREWAY FOOD STORE	TIF Reim	8,175.10	3X0511202 AT&T MOBILITY	Tablet Wireless Service	85.30
Fareway Stores, Inc.	Resale	152.08	Bound Tree Medical LLC	Medical Supplies	926.01
FELD FIRE	Rep/Maint	585.00	Matheson Tri-Gas, Inc.	Sup	79.69

FIRE STATION SOFTWARE, LC	Rep/Maint	82.00	O'Reilly Auto Parts	Sup	15.98
FLAGSHIP PUBLISHING, INC	Adv	457.10	SPIRAL COMMUNICATIONS	Phone	98.31
GALLS, LLC	Uniforms	373.67	VERIZON WIRELESS	Phone	147.58
Gatehouse Media NE Holdings	Adv	156.40	AMERICAN NATIONAL BANK	Loan	2,555.38
Garry Gillespie	Rfnd	25.00	Arbor Mart, Inc	Fuel	279.07
Infinity Aviation	Interlocal Agreement	4,382.67	Barrett Construction Company	Contract Labor	1,200.00
International Municipal	Training	199.00	Brown Glass Company	Rep/Maint	288.00
JEO Consulting Group, Inc.	Grounds	1,882.50	Card Services	Sup	5.68
Jones Automotive, Inc.	Donation Purchase	271.67	HENRY MOTORS SERVICE	Rep/Maint	135.00
Janet Klein	Rfnd	25.00	JEO Consulting Group, Inc.	Engineering	9,945.00
Kreifels Electric L.L.C.	Rep/Maint	3,000.00	Landis Engine Company, Inc.	Rep/Maint	11.34
Ag Solutions Group LLC	Rep/Maint	338.03	MACQUEEN EQUIPMENT	Rep/Maint	4,779.72
Landis Engine Company, Inc.	Rep/Maint	58.44	NAPA AUTO PARTS	Rep/Maint	500.98
Lincoln Journal-Star	Adv	836.00	TRI-STATE CONTRACTORS	Contract Labor	1,500.00
Mead Lumber	Rep/Maint	157.90	Unifirst Corporation	Contract Serv	129.46
Mercer's Do-It-Best	Rep/Maint	462.67	WESTLAKE ACE HARDWARE	Rep/Maint	20.93
MOLLY MCNEELY DENTISTRY	TIF Reim	2,954.27	Windstream, Inc.	Phone	268.93
Benjamin Murry	Wellness Reim	240.00			

Commissioner Johns arrived by videoconference at 6:07 PM.

Moved by Mayor Bequette and seconded by Glover to approve the request from NCTC to expand the Farmer's Market to include 8<sup>th</sup> Street from Central Ave to 1<sup>st</sup> Corso. Pam Frana spoke to explain the request. Upon roll call the following voted YES: Johns, Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Commissioner Wehling and seconded by Mayor Bequette to amend the current Pool Rates to show a 25% discount on all of the passes, Single, Family, Commercial and 10 punch cards and change the daily rates for adults to \$5.00, Youth to \$4.00 and Senior and Military to \$3.00 which would encompass a three hour time slot from either 1:00pm to 4:00pm or 4:30pm to 7:30pm and to only allow one time slot per person per day. Scooter Edmisten, Commissioner Wehling and Drew Graham 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 Task Order #2020-02 with JEO Consulting Group to design Fire Station Renovation project in the amount of \$32,400.00. Marty Stovall spoke to explain the request. Upon roll call the following voted YES: Johns, Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Mayor Bequette and seconded by Glover to approve an Agreement between the City of Nebraska City and the Morton-James Public Library Board outlining the division of duties between the parties. Drew Graham spoke to explain the request. Upon roll call the following voted YES: Johns, Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Mayor Bequette and seconded by Wehling to approve Library Exterior Renovation Project contract with McGill Restoration Inc. Marty Stovall spoke to explain the request. Upon roll call the following voted YES: Johns, Wehling, Glover, Davis 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 Glover for final passage of **Ordinance 3043-20** To correct textual errors in Ordinances 2938-14 and 2939-14. Drew Graham spoke to explain the item. Upon roll call the following voted YES: Johns, Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

#### ORDINANCE NO. 3043-20

### **AN ORDINANCE TO CORRECT TEXTUAL ERRORS IN ORDINANCES 2938-14 AND 2939-14; AND TO PROVIDE FOR AN EFFECTIVE DATE.**

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 Wehling for final passage of **Ordinance 3044-20** Vacating a portion of 12th Street in Greggspport Addition. Drew Graham spoke to explain the item. Upon roll call the following voted YES: Johns, Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

ORDINANCE NO. 3044-20

**AN ORDINANCE TO VACATE A PORTION OF 12<sup>TH</sup> STREET IN GREGGSPORT ADDITION TO NEBRASKA CITY, OTOE COUNTY, NEBRASKA, AS DESCRIBED IN SECTION 1 HEREOF; AND TO DECLARE AN EFFECTIVE DATE.**

Moved by Commissioner Wehling and seconded by Davis to approve **Resolution 2842-20** A Resolution of the City regarding the risk of exposure to COVID-19 through the use of municipal property for sports or recreational activities. Upon roll call the following voted YES: Johns, Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

Commissioner Johns left the meeting at 7:25PM.

Moved by Commissioner Wehling and seconded by Mayor Bequette to approve the language of the proposed Facility Use Agreement for the use of municipal property for sports or recreational activities; the COVID-19: Youth Baseball and Softball Participants Agreement; the COVID-19: Participants Agreement For Sports or Other Recreational Activities; and additional rules and guidance for the reopening of municipal property for sports or recreational activities. Drew Graham spoke to explain the item. Upon roll call the following voted YES: Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Commissioner Wehling and seconded by Davis to approve the Facility Use Agreement for the use of municipal property for sports or recreational activities; the COVID-19: Youth Baseball and Softball Participants Agreement; the COVID-19: Participants Agreement For Sports or Other Recreational Activities; and additional rules and guidance for the reopening of municipal property for sports or recreational activities specifically for Nebraska City's Fast Pitch Softball Association and the Nebraska City Baseball Association. Commissioner Wehling spoke to explain the item. Upon roll call the following voted YES: Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

Mayor Bequette gave a status update on the COVID-19 situation. Commissioner Wehling reported on the Parks and Rec timetables for opening and cleaning processes. Drew Graham spoke about the timetable for opening the parks and restrooms as well. Randy Dunster discussed accepting payments for shelter reservations. Marty Stovall explained the additional cleaning processes for the City. Scooter Edmisten explained the cleaning schedule for the Parks.

Meeting Adjourned at 8:20 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