

CITY OF NEBRASKA CITY, NEBRASKA  
MINUTES OF CITY COUNCIL REGULAR MEETING  
July 20, 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 July 20, 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 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. This meeting was also broadcast via the internet by Zoom and Mayor Bequette stated that those attendees may notify the Zoom administrator who will notify the Mayor if the attendee wished to speak. 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: Interim City Administrator Marty Stovall, City Attorney Drew Graham, Utilities Director Jeff Kohrs, Utilities Operations Superintendent Dan Patton, Director of Parks and Recreation Scooter Edmisten, Park Foreman Raymond Doiel, Fire Chief Rob Schreiner and City Clerk-Treasurer Randy Dunster.

Mayor Bequette introduced Chad Buck as a Volunteer Firefighter.

Commissioner Wehling read a letter of appreciation recognizing the Pioneer Academy, Instructor Clyde Schroeder and Students for their work on multiple Sign and Roofing Projects for the Golf and Parks Departments.

Mayor Bequette opened the Public Hearing on the Citizen’s Advisory Review Committee’s report as to the status, progress, findings and suggestions of the Economic Development Program and Growth Fund. Dan Mauk spoke to explain the report. No comments were made by the public. 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 on the intent to use Nebraska City Growth Funds from the Economic Development Plan for Nebraska City Area Economic Development Corporation as a grant in the amount of \$5,670.00 for a Community Housing Study. Dan Mauk spoke to explain the item. Mayor Bequette moved to close the Public Hearing, seconded by Commissioner Wehling. 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 on the intent to use Nebraska City Growth Funds from the Economic Development Plan for Waste Container Systems, LLC as a low-interest, draw-down loan in the amount of \$50,000.00 for building renovations, site design, and to assist with operations cost related to the property located at 812 S 9th Street. Dan Mauk, Wayne Malk and Drew Graham spoke to explain the item and answer questions. 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 Monthly report was given, as of June 30, 2020, Total Nebraska City funds of \$7,197,123.68. Total Cash and Reserve for Nebraska City Utilities of \$15,010,122.78. Total City of Nebraska City and Utility funds \$22,207,246.46. Council acknowledged receipt of City Administrator Report. Grayson Path spoke regarding his report. Council acknowledged receipt of Utility Financial Report for period ending June 2020. Jeff Kohrs explained the report. Council acknowledged receipt of Utility Claims for period ending July 2020.

Moved by Mayor Bequette and seconded by Wehling to approve minutes from the July 6, 2020 City Council Meeting. Upon roll call, the following voted YES: Davis, Wehling, Johns, 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 July 7, 2020 to July 20, 2020. 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					
July 20, 2020					
TASC	Ins	214.14	WESTLAKE ACE HARDWARE	Sup	17.96
Nebraska City Utilities	Utilities	390.15	Gatehouse Media NE Holdings	Adv	31.19
Windstream, Inc.	Phone/Internet	277.77	Mercer's Do-It-Best	Rep/Maint Bldg	4.99
American Recycling &	Trash	21.46	Grimm's Gardens	Rep/Maint Grounds	250.00
Eakes Office Solutions	Sup	42.99	Bill Walters & Son Shop, Inc.	Rep/Maint Veh	30.66
QUADIENT FINANCE USA, INC	Postage	250.00	Mercer's Do-It-Best	Sup	2.29
Gatehouse Media NE Holdings	Adv	101.52	CAPITAL APPRAISAL COMPANY	Contract Serv	16.26
Card Services	Computer	16.11	Card Services	Chemicals	7.48
ACCESS SYSTEMS LEASING	Contract Serv	30.62	Arbor Mart, Inc	Fuel	121.39
CAPITAL APPRAISAL COMPANY	Contract Serv	54.50	Nebraska City Utilities	Utilities	462.28

CLINE WILLIAMS WRIGHT JOHNSON	Litigation/Legal	504.00	American Recycling &	Trash	15.20
B.C. MEYER CONSTRUCTION	Rfnd	200.00	Eakes Office Solutions	Sup	66.56
BT ELECTRICAL SERVICES	Rfnd	25.00	Southeast Plumbing & Heating	Rep/Maint Bldg	484.00
DARNELL, MIKE	Rfnd	25.00	Nebraska City Utilities	Utilities	497.65
JERRY HARTMAN	Rfnd	200.00	AT&T MOBILITY	Phone/Internet	92.96
ACCESS SYSTEMS LEASING	Contract Serv	15.31	Card Services	Phone/Internet	30.25
Arbor Mart, Inc	Fuel	28.05	American Recycling &	Trash	21.46
Nebraska City Utilities	Utilities	167.95	QUADIENT FINANCE USA, INC	Postage	25.00
Windstream, Inc.	Phone/Internet	246.00	Time Warner Cable	Misc	56.13
Ideal Pure Water	Sup	27.00	Card Services	Sup	7.71
Arbor Mart, Inc	Fuel	161.54	ANNA MARIE ROBERTS	Rfnd	115.54
Mead Lumber	Capital Imprv	629.81	QUICK MED CLAIMS	Ground Trips/Revenue	1,999.51
Nebraska City Utilities	Utilities	389.91	WESTLAKE ACE HARDWARE	Rep/Maint Bldg	29.68
Card Services	Phone/Internet	29.99	VAIRKKO	Computer	84.00
American Recycling &	Trash	21.46	Card Services	Sup	7.84
QUADIENT FINANCE USA, INC	Postage	25.00	NAPA AUTO PARTS	Sup	28.98
Time Warner Cable	Misc	56.14	Bound Tree Medical LLC	Medical Supplies	2,452.40
Schneider Electric & Refrig.	Rep/Maint Bldg	107.00	Matheson Tri-Gas, Inc.	Oxygen	491.52
O'Reilly Auto Parts	Rep/Maint Veh	15.98	ACCESS SYSTEMS LEASING	Contract Serv	41.60
WESTLAKE ACE HARDWARE	Rep/Maint Veh	15.76	CAPITAL APPRAISAL COMPANY	Contract Serv	12.72
ACCESS SYSTEMS LEASING	Contract Serv	41.61	Arbor Mart, Inc	Fuel	523.08
CAPITAL APPRAISAL COMPANY	Contract Serv	7.36	Card Services	Grant Purch	506.81
Arbor Mart, Inc	Fuel	83.14	MUNICIPAL EMERGENCY SERV	Grant Purch	2,356.94
Nebraska City Utilities	Utilities	4,385.15	Nebraska City Utilities	Utilities	650.91
American Recycling &	Trash	65.98	American Recycling &	Trash	54.08
Card Services	Equip	205.99	Ideal Pure Water	Sup	41.00
Mercer's Do-It-Best	Equip	13.49	HENRY MOTORS SERVICE	Rep/Maint Veh	21.50
Ideal Pure Water	Sup	53.00	KanEquip	Rep/Maint Veh	113.99
Card Services	Sup	35.75	Ag Solutions Group LLC	Rep/Maint Veh	46.50
Bohl Plumbing and Heating	Rep/Maint Bldg	1,554.91	Landis Engine Company, Inc.	Rep/Maint Veh	17.94
Mercer's Do-It-Best	Rep/Maint Bldg	16.94	MICHAEL MCLAUGHLIN	Training	200.00
WESTLAKE ACE HARDWARE	Rep/Maint Bldg	40.49	Unifirst Corporation	Contract Serv	132.39
Adkins Signs	Rep/Maint Grounds	471.00	Loveland Grass Pad	Chemicals	315.90
Mead Lumber	Rep/Maint Grounds	633.04	Arbor Mart, Inc	Fuel	471.17
Mercer's Do-It-Best	Rep/Maint Grounds	36.47	JEO Consulting Group, Inc.	Engineering	892.50
WESTLAKE ACE HARDWARE	Pest Control	8.98	AMERICAN NATIONAL BANK	Loan	3,362.74
Robert Moyer	Rep/Maint Bldg	21.50	Arbor Bank	Loan	9,436.29
Ag Solutions Group LLC	Rep/Maint Equip	109.18	JEO Consulting Group, Inc.	CDBG Trnsfr Out	1,040.00
Bohl Plumbing and Heating	Rep/Maint Ballfields	75.00	Gatehouse Media NE Holdings	Adv	66.33
Mercer's Do-It-Best	Rep/Maint Ballfields	19.76	Card Services	Sup/Training	543.96
Card Services	Sup	23.38	Fareway Stores, Inc.	Resale	24.95
Mercer's Do-It-Best	Sup	12.57	Pepsi-Cola of Lincoln	Resale	752.30
NAPA AUTO PARTS	Sup	2.29	Fareway Stores, Inc.	Resale	272.54
WESTLAKE ACE HARDWARE	Sup	46.95	J&T DISTRIBUTING, LLC	Resale	45.76
FRONTIER COOPERATIVE	Chemicals	120.00	Sysco Lincoln	Resale	1,953.63
HELENA CHEMICAL COMPANY	Chemicals	626.00	Card Services	Resale	83.04
MD Aquatics, LLP	Chemicals	1,178.00	AQUA-CHEM, INC	Chemicals	794.64
Arbor Mart, Inc	Fuel	342.35	Arbor Mart, Inc	Fuel	19.95
Adkins Signs	Grant Purch	279.00	Windstream, Inc.	Phone/Internet	52.22
Nebraska City Utilities	Utilities	4,369.45	ACCESS SYSTEMS LEASING	Contract Serv	121.51
American Recycling &	Trash	122.38	Nationwide Trust Contributions	Pension	2,146.00
Card Services	Equip	205.99	Brown's Shoe Fit Company	Uniforms	95.20
Ideal Pure Water	Sup	53.00	Nebraska City Utilities	Utilities	689.83
Eakes Office Solutions	Sup	20.20	LANGUAGE LINE SERVICES, INC.	Phone/Internet	101.85
Fareway Stores, Inc.	Sup	21.34	Windstream, Inc.	Phone/Internet	200.89
Bohl Plumbing and Heating	Rep/Maint Bldg	1,394.00	American Recycling &	Trash	15.20
Adkins Signs	Rep/Maint Grounds	75.00	Paper Tiger Shredding, Inc.	Shredding	35.00
Jerad Sornson	Rep/Maint Equip	73.03	QUADIENT FINANCE USA, INC	Postage	100.00
NAPA AUTO PARTS	Sup	29.99	Card Services	Sup	69.00
WESTLAKE ACE HARDWARE	Sup	53.05	Mercer's Do-It-Best	Rep/Maint Bldg	5.58
Fareway Stores, Inc.	Resale	16.65	Card Services	Rep/Maint Veh	210.00
Pepsi-Cola of Lincoln	Resale	393.20	Douglas Tire Co.	Rep/Maint Veh	1,271.64
ACCESS SYSTEMS LEASING	Contract Serv	12.15	Mercer's Do-It-Best	Rep/Maint Veh	4.99
Fareway Stores, Inc.	Resale	331.18	Mullenax Auto Supply	Rep/Maint Veh	31.91
Card Services	Resale	10.99	DAS STATE ACCTG - CENTRAL	Communications	290.00
HELENA CHEMICAL COMPANY	Chemicals	960.00	Action Technology Services	Computer	400.00
WESTLAKE ACE HARDWARE	Chemicals	29.69	CDW Government, Inc	Computer	1,658.30
Arbor Mart, Inc	Fuel	197.51	Consolidated Management Co	Training	165.67

Nebraska City Utilities	Utilities	3,312.14	CAPITAL APPRAISAL COMPANY	Contract Serv	130.70
American Recycling &	Trash	141.63	Arbor Mart, Inc	Fuel	36.00
Card Services	Equip	155.64	Benjamin Murry	Fuel	31.80
WESTLAKE ACE HARDWARE	Equip	62.99	WEX BANK	Fuel	1,844.09
Ideal Pure Water	Sup	47.00	GALLS, LLC	Investigation Sup	206.22
Eakes Office Solutions	Sup	121.60	Otoe County Clerk	Dispatch	4,987.50
Adkins Signs	Adv	290.00	Card Services	Donation Purch	199.91
Bohl Plumbing and Heating	Rep/Maint Bldg	18.75	CDW Government, Inc	Donation Purch	189.70
Mercer's Do-It-Best	Pest Control	18.40	Nebraska City Utilities	Utilities	406.92
Mercer's Do-It-Best	Sup	4.79	Card Services	Sup/Equip	206.29
			Eakes Office Solutions	Sup	87.10

Moved by Commissioner Wehling and seconded by Glover to approve **Resolution 2847-20** on the intent to use Nebraska City Growth Funds from the Economic Development Plan for Nebraska City Area Economic Development Corporation as a grant in the amount of \$5,670.00 for a Community Housing Study. 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 Johns to approve **Resolution 2848-20** on the intent to use Nebraska City Growth Funds from the Economic Development Plan for Waste Container Systems, LLC as a low-interest, draw-down loan in the amount of \$50,000.00 for building renovations, product design, and to assist with operations cost related to the property located at 812 S 9th Street and amendment of the loan conditions attached, changing paragraph one from site design to product design and adding to paragraph six stating that we need to get a letter of consent from the property owner. Upon roll call, the following voted YES: Johns, Glover and Mayor Bequette. Voting NO: Davis, Wehling. Motion carried.

James Charlesworth led a discussion regarding the difference of pooling insurance vs. traditional insurance.

Moved by Commissioner Johns and seconded by Wehling to direct the City Attorney to begin the process of drafting an ordinance to vacate the alley located between 10<sup>th</sup> Street and 11<sup>th</sup> Street and 11<sup>th</sup> Avenue and 12<sup>th</sup> Avenue to go to the adjacent property owners. Marty Stovall, Drew Graham and Don Walters spoke to explain the request. Upon roll call the following voted YES: Johns, Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

Patricia Lant and Commissioner Wehling explained the improvements to the Riverview Nature Park announced the re-opening of the park to the public on Tuesday July 21, 2020.

Moved by Mayor Bequette and seconded by Glover to approve an Interlocal Agreement between the City of Nebraska City and the Nebraska City Airport Authority regarding the provision of audit services. 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 Commissioner Davis and seconded by Wehling to approve BPW EWO #148 to rebuild 6 miles of 24.9KV Distribution line from Douglas to Panama in the amount of \$552,451.81 and BPW EWO #150 to rebuild 6 miles of 24.9KV Distribution line from Unadilla to Palmyra in the amount of \$610,301.71. Jeff Kohrs and Dan Patton spoke to explain the requests. Upon roll call the following voted YES: Johns, Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Commissioner Davis and seconded by Mayor Bequette to approve **Resolution 2846-20** To declare the City's intent to issue tax-exempt obligations for the purposes of construction of additions and improvements to the electrical distribution system of the City. Jeff Kohrs 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 table **Resolution 2845-20** on the removal of the handicap parking designation from a parking stall located in front of 209 S 8th St. Marty Stovall spoke to explain the request and the alternative solution. Upon roll call the following voted YES: Johns, Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Commissioner Johns and seconded by Wehling to approve an Engineering Agreement with JEO Consulting for \$93,400.00 for the South 19<sup>th</sup> Street Improvements and allow the Mayor to sign. 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 Commissioner Wehling and seconded by Davis to approve the request to re-submit the grant request to the Wirth Foundation for the construction of a new Park Shelter for \$41,830.00 at the entrance of Wildwood Park. Scooter Edmisten 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 Davis to approve the Park & Rec Department to re-submit a grant request to the Steinhart Foundation for \$35,000.00 for fencing on Field 2 at the Softball Complex. Scooter Edmisten 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 approve entering into a Facility Use Agreement for the Use of Municipal Property for Sports or Recreational Activities with Kylie Graham for the Nebraska City Show

Down adult softball tournament on July 25, 2020 at the City Softball Complex. Scooter Edmisten, Kylie Graham and 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.

Mayor Bequette gave an update on the Board of Health meeting regarding a status update on the CoVid-19 situation; potential tasks, logistical needs and communication.

Drew Graham gave an update on the hiring process and for a City Administrator negotiation of an employment contract.

Meeting Adjourned at 8:16 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