

CITY OF NEBRASKA CITY, NEBRASKA  
MINUTES OF CITY COUNCIL REGULAR MEETING  
June 15, 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 15, 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 6:03 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 May 19, 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. If you are in our Zoom audience please keep your microphone muted. For those who are wanting to comment, please do the following: for those joining us via the Zoom app, or through their computer please click on the "Raise Hand" button, for those joining us through the call-in feature, please press \*9 (star nine). This will notify our moderator, City Clerk-Treasurer Randy Dunster, that there is a comment from one of our virtual attendees and he will let me know that you wish to speak. I will then have him unmute you. When you speak, please first state your name and address. 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, Vic Johns, Gloria Glover and Mayor Bequette. Absent: None. The following City Officials were present: Interim City Administrator Marty Stovall, City Attorney Drew Graham, Police Chief David Lacy, Fire Chief Rob Schreiner, Building Inspector Keith Morrison, Utilities Director Jeff Kohrs, Library Director Donna Kruse, Paramedic Manager Andrew Snodgrass and City Clerk-Treasurer Randy Dunster.

Mayor Bequette moved to approve the following consent items:

Approve minutes from the June 1, 2020 City Council Meeting.

Approve the SDL for the NCTC Annual Farm to Fork Event to be held on Sunday August 23, 2020 from 4:00PM to 9:00PM.

Approve the Master Plumber's License Application for LB Plumbing - Tim Sjogren.

Approve the Master Plumber's License Application for Tim Engel & Engel-Rut Construction, Inc.

Approve a sludge permit application for the City of Omaha. 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 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 loan in the amount of \$50,000.00 for building renovations at 812 S 9th Street. Dan Mauk & Andy Sorenson spoke to explain the request. No comments were made by the public. 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 to consider a Blight and Substandard Study to designate Redevelopment Area #5 as Blight and Substandard. Dan Mauk spoke to explain the item. No comments were made by the public. 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.

Treasurer's Monthly report was given, as of May 31, 2020, Total Nebraska City funds of \$7,201,402.65 Total Cash and Reserve for Nebraska City Utilities of \$15,658,283.97. Total City of Nebraska City and Utility funds \$22,859,686.62.

Council acknowledged receipt of City Administrator Report.

Council acknowledged receipt of Utility Financial Report for period ending April 30, 2020.

Council acknowledged receipt of Utility Claims for period ending May 31, 2020.

Moved by Commissioner Glover and seconded by Wehling to accept the report of new claims and approving disposition of claims set for the period of June 2, 2020 to June 15, 2020. Upon roll call the following voted YES: Davis, Wehling, Johns, Glover and Mayor Bequette. Voting NO: None. Motion carried.

Claims List					
June 15, 2020					
A-1 Locksmith	Rep/Maint	19.00	Paper Tiger Shredding, Inc.	Shredding	52.00
ABOUT QUALITY FENCE	Grounds	3,509.00	Pepsi-Cola of Lincoln	Beverages	344.80
ACCESS SYSTEMS LEASING	Contract Serv	216.61	Quill Corporation	Sup	164.93
Action Technology Services	Contract Serv	400.00	R & R Products Co.	Equip	132.56
Adkins Signs	Rep/Maint	525.00	R Carts - Rogg R McLean	Equip	229.00
American Recycling &	Trash	237.88	Recreation Supply Company	Rep/Maint	642.25
Animal Hospital	Sup	150.00	River View Pest Control	Pest Control	326.50
AQUA-CHEM, INC	Rep/Maint	1,937.52	S Systems	Equip	269.99
Arbor Mart, Inc	Fuel	947.36	Paul Selivanoff	Rfnd	200.00
Arbor Valley Animal Clinic	Animal Exp	60.00	Time Warner Cable	Cable	56.13
Beelner Service, Inc.	Rep/Maint	554.50	Unifirst Corporation	Contract Serv	259.11
Bohl Plumbing and Heating	Rep/Maint	1,335.50	Van Wall Turf & Irrigation	Sup	250.50

Bound Tree Medical LLC	Sup	220.64	WESTLAKE ACE HARDWARE	Rep/Maint	554.13
Brown's Shoe Fit Company	Uniforms	143.99	Windstream,Inc.	Phone	53.62
Capital Business Systems	Contract Serv	314.57	Zimco Supply Co.	Sup	5,020.50
Card Services	Equip	4,026.38	ACCESS SYSTEMS LEASING	Contract Serv	40.74
CM'S OUTDOOR SOLUTIONS GROUP	Rep/Maint	882.50	American Recycling &	Trash	21.46
Consolidated Management Co	Training	169.61	Arbor Mart, Inc	Fuel	436.55
Douglas Tire Co.	Rep/Maint	1,531.54	Benefiel Truck Repair	Rep/Maint	381.09
Eakes Office Solutions	Equip	1,375.44	Bound Tree Medical LLC	Sup	5,667.72
Glen Edmisten	Equip	90.56	Brown's Shoe Fit Company	Uniforms	297.38
Emblem Enterprises, Inc.	Sup	403.22	Capital Business Systems	Contract Serv	23.91
Fareway Stores, Inc.	Resale	98.22	Card Services	Sup	1,238.98
foreUP Golf Software	Equip	400.69	Matheson Tri-Gas, Inc.	Sup	384.76
FRONTIER COOPERATIVE	Sup	450.00	Mercer's Do-It-Best	Sup	15.34
Gatehouse Media NE Holdings	Adv	41.66	MUNICIPAL EMERGENCY SERV	Uniforms	122.00
HELENA CHEMICAL COMPANY	Sup	2,585.80	Nebraska City Utilities	Utilities	444.87
Ideal Pure Water	Sup	46.00	QUICK MED CLAIMS	Ground Trips/Revenue	3,865.85
J&T DISTRIBUTING, LLC	Resale	34.32	Time Warner Cable	Cable	56.14
Jerad Sornson	Rep/Maint	29.10	VAIRKKO	Contract Serv	84.00
Bryan Kreifels	Rfnd	200.00	WESTLAKE ACE HARDWARE	Rep/Maint	51.27
Ag Solutions Group LLC	Rep/Maint	33.82	AMERICAN NATIONAL BANK	Loan	3,362.74
Landis Engine Company, Inc.	Equip	381.78	American Recycling &	Trash	54.08
Larson Motors	Rep/Maint	47.38	Arbor Mart, Inc	Fuel	553.21
League of Nebr. Municipalities	Training	515.00	Eggers Brothers, Inc.	Rep/Maint	533.31
MAINELLI MECHANICAL CONTRACTOR	Rep/Maint	2,662.84	FRONTIER COOPERATIVE	Sup	736.56
MD Aquatics, LLP	Chemicals	1,178.00	Ideal Pure Water	Sup	28.00
Mead Lumber	Rep/Maint	14.77	JEO Consulting Group, Inc.	Capital Imprv	490.60
Mercer's Do-It-Best	Rep/Maint	746.91	NAPA AUTO PARTS	Sup	167.97
Miller Monroe Farrell	Ins	1,652.40	Nebraska City Utilities	Utilities	927.91
NAPA AUTO PARTS	Rep/Maint	44.24	River View Pest Control	Pest Control	25.50
Nationwide Trust Contributions	Pension	2,146.00	STAR EQUIPMENT LTD	Rep/Maint	798.30
Nebraska City Utilities	Utilites	8,679.21	Tree Worx Tree Service, LLC	Tree/Stump Removal	1,645.00
NE Law Enforcement Training Ct	TABE Test	20.00	Unifirst Corporation	Contract Serv	129.46
Odey's Inc.	Grounds	445.30	LEO A DALY	CDBG	13,348.09
Otoe County Clerk	County	19,410.96	Otoe County Clerk	Sheriff/Police Pub Safety Pmt	39,425.00
Otoe County Court	Court Exp	17.00	JEO Consulting Group, Inc.	Const	8,402.50
			Gatehouse Media NE Holdings	Adv	26.04

Moved by Mayor Bequette and seconded by Glover to have the City Attorney rework the loan conditions of **Resolution 2843-20** on the intent to use Nebraska City Growth Funds from the Economic Development Plan for Waste Container Systems, LLC as a low interest loan in the amount of \$50,000.00 for building renovations at 812 S 9th Street to show that the promissory note would be in the amount of \$50,000.00, that the loan amounts would be on draw-down and that invoices would be presented, that all owners in the company would provide signature guarantees and that we would have approval from the property owner approving the modifications, that we have specific plan or project estimates on each of the parts of the project, and that we have a better basis of what the operating costs of \$10,000 would go toward. Dan Mauk spoke to explain the item. Upon roll call the following voted YES: Johns, Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried for the rework of the loan conditions.

Moved by Mayor Bequette and seconded by Glover to approve **Resolution 2844-20** to consider a Blight and Substandard Study to designate Redevelopment Area #5 as Blight and Substandard. Keith Morisson, Dan Mauk and Marty Stovall spoke to explain the item. Upon roll call the following voted YES: Johns, Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

Patty Lant gave the Council an update regarding the Riverview Nature Park project update and possible opening date.

Moved by Mayor Bequette and seconded by Wehling 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 3046-20** regarding an updated Unite Franchise Agreement. Drew Graham spoke to explain the Ordinance. Upon roll call the following voted YES: Johns, Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

ORDINANCE NO. 3046-20  
A FRANCHISE ORDINANCE

AN ORDINANCE OF THE CITY OF NEBRASKA CITY ("CITY") GRANTING Unite Private Networks, LLC, 7200 NW 86th Street, Suite M. Kansas City, MO 64153, ("FRANCHISEE"), A NONEXCLUSIVE TELECOMMUNICATION CABLE, FIBER OPTIC CABLE, COAXIAL CABLE, OR OTHER COMMUNICATION CABLE (COLLECTIVELY, "COMMUNICATION CABLES") AND BROADBAND SERVICE FRANCHISE TO INSTALL, OPERATE, MAINTAIN, OR OTHERWISE LOCATE

COMMUNICATION CABLES AND/OR CONDUCTORS, OPERATE AN BROADBAND SYSTEM OR SIMILAR COMMUNICATION SYSTEM, AND PROVIDE BROADBAND SERVICES OR SIMILAR SERVICES IN THE CITY OF NEBRASKA CITY; SETTING FORTH THE TERMS AND CONDITIONS ACCOMPANYING THE GRANT OF SAID FRANCHISE; TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith; TO PROVIDE AN EFFECTIVE DATE; AND TO PUBLISH SAID ORDINANCE IN PAMPHLET FORM.

Moved by Mayor Bequette and seconded by Johns to approve a Memorandum of Understanding between the City of Nebraska City and the Nebraska City Veteran's Memorial Building Project outlining the division of duties between the parties and to add the City as additionally insured and correcting the typographical errors as discussed by the Interim City Administrator Marty Stovall. Marty Stovall and Jim Kuhn spoke to explain the item. 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 COVID-19 situation. Commissioner Wehling gave a report on the Pool Opening and Baseball Update. Andrew Snodgrass gave an update on EMS/Rescue services.

Meeting Adjourned at 8:17 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