

CITY OF NEBRASKA CITY, NEBRASKA  
MINUTES OF CITY COUNCIL SPECIAL MEETING  
October 19, 2020

Pursuant to due call and notice thereof, a Special Meeting of the City Council of the City of Nebraska City was conducted in the Gary White Room at the ROWE Public Safety Building, 1518 Central Avenue, on October 19, 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 6:06 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, 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, Police Sargent Ben Murry, Building Inspector Keith Morrison, Utilities Director Jeff Kohrs and City Clerk-Treasurer Randy Dunster.

Mayor Bequette moved to approve the following consent items:

Approve minutes from the October 16, 2020 Special City Council Meeting.

Approve Master Plumbers and Drain Layers License Application for Bryant Air Conditioning and Heating Co. 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 to consider a Request for a Property Rezone of properties located north of Oak St., just off Grundman Boulevard Parcel ID 999554284, 17-8-14 Lot 2 Arbor Village Replat 1 of Lots C-3 and C-4 Arbor Village Addition Nebraska City from C-3 to R-2. Keith Morrison spoke to explain the request. Dan Mauk spoke in favor of the application. 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 Request of properties located north of Oak St., just off Grundman Boulevard a Property Rezone of Parcel ID 999554285, 17-8-14 Lot C-5 Arbor Village Addition Nebraska City from C-3 to R-2. 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 September 30, 2020, Total Nebraska City funds of \$7,957,225.08. Total Cash and Reserve for Nebraska City Utilities of \$17,349,137.79. Total City of Nebraska City and Utility funds \$25,306,362.87. Council acknowledged receipt of City Administrator Report. Commissioner Glover spoke regarding the report and discussed the Fiscal Year End Financials.

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

Council acknowledged receipt of Utility Claims for period ending September 30, 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 October 6, 2020 to October 19, 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.

<b>Claims List</b>					
October 19, 2020					
Cornhusker Beef Co, LLC	LB840	\$92,000.00	Quality Brands-Lincoln	Multiple	\$316.86
Payroll	Multiple	\$123,384.46	K & Z Distributing	Beverages-A	\$57.45
Discovery Benefits	Insurance	\$212.70	WorldPay	Multiple	\$435.60
Blue Cross Blue Shield	Multiple	\$137,985.09	NE Dept of Revenue	Multiple	\$2,071.06
A-1 Locksmith	Rep/Maint Bldg	\$2,500.00	JOHN'S APPLIANCE	Rep/Maint Equip	\$99.75
ACCESS SYSTEMS LEASING	Contract Serv	\$262.80	JOHNSON CONTROLS SECURITY SOL	Contract Serv	\$244.08
AKRS Equipment	Rep/Maint Equip	\$52.67	Landis Engine Company, Inc.	Rep/Maint Equip	\$39.48
AMERICAN NATIONAL BANK	Loan	\$3,362.74	Larson Motors	Rep/Maint Veh	\$2,357.95
Animal Hospital	Donation Purchase	\$42.00	LEO A DALY	CDBG	\$2,826.57
ARBOR DAY FOUNDATION	Dues	\$15.00	Loveland Grass Pad	Rep/Maint Grounds	\$1,446.35
Arbor Mart, Inc	Fuel	\$1,883.78	Mead Lumber	Rep/Maint Grounds	\$2,347.86
AT&T MOBILITY	Phone/Internet	\$92.96	Mercer's Do-It-Best	Supplies	\$233.22
AWARD PLUS	Uniforms	\$104.00	MERZ INK	Planned Event	\$575.77
JAMES BASSETT	Refund	\$200.00	Miller Monroe Farrell	Insurance	\$189,745.00
Bill Walters & Son Shop, Inc.	Rep/Maint Equip	\$859.14	Mullenax Auto Supply	Multiple	\$43.18
Bohl Plumbing and Heating	Rep/Maint Equip	\$423.94	NAPA AUTO PARTS	Rep/Maint Veh	\$251.52
Capital Business Systems	Contract Serv	\$204.60	Nationwide Trust Contributions	Retirement Plan	\$2,146.00
Card Services	Multiple	\$2,065.26	NC Area Econ Development Corp	Funding	\$247,493.26
CHEEVER CONSTRUCTION CO	CDBG	\$17,035.20	NC Clerk - Treasurer	Multiple	\$134.00
CM'S OUTDOOR SOLUTIONS GROUP	Rep/Maint Grounds	\$420.00	Nebraska City Jaycees	Donation	\$2,475.00
Concrete Industries, Inc.	Concrete	\$4,905.82	Nebraska City Utilities	Utilities	\$14,437.70

Consolidated Management Co	Training	\$380.70	NC Tourism & Commerce	Tourism	\$35.00
CONTROL INSTALLATIONS OF IOWA	Rep/Maint Bldg	\$2,786.26	NE Department of Agriculture	License Fee	\$210.00
KEVIN CURTIS	Refund	\$25.00	O'Reilly Auto Parts	Supplies	\$36.25
Danko Emergency Equipment Co.	Rep/Maint Equip	\$17,236.37	Otoe County Clerk	Dispatch	\$4,987.50
DAS STATE ACCTG - CENTRAL	Radio Systems	\$290.00	Otoe County Court	Court Fees	\$17.00
Douglas Tire Co.	Rep/Maint Veh	\$72.40	Pepsi-Cola of Lincoln	Beverages	\$79.80
Eakes Office Solutions	Office Supplies	\$170.59	QUADIENT FINANCE USA, INC	Postage	\$439.00
JEFF EDDY	Refund	\$25.00	Quill Corporation	Office Supplies	\$128.76
Eggers Brothers, Inc.	Rep/Maint Veh	\$187.41	R Carts - Rogg R McLean	Rep/Maint Veh	\$649.56
Fareway Stores, Inc.	Resale	\$198.05	Stryker Medical	Supplies	\$101.08
FIRST WIRELESS, INC.	Rep/Maint Equip	\$590.00	THE KNOX COMPANY	Rep/Maint Equip	\$2,279.00
Gatehouse Media NE Holdings	Adv	\$54.28	Time Warner Cable	Cable	\$115.90
Ryan Graf	Reimb	\$442.00	Unifirst Corporation	Contract Serv	\$109.36
GREAT PLAINS UNIFORMS	Uniforms	\$109.00	WESTLAKE ACE HARDWARE	Supplies	\$69.07
Ideal Pure Water	Supplies	\$94.00	WEX BANK	Fuel	\$2,189.37
JOHN E REID & ASSOCIATES	Training	\$695.00	Windstream, Inc.	Phone/Internet	\$787.85

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 Johns for final passage of **Ordinance 3056-20** to Rezone properties located north of Oak St., just off Grundman Boulevard from C-3 to R-2. Upon roll call the following voted YES: Johns, Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

#### **ORDINANCE NO. 3056-20**

**AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP, REFERRED TO IN SECTION 403 OF ORDINANCE NO. 3010-18, BY CHANGING THE CLASSIFICATION OF THE ZONING DISTRICT OF LOT 2, ARBOR VILLAGE REPLAT 1 OF LOTS C-3 AND C-4 ARBOR VILLAGE ADDITION, AND LOT C-5, ARBOR VILLAGE ADDITION, ALL IN NEBRASKA CITY, OTOE COUNTY, NEBRASKA, FROM C-3, GENERAL COMMERCIAL, TO R-2, RESIDENTIAL (MODERATE TO HIGH DENSITY); TO PROVIDE FOR INCORPORATION INTO THE OFFICIAL ZONING MAP; AND TO PROVIDE FOR AN EFFECTIVE DATE.**

Council discussed the potential of approving an Easement located at 421 S 6<sup>th</sup> Street but took no action as the City Attorney had discovered certain issues that would need to be explored further before approving the request.

Moved by Mayor Bequette and seconded by Glover to suspend the rules on a full reading of the entire Resolution and have the Clerk read the short title only. 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 Johns to approve **Resolution 2863-20** for the refinancing the Aquatic Center Bond. 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 Mayor Bequette to approve use of the ROWE Building Parking lot located at 16<sup>th</sup> Street and Central Ave on November 5, 2020 from 3:30pm to 7:00pm for Cross Electronic Recycle Event. Sally DuBois 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 the Police Department request to apply for grant funding of \$69,550 to purchase dash cameras and body cameras for the Police Officers and vehicle fleet. Chief Lacy and Sargent Murry 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 Mayor Bequette to approve the BPW Sewer Work Order #452 to replace lift station pumping equipment and Force Main for the South 3<sup>rd</sup> Street Lift Station in the amount of \$156,945.50. Jeff Kohrs 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 Commissioner Johns and seconded by Wehling to approve JEO Task Order #20-03 for 16th Street Improvements Engineering Design in the amount, Not to Exceed \$59,900 and allow Mayor to sign. Marty Stovall 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 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 Johns for final passage of **Ordinance 3057-20** to Rezone properties located north of Oak St., just off Grundman Boulevard from C-3 to R-2. Drew Graham and Marty Stovall 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. 3057-20**

**AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP, REFERRED TO IN SECTION 403 OF ORDINANCE NO. 3010-18, BY CHANGING THE CLASSIFICATION OF THE ZONING DISTRICTS, IN THE MANNER IDENTIFIED IN SECTION 1 BELOW, OF LOTS 1 & 2, BLOCK 102, NEBRASKA CITY PROPER, AND LOTS 1 & 2, BLOCK 3, HAIL & CO ADDITION; OF LOTS 1, 2, 3, TRACTS A & B OF GUDE SUBDIVISION IN LOTS 4 & 5, AND THE NORTH FOUR FEET OF LOTS 9 AND 10, BLOCK 7, AND LOTS 1 AND 2, BLOCK 8, SOUTH NEBRASKA CITY ADDITION; OF LOTS 1, 2, 3, 4, 5, 6, 10, 11 AND 12, BLOCK 36, HAIL & CO ADDITION; AND OF LOTS 1, 2, 3, 4, 5 AND 6, BLOCK 38, ANDERSON'S 2<sup>nd</sup> ADDITION; ALL IN NEBRASKA CITY, OTOE COUNTY, NEBRASKA; TO PROVIDE FOR INCORPORATION INTO THE OFFICIAL ZONING MAP; AND TO PROVIDE FOR AN EFFECTIVE DATE.**

Mayor Bequette gave a report on the Covid-19 situation as discussed by the earlier Board of Health Meeting.

Meeting Adjourned at 7:37 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