

CITY OF NEBRASKA CITY, NEBRASKA  
MINUTES OF CITY COUNCIL SPECIAL MEETING  
November 16, 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 November 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, 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 and Deputy Clerk-Treasurer Patricia Moore.

Mayor Bequette proclaimed Saturday, November 28 as Small Business Saturday.

Mayor Bequette opened the Public Hearing to consider a Request for a Property Rezone from I-2 to C-3 of property located at 1018 South 11th Street. Keith Morrison, Anthony Cocca, Marty Stovall, Kevin Barrett, Phil Hoey and Dan Mauk **Spoke in favor of the proposal**. Jason Southard expressed concern about traffic potentially backing up in front of his business at Southards Auto Body on 11<sup>th</sup> Street. Ashli Leyden and Linda Garey spoke to express concern regarding the proposal due to traffic flow. No other comments were made by the public. 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 October 31, 2020, Total Nebraska City funds of \$7,836,772.08. Total Cash and Reserve for Nebraska City Utilities of \$17,390,008.79. Total City of Nebraska City and Utility funds \$25,226,780.87.

Council acknowledged receipt of City Administrator Report on Departmental activity and noted that the budget status would likely be available by the next meeting.

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

Moved by Commissioner Glover and seconded by Wehling to approve minutes from the November 2, 2020 City Council Meeting with an amendment to clarify verbiage stating that the motion to declare an unsafe building was approved. Upon roll call the following voted YES: Davis, Wehling, Glover, Johns 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 November 3, 2020 to November 16, 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					
November 16, 2020					
Payroll	Multiple	\$118,214.80	NE Dept of Rev	Multiple	\$858.92
Discovery Benefits	Insurance	\$212.70	Marsh USA, INC	Const	\$900.00
A-1 Locksmith	Rep/Maint Bldg	\$98.00	Jerad Sornson	Rep/Maint Veh	\$407.80
ACCESS SYSTEMS LEASING	Contract Serv	\$422.86	KOHTZ, KAREN	Artist Sales	\$20.25
Action Technology Services	Contract Serv	\$400.00	Kreifels Electric L.L.C.	Capital Improvements	\$4,922.85
Craig Adamek	Artist Sales	\$53.25	Kreifels Plumbing	Rep/Maint Bldg	\$81.00
ALMQUIST, DENNIS	Artist Sales	\$31.50	Ag Solutions Group LLC	Rep/Maint Equip	\$1,900.00
AMERICAN NATIONAL BANK	Loan	\$3,362.74	Marie Lamb	Artist Sales	\$67.50
American Recycling &	Trash	\$357.37	Landis Engine Company, Inc.	Rep/Maint Equip	\$1,107.70
Arbor Mart, Inc	Fuel	\$1,333.75	Lou Leone	Reimbursement	\$756.46
ARROW MANUFACTURING INC.	Rep/Maint Equip	\$56.23	LYON, PHYLLIS	Artist Sales	\$246.75
AUPPERLE, MARYANN	Artist Sales	\$90.00	MACY, BETH	Artist Sales	\$91.88
Barrett Construction Company	Misc	\$150.00	Matheson Tri-Gas, Inc.	Supplies	\$317.27
BASSINGER, CHRISTIE	Artist Sales	\$7.50	MCGINTY, PAT	Artist Sales	\$45.00
Dena Behrns	Artist Sales	\$40.50	Mead Lumber	Rep/Maint Bldg	\$782.78
Bill Walters & Son Shop, Inc.	Rep/Maint Veh	\$3,130.89	Mercer's Do-It-Best	Multiple	\$246.66
Bohl Plumbing and Heating	Capital Improvements	\$3,909.00	MERZ INK	Uniforms	\$342.35
Bound Tree Medical LLC	Medical Supplies	\$745.87	NAPA AUTO PARTS	Multiple	\$79.12
BOYD, EVELYN	Artist Sales	\$172.50	National Arbor Day Foundation	Refund	\$450.00
Capital Business Systems	Contract Serv	\$377.37	NATIONAL ENTERTAINMENT TE	Planned Event	\$375.00
Card Services	Multiple	\$2,944.42	Nationwide Trust Contributions	Retirement Plan	\$2,146.00
CARMICHAEL, ANITA	Artist Sales	\$35.98	NC Clerk - Treasurer	Multiple	\$110.00
CARPENTER, SANDRA	Artist Sales	\$41.25	Nebraska City Utilities	Utilities	\$11,443.16
CHEEVER CONSTRUCTION CO	CDBG	\$63,783.90	NE STATE FIRE MARSHAL/BOILER	Rep/Maint Bldg	\$36.00
Consolidated Management Co	Training	\$455.28	NITSICK, JANET ANN	Artist Sales	\$7.50
Douglas Tire Co.	Rep/Maint Veh	\$1,063.19	O'Reilly Auto Parts	Multiple	\$7.49
Eakes Office Solutions	Office Sup	\$281.78	Otoe County Clerk	Dispatch	\$4,987.50
ENGEL, BRANDON	Artist Sales	\$42.00	PAINTER, MICHELLE	Artist Sales	\$60.00

Fareway Stores, Inc.	Multiple	\$46.30	PARTSCH, TAMMY	Artist Sales	\$16.95
Fastenal Company	Rep/Maint Veh	\$4.47	Roger Pieper	Artist Sales	\$90.00
FEY, JIM	Artist Sales	\$15.00	QUADIENT FINANCE USA, INC	Postage	\$400.00
ALAN FOX	Refund	\$200.00	Ray Allen Manufacturing Co.	Donation Purchase	\$1,712.98
FRAME, JOY	Artisti Sales	\$5.25	REID, RONNIE	Artist Sales	\$18.75
FRANCISCAN SISTERS	Tree Rebate	\$65.00	ROARTY, STEVE	Artist Sales	\$90.00
FRERICHS, NANCY	Artist Sales	\$147.00	SCHMITZ, JEFF	Artist Sales	\$33.75
FRIEDLI, PAT	Artist Sales	\$48.00	SHARED SERVICE SYSTEMS	Supplies	\$1,209.42
FRONTIER COOPERATIVE	Chemicals	\$45.00	STOUFFER, LINDA	Artist Sales	\$101.25
Gatehouse Media NE Holdings	Adv	\$417.52	TASC	Insurance	\$214.14
Tim & Laura Glas	Artist Sales	\$82.50	THE RADAR SHOP	Investigative Expense	\$360.00
Christy Goodrich	Artist Sales	\$42.75	Unifirst Corporation	Contract Serv	\$203.78
Lisa Gustafson	Artist Sales	\$22.50	VADON, JANET	Artist Sales	\$7.50
H&H CONCRETE & CONSTRUCTION	Contract Labor	\$2,250.00	VAIRKKO	Computer	\$84.00
HEINE, LORI	Artist Sales	\$176.25	VAN DIEST SUPPLY COMPANY	Multiple	\$2,829.75
HOLLIWAY, MARCIA	Artist Sales	\$291.00	VIVIAL MEDIA	Adv	\$16.75
Hopkins Automotive Inc.	Supplies	\$12.98	WAHL, RON	Artist Sales	\$202.50
HUNZEKER, MARSHA	Artist Sales	\$160.50	WALTERS, ANDREA	Artist Sales	\$81.75
Ideal Pure Water	Supplies	\$42.00	WELLSANDT, KRIS	Artist Sales	\$168.00
International Municipal	Dues	\$300.00	WESTLAKE ACE HARDWARE	Multiple	\$53.00
J.P. Cooke Company	Pet Licenses	\$96.60	WEX BANK	Fuel	\$1,843.94
JEO Consulting Group, Inc.	Const	\$5,616.25	Windstream, Inc.	Phone/Internet	\$512.01
			Gail Wurtele	Artist Sales	\$24.00

Moved by Commissioner Johns and seconded by Mayor Bequette to conditionally approve the requested zoning change for the property located at 1018 South 11<sup>th</sup> Street from I-2 to C-3 under the condition that the developer enter into a conditional zoning agreement acceptable to the City providing that if the State denies direct ingress and egress from 11<sup>th</sup> Street to the site and the proposed use necessitates the addition of a traffic signal at 11<sup>th</sup> Corso and 11<sup>th</sup> Street based on the increase in traffic for the new use then the applicant agrees to bear the cost of the installation of said traffic signal. Phil Hoey, Marty Stovall and Drew Graham spoke regarding the proposal. 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 the reservation of parking spaces on the South side of Central Ave between 10<sup>th</sup> and 11<sup>th</sup> Street from 4:30-5:30 p.m. for the Tree Lighting event at the Court House on Saturday, November 28, 2020. Amy Allgood spoke regarding the request. Upon roll call, the following voted YES: Davis, Wehling, Johns, Glover and Mayor Bequette. Voting NO: None. Motion carried.

Council discussed terminating the Memorandum of Understanding between City and GREAT: Growing Regional Economic Activity Today, but did not take any action. Dan Mauk and Drew Graham spoke about the item as well as the Council.

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 3061-20** to correct textual errors in Ordinance 3048-20 and Ordinance 3051-20. Upon roll call the following voted YES: Johns, Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

#### **ORDINANCE 3061-20**

#### **AN ORDINANCE TO CORRECT TEXTUAL ERRORS IN ORDINANCE 3048-20 AND ORDINANCE 3051-20; AND TO DECLARE AN EFFECTIVE DATE.**

Moved by Commissioner Wehling and seconded by Davis to consider approval of closing documents related to the purchase of 1419 N 19th Street. Drew Graham spoke regarding the item. Upon roll call, the following voted YES: Davis, Wehling, Johns, Glover and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Commissioner Wehling and seconded by Johns to approve of a residential rental lease related to the property at 1419 N 19th Street. Drew Graham spoke regarding the item. 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 to Amend JEO Task Order #2020-02 to include bidding and construction services for the Nebraska City Fire Station Interior Renovation project and for bidding not to exceed \$6,300.00 and construction services not to exceed \$16,000 and to allow the Mayor to sign. Marty Stovall spoke regarding the item. 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 Award Bid to Valley Corporation Inc, Valley NE for the South Table Creek Bank Stabilization project in the amount of \$469,146.65. Marty Stovall spoke regarding 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 Advertising for Bids, on the 6th Street Bank Stabilization project. Marty Stovall spoke regarding 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 to approve Change Order #2 for contract time extension for the Morton James Library Exterior Renovation project and allow the Mayor to sign. Marty Stovall spoke regarding the item. Upon roll call, the following voted YES: Davis, Wehling, Johns, Glover and Mayor Bequette. Voting NO: None. Motion carried.

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

Meeting Adjourned at 7:29 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