

CITY OF NEBRASKA CITY, NEBRASKA  
MINUTES OF CITY COUNCIL REGULAR MEETING  
April 5, 2021

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 April 5, 2021. 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 and stated that the meeting was being conducted under the Open Meetings Act. 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: City Administrator Lou Leone, City Attorney Drew Graham, Police Chief David Lacy, Utilities Director Jeff Kohrs, Construction and Facility Manager Marty Stovall and City Clerk-Treasurer Randy Dunster.

Mayor Bequette moved to approve the following consent items:

Approve minutes from the March 15, 2021 City Council Meeting.

Approve the application for Master Plumbers and Drain Layers License for Mario Cole located at 406 Linda Lee Lane Kennard, NE 68036.

Approve the application for Electricians Registration to Work for Mod Wattage Electric, LLC located at 2100 Magnum Circle #6, Lincoln, NE.

Approve the request from Keep Nebraska City Beautiful to use the Sunken Parking lot on April 22, 2021 from 3:00pm to 7:00pm for Great American Cleanup dumpster site and the Rowe Complex Parking lot on June 10, 2021 from 2:00pm to 6:00pm for a CRT/Television recycling event.

Approve the NCTC request to hold the annual Farm to Fork meal on Central Avenue between 7th and 8th street on August 22, 2021 from 4:00pm to 10:00pm and use of the public restrooms.

Approve the Memorial Day Open House at the Veterans Memorial Building to be held on May 29th & 30th 2021 from 9:00am to 4:00pm.

Motion seconded by Commissioner Johns. Upon roll call the following voted YES: Davis, Wehling, Glover, Johns and Mayor Bequette. Voting NO: None. Motion carried

Mayor Bequette proclaimed April 30th through May 2nd 2021 as the official dates of observance of Arbor Day in Nebraska City.

Mayor Bequette made a proclamation commending Ellie Higgins of the Nebraska City High School Speech Team for winning the Nebraska State Class B Championship for Humorous and Dramatic Interpretation Speech Competition 2021.

Mayor Bequette opened the Public Hearing on the Liquor License application for City Tap House LLC Class "C" (Beer, Wine & Distilled Spirits, On and Off Sale) liquor license at 707 Central Ave. Ken Campbell 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 on the Liquor License application for Calabria Italian Restaurant LLC has applied for a Class "I" (Beer, Wine & Distilled Spirits, On Sale only) liquor license at 725 S 6th Street. Cheryl Troyer and Dan Mauk spoke to explain the request. No 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.

Moved by Commissioner Glover and seconded by Johns to accept the report of new claims and approving disposition of claims set for the period of March 16, 2021 to April 5, 2021. 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>					
April 5, 2021					
Wex Health, Inc	Ins.	\$427.50	ISCO INDUSTRIES, INC	Const	\$14,860.00
Quality Brands Lincoln	Resale	\$1,064.96	JEO Consulting Group, Inc.	Multiple	\$28,260.25
Payroll	Multiple	\$132,774.90	Jerad Sornson	Rep/Maint	\$233.80
Blue Cross Blue Shield	Multiple	\$146,138.04	Jones Automotive, Inc.	Donation Purchase	\$1,700.00
Ameritas Life Ins	Multiple	\$10,356.94	Kreifels Electric L.L.C.	Rep/Maint	\$3,275.50
Lincoln Financial Group	Multiple	\$7,207.05	Ag Solutions Group LLC	Rep/Maint	\$130.96
WorldPay CC Fees	Multiple	\$96.15	Larson Motors	Rep/Maint	\$5,956.90
K&Z Distributing	Resale	\$287.30	MACQUEEN EQUIPMENT	Rep/Maint	\$394.56
A-1 Locksmith	Rep/Maint	\$285.00	Mead Lumber	Supplies	\$4.79
Action Technology Services	Donation Purchase	\$8,244.00	Menards	Rep/Maint	\$979.16
Adkins Signs	Rep/Maint	\$416.00	Mercer's Do-It-Best	Multiple	\$132.71
AKRS Equipment	Rep/Maint	\$56.33	Midwest Service and Sales	Rep/Maint	\$679.00

AMERICAN NATIONAL BANK	Loan	\$3,754.72	Miller & Sons Golf Cars	Rep/Maint	\$141.00
American Recycling &	Trash	\$286.38	Miller Monroe Farrell	Ins.	\$31.00
AQUA-CHEM, INC	Chemicals	\$190.00	Mullenax Auto Supply	Multiple	\$23.15
Arbor Mart, Inc	Fuel	\$2,640.84	NAPA AUTO PARTS	Multiple	\$608.71
Arbor Valley Animal Clinic	Animal Expense	\$170.00	National Entertainment Tech	Rec Event	\$500.00
Associated Fire Protection	Rep/Maint	\$250.00	NC Clerk - Treasurer	Multiple	\$20.00
3X0311202 AT&T MOBILITY	Wireless Tablet Service	\$92.96	Nebraska City Museum Assoc.	City Curator	\$2,416.67
B & D DIAMOND PRO, INC	Rep/Maint	\$2,520.00	Nebraska City Utilities	CDBG	\$177.61
B.C. MEYER CONSTRUCTION	Refund	\$200.00	NC Tourism & Commerce	Tourism	\$7,083.33
Benefiel Truck Repair	Rep/Maint	\$500.35	NE Public Health Environ Lab	Investigative Expense	\$105.00
Bill Walters & Son Shop, Inc.	Rep/Maint	\$405.04	NSG Logistics, LLC	Chemicals	\$6,883.20
BLACKSTRAP, INC	Chemicals	\$2,883.51	Nebraska Secretary of State	Dues	\$20.00
Cathy Blankenship	Rep/Maint	\$10.62	NEBRASKA STATE FIRE MARSHALL	Training	\$400.00
Robert Moyer	Rep/Maint	\$224.75	O'Reilly Auto Parts	Multiple	\$44.96
Bohl Plumbing and Heating	Rep/Maint	\$328.02	OMAHA PUBLICATIONS	Adv	\$299.00
BOKF, NA	Bond Int Pmt	\$8,897.38	Otoe County Clerk	County	\$2,853.50
Bound Tree Medical LLC	Medical Supplies	\$2,024.16	Pepsi-Cola of Lincoln	Beverages	\$324.95
C3 RENOVATIONS	CDBG	\$1,240.00	QUICK MED CLAIMS	Ground Trips/Revenue	\$7,799.48
Card Services	Rep/Maint	\$17.19	Quill Corporation	Supplies	\$28.99
CODY, STEVE	Misc	\$52.94	R & R Products Co.	Rep/Maint	\$71.75
Concrete Industries, Inc.	Rep/Maint	\$2,388.19	River View Pest Control	Pest Control	\$184.00
Creighton University Medical	Training	\$1,946.00	SANDRY FIRE SUPPLY, LLC	Equipment	\$297.20
DON JOHNSON HOME	Refund	\$200.00	SCHEELE KAYTON CONSTRUCTION	Capital Imprv	\$55,532.43
Douglas Tire Co.	Rep/Maint	\$1,544.00	Schneider Electric & Refrig.	Rep/Maint	\$3,192.41
Eakes Office Solutions	Multiple	\$543.05	Southeast Nebr. Develop. Dist.	CDBG	\$3,542.50
ENGEL - RUT CONSTRUCTION	Refund	\$25.00	SPIRAL COMMUNICATIONS	Phone/Internet	\$1,182.99
Fareway Stores, Inc.	Multiple	\$188.58	THIELE GEOTECH, INC	Engineering	\$1,250.00
Fastenal Company	Supplies	\$14.60	Time Warner Cable	Cable	\$115.90
FIVE J CATERING	Awards Banquet	\$1,800.00	TRISTATE RENTALS	Rep/Maint	\$80.00
Galeton Gloves	Supplies	\$285.18	Unifirst Corporation	Contract Serv	\$291.93
JOHN HARPHAM	Refund	\$200.00	Van Wall Turf & Irrigation	Rep/Maint	\$1,513.52
HENRY MOTORS SERVICE	Rep/Maint	\$20.40	VERIZON WIRELESS	Phone/Internet	\$707.21
Hireright GIS Intermediate Cor	Background Screenings	\$114.86	VIVIAL MEDIA	Adv	\$75.25
HOLTON CONSTRUCTION	Refund	\$150.00	WEHLING, PATRICK	Rep/Maint	\$80.63
Ideal Pure Water	Supplies	\$33.00	WESTLAKE ACE HARDWARE	Multiple	\$147.82
Infinity Aviation	Interlocal	\$4,382.67	Windstream, Inc.	Phone/Internet	\$1,284.46
			Zimco Supply Co.	Rep/Maint	\$360.00

Moved by Commissioner Johns and seconded by Davis to accept the Liquor License application for City Tap House LLC Class "C" (Beer, Wine & Distilled Spirits, On and Off Sale) liquor license at 707 Central Ave. 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 Davis to approve the Liquor License application for Calabria Italian Restaurant LLC Class "I" (Beer, Wine & Distilled Spirits, On Sale only) liquor license at 725 S 6th Street. Upon roll call, the following voted YES: Davis, Wehling, Johns, Glover and Mayor Bequette. Voting NO: None. Motion carried.

Mayor Bequette opened the discussion regarding the actions taken to address the odor coming from Cargill. Victor Mecstroth spoke representing Cargill. Duane Stuhr, Colin Albers, Rick Shallenberger and Shelly Stuhr spoke to express their concerns about the situation.

Mayor Bequette introduced the next agenda item regarding the Keeping Room, declared a conflict of interest and turned the meeting over to Vice President Glover prior to his departure from the room at 6:42 PM. Moved by Commissioner Wehling and seconded by Johns to approve the boundary of The Keeping Room & Gathering Place Liquor License to read: Entire two story building approx. 44X102 excluding basement area plus addition of outdoor area 13X8. Upon roll call, the following voted YES: Davis, Wehling, Johns and Glover. Voting NO: None. Absent: Bequette. Motion carried. Mayor Bequette returned to the meeting at 6:43 PM.

Moved by Commissioner Johns and seconded by Wehling to approve the NCTC requests for Arbor Day Event April 30<sup>th</sup> through May 2<sup>nd</sup> 2021. Pam Frana and Tammy Partsch spoke to explain the event requests. Upon roll call, the following voted YES: Davis, Wehling, Johns, Glover and Mayor Bequette. Voting NO: None. Motion carried.

Mayor Bequette introduced the request from Blue Rivers Area Agency on Aging to provide a matching grant of \$2,000 for the fiscal year 2021/2022. The Council consented unanimously to direct the City Clerk-Treasurer to notify Blue Rivers Area Agency that their request will be considered as part of the budget process for the next fiscal year.

Mayor Bequette introduced the agenda item regarding the request from CHI Health St. Mary's to put up some light pole banners in the median on Grundman Blvd leading up the hill to St. Mary's. Dr Defreese spoke to thank the Council and withdrew the request.

Moved by Commissioner Johns and seconded by Wehling to award the 16th Street Improvements Project to the low bidder, Pavers Inc. out of Waverly, NE in the amount of \$339,678.00. Marty Stovall spoke to explain 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 Mayor Bequette to approve the Professional Agreement with JEO Consulting Group, LLC to design the 2021 Street Improvements asphalt overlay not to exceed \$49,900.00. Marty Stovall spoke to explain 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 approve change order #3 in the amount of \$25,522.00 for the Fire Station Renovation Project. Marty Stovall spoke to explain 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 Glover to approve Substitution of Trustee naming City Attorney as Trustee for Deed of Trust for 1724 North 11th Street. 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 EMS request to purchase inventory system from UCapIt Vending from Mason City Iowa for the EMS Department. Upon roll call, the following voted YES: Davis, Wehling, Johns, Glover and Mayor Bequette. Voting NO: None. Motion carried.

Mayor Bequette introduced **Ordinance 3067-21** to repeal and replace Article IV of Chapter 33 of the City Code related to sidewalk obstructions. The first reading of Ordinance 3067-21 was completed. Council discussed making additional changes and agreed not to take any action on this Ordinance or the following item which was to approve new applications for sidewalk obstruction permits and sidewalk obstruction exceptions. No action was taken for these two items aside from the first reading of the Ordinance.

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.

---

Randy A. Dunster, City Clerk-Treasurer