

CITY OF NEBRASKA CITY, NEBRASKA
MINUTES OF CITY COUNCIL REGULAR MEETING
May 17, 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 May 17, 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. 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 May 3, 2021 City Council Meeting.

Approve the request to close 1st Avenue from 5th Street to 6th Street on June 6, 2021 from 3:00pm to 7:00pm for a church dinner.

Approve the request from NCTC to host a community picnic event at north Wildwood Park on Sunday, June 13, 2021, from 11:00am to 2:00pm with a rain date of Tuesday, June 15, 2021 5:00 pm to 7:00 pm.

Approve the Nebraska City Jaycees request to hold their Independence Day Celebration on Saturday July 3rd with a rain date of July 4th and to hold their annual road block fundraiser at the intersection of 10th Street and Central Ave from 9:00am to 1:00pm on Saturday June 12th with a rain date on Saturday June 19th, 2021.

Approve the parking request for the Applejack Car Show on September 19th, 2021.

Approve the BPW recommendation of GWO#73.00502 to extend the Gas Main for Zahn Subdivision East side of Syracuse from 16th and Ash east a total of 1,240' for \$21,915.62.

Approve the BPW recommendation of GWO#73.00504 to extend Gas Main on "H" Road in Syracuse 1,600' to serve as a future loop to the hospital and to new home construction for \$8,545.24.

Approve the BPW recommendation of EWO#71.00506 to bury 3 phase 4160v primary and set 3 phase transformer for the Housing Authority for \$36,172.08.

Approve the BPW recommendation of EWO#71.00512 to bury 3 phase 4160v primary, set transformers, set cabinets, install services and install 4 street lights for Studio One Townhomes for \$149,895.45 with the customer paying \$65,067.41 and NCU paying \$84,828.04. 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 recognized Mrs. Nancy Hoch for her many years of dedicated service to the Nebraska City community, noted her many accomplishments and also her passing on May 5, 2021.

Moved by Mayor Bequette to appointment of Matthew Rutt to the Planning and Zoning Commission. 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 April 30, 2021, Total Nebraska City funds of \$6,904,055.54. Total Cash and Reserve for Nebraska City Utilities of \$14,337,229.13. Total City of Nebraska City and Utility funds \$21,241,284.67.

Council acknowledged receipt of City Administrator Report. Lou Leone spoke regarding his report.

Council acknowledged receipt of Utility Financial Report for period ending March 31, 2021.

Council acknowledged receipt of Utility Claims for period ending April 30, 2021.

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 May 4, 2021 to May 17, 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.

Claims List					
May 17, 2021					
Payroll	Multiple	\$134,174.25	Landis Engine Company, Inc.	Rep/Maint	\$34.24
Larson Motors	Capital Outlays	\$27,515.00	League of Nebr. Municipalities	Training	\$130.00
Quality Brands of Lincoln	Resale	\$573.90	Lynn Peavey Company	Supplies	\$196.95
Petty Cash	Pool Start-up	\$350.00	Matheson Tri-Gas, Inc.	Supplies	\$332.20
K&Z Distributin	Resake	\$104.10	Mead Lumber	Multiple	\$1,033.92
NE Dept of Revenue	Multiple	\$1,594.42	Mercer's Do-It-Best	Multiple	\$271.32
NC Clerk Treasurer	EDRLF	\$320.00	MERZ INK	Multiple	\$1,020.59
A-1 Locksmith	Donation Purchase	\$240.00	Midwest Turf and Irrigation	Rep/Maint	\$817.25
Adkins Signs	Rep/Maint	\$20.00	Miller Monroe Farrell	Ins	\$19,461.00
AKRS Equipment	Rep/Maint	\$25.58	Mullenax Auto Supply	Multiple	\$131.26
AMERICAN NATIONAL BANK	Loan	\$2,883.79	MUNICIPAL EMERGENCY SERV	Uniforms	\$56.00
American Recycling &	Trash	\$474.45	NAPA AUTO PARTS	Multiple	\$205.18
AQUA-CHEM, INC	Multiple	\$3,518.73	NATIONWIDE BONDS	Bond	\$100.00
Arbor Mart, Inc	Fuel	\$2,630.34	Nationwide Trust Contributions	Retirement Plan	\$2,146.00

Arbor Valley Animal Clinic	Animal Expense	\$128.15	NC Clerk - Treasurer	Filing Fee	\$20.00
Barrett Construction Company	Grant Purchase	\$2,500.00	Nebraska City Utilities	Utilities	\$8,757.83
Benefiel Truck Repair	Rep/Maint	\$466.99	NEVCO INC	Rep/Maint	\$841.92
Bill Walters & Son Shop, Inc.	Rep/Maint	\$220.89	O'Reilly Auto Parts	Rep/Maint	\$126.92
Bohl Plumbing and Heating	Rep/Maint	\$40.92	Odey's Inc.	Rep/Maint	\$169.90
Bound Tree Medical LLC	Medical Supplies	\$1,318.31	Otoe County Clerk	Dispatch	\$4,987.50
Brown's Shoe Fit Company	Uniforms	\$136.00	Pepsi-Cola of Lincoln	Beverages	\$293.90
Capital Business Systems	Contract Service	\$287.22	QUICK MED CLAIMS	Ground Trips/Revenue	\$5,495.71
Card Services	Multiple	\$1,497.46	Quill Corporation	Multiple	\$91.15
CHEEVER CONSTRUCTION CO	CDBG	\$91,224.90	Ragland Painting	Multiple	\$2,928.00
DAS STATE ACCTG - CENTRAL	Radio Systems Fee	\$290.00	River View Pest Control	Pest Control	\$333.00
Douglas Tire Co.	Rep/Maint	\$185.95	SCHEELE KAYTON CONSTRUCTION	Capital Imprv	\$75,872.70
Eakes Office Solutions	Multiple	\$270.60	Sunset Law Enforcement, LTD	Ammo	\$2,384.70
Fareway Stores, Inc.	Multiple	\$271.12	Tag's One Stop	Fuel	\$63.49
FELD FIRE	Contract Service	\$700.00	Time Warner Cable	Cable	\$115.90
FRONTIER COOPERATIVE	Multiple	\$555.00	TITUS CONSTRUCTION	Refund	\$200.00
GREAT PLAINS UNIFORMS	Uniforms	\$119.00	Tree Worx Tree Service, LLC	Stump Removal	\$3,055.00
Fredrey L Halteman	Capital Imprv	\$5,760.00	Unifirst Corporation	Contract Service	\$80.77
TONY HARRIS	Refund	\$25.00	VAIRKKO	Computer	\$98.00
HENRY MOTORS SERVICE	Rep/Maint	\$270.00	VALLEY CORPORATION	Const	\$233,016.06
Ideal Pure Water	Supplies	\$66.00	WESTLAKE ACE HARDWARE	Multiple	\$454.55
JEO Consulting Group, Inc.	Multiple	\$6,194.50	WEX BANK	Fuel	\$2,198.37
Ag Solutions Group LLC	Rep/Maint	\$486.25	Windstream, Inc.	Phone/Internet	\$55.56

Moved by Commissioner Johns and seconded by Wehling to allow a civic group of business owners to maintain and care for the “bumpouts” on Central Avenue from 11th Street to 5th Street. Kelly Bequette, Doug Grimm, Marty Stovall and Amy Allgood 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 Wehling and seconded by Davis to approve the request from NCTC to host the Treestock Music Festival on the north side of Steinhart Park on July 3rd 2021. Amy Allgood spoke to explain the request. Upon roll call, the following voted YES: Davis, Wehling, Johns, Glover and Mayor Bequette. Voting NO: None. Motion carried.

Commissioner Johns departed the meeting at 6:41pm and returned at 6:42pm.

Moved by Commissioner Wehling and seconded by Mayor Bequette to approve the request from the Community Foundation to host an out-door concert on August 29, 2021 and to use the Veterans Memorial Building parking lot and to close 8th Street from Central Ave to 1st Corso from 4:00pm to 9:00pm and reserve the Memorial Way as a backup location. Jim Kuhn 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 3069-21** to amend Chapter 7 of the Code to add a section allowing a Trap-Neuter-Release program for community cats and amending the existing code to allow for such a program and with the understanding that the program administrator entity at this time is Nebraska City Cats Trap, Neuter and Return. Drew Graham and Rachel Innman spoke to explain the request. Upon roll call the following voted YES: Johns, Wehling, Davis and Mayor Bequette. Voting NO: Glover. Motion carried.

ORDINANCE NO. 3069-21

AN ORDINANCE TO AMEND CHAPTER 7 OF THE CODE OF THE CITY OF NEBRASKA CITY, NEBRASKA, TO ADD A SECTION ALLOWING A TRAP-NEUTER-RELEASE PROGRAM FOR COMMUNITY CATS AND AMENDING THE EXISTING CODE TO ALLOW FOR SUCH A PROGRAM; REPEAL THE ORIGINAL SECTIONS AND TO PROVIDE FOR AN EFFECTIVE DATE.

Council provided unanimous consent to direct the City Attorney to contact the Lessee of City property regarding a request to access private land through City owned property parcel #999554537 from Karen Stigge. Karen Stigge and Dave Ramold spoke to explain their request.

Moved by Commissioner Glover and seconded by Johns to approve the listing of actions that Spyglass Communications Audit has found and the Admin Department has recommended. Randy Dunster 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 Glover and seconded by Mayor Bequette to approve revision of the Personnel Manual to clarify that part time employees do not receive the benefits of paid holiday time or paid vacation time. Upon roll call, the following voted YES: Davis, Wehling, Johns, Glover and Mayor Bequette. Voting NO: None. Motion carried.

Council agreed to table the upcoming renewal of an interlocal agreement with the Airport Authority for provision of fixed-base operator services; and discussion of the financial future of the Airport Authority until the Airport Authority has had an opportunity to meet and discuss the item as well. Arlin Stutheit and Drew Graham spoke to explain the item.

Moved by Commissioner Johns and seconded by Wehling to approve a contract with CCCFF for the Veterans Memorial Building and authorize the Mayor to sign. Lou Leone 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 Glover and seconded by Mayor Bequette to approve the change in policy to remove the expectation that the Rescue Department would be self-sufficient while still working to have Rescue Department revenue cover Rescue Department costs when at all possible. Upon roll call, the following voted YES: Davis, Wehling, Johns, Glover and Mayor Bequette. Voting NO: None. Motion carried.

Council provided consent to build the credit card processing fees into the City rates and to absorb the fees related to the acceptance of credit card processing.

Mayor Bequette gave a report on the Covid-19 situation.

Meeting Adjourned at 8:59 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