

CITY OF NEBRASKA CITY, NEBRASKA
MINUTES OF CITY COUNCIL REGULAR MEETING
July 19, 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 July 19, 2021. Notice of the meeting was given in advance thereof by publication in the local paper and 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 Captain Lonnie Neeman, Fire Chief Rob Schreiner, Building Inspector Keith Morrison, Utilities Director Jeff Kohrs and City Clerk-Treasurer Randy Dunster.

Mayor Bequette recognized the City Attorney Drew Graham as he is preparing to leave the employment of the City to move closer to family and begin his new practice.

Mayor Bequette moved to approve the following consent items:

Approve minutes from the July 6, 2021 City Council Meeting.

Approve the request from NCTC to hold the Nebraska City Summer Sidewalk Sales Event on July 22-24 (Formally Lemon Days) and use of the Memorial Way on Saturday July 24, 2021 to have a hot dog stand and water.

Approve Change Order No. 2 for the 6th Street Improvements Project in the amount of \$3,366.25 in savings.

Approve BPW EWO#71.00518 bury 13.8KV Delta single phase and set a transformer at 2412 South 3rd Street to a total cost of \$13,308.90 of which \$7,923.84 would be the Utilities portion and \$5,385.06 would be the customer's portion. Motion seconded by Commissioner Wehling. Upon roll call the following voted YES: Davis, Wehling, Glover, Johns and Mayor Bequette. Voting NO: None. Motion carried.

Treasurer's Monthly report was given, as of June 30, 2021, Total Nebraska City funds of \$7,697,373.86. Total Cash and Reserve for Nebraska City Utilities of \$13,718,130.50. Total City of Nebraska City and Utility funds \$21,415,504.36.

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

Council acknowledged receipt of Utility Financial Report for period ending May 2021.

Council acknowledged receipt of Utility Claims for period ending June 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 July 7, 2021 to July 19, 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					
July 19, 2021					
K&Z Distributing	Resale	\$ 274.40	Matheson Tri-Gas, Inc.	Supplies	\$ 283.15
Quality Brands of Lincoln	Resale	\$ 869.05	MENARDS - BELLEVUE	Equipment	\$ 886.52
Wex Health	Multiple	\$ 653.05	Mercer's Do-It-Best	Multiple	\$ 172.52
Miller Monroe Health	Multiple	\$ 7,908.00	MERZ INK	Multiple	\$ 86.00
NE Dept of Revenue	Multiple	\$ 9,976.80	MUNICIPAL EMERGENCY SERV	Uniforms	\$ 414.64
NC Clerk Treasurer	Multiple	\$ 150.00	NAPA AUTO PARTS	Multiple	\$ 595.91
NE Secretary of State	Misc	\$ 30.00	Nationwide Trust Contributions	Pension	\$ 2,146.00
Payroll	Multiple	\$ 159,933.24	NC Clerk - Treasurer	Multiple	\$ 48.00
United States Treasury	Misc	\$ 464.70	Nebraska City Rotary Club	Dues	\$ 250.00
A-1 Locksmith	Rep/Maint	\$ 436.00	Nebraska City Utilities	Utilities	\$ 18,508.59
ACCESS SYSTEMS LEASING	Contract Service	\$ 305.37	O'Reilly Auto Parts	Multiple	\$ 20.97
Action Technology Services	Contract Service	\$ 400.00	Odey's Inc.	Rep/Maint	\$ 974.00
Adkins Signs	Printing	\$ 30.00	Otoe County Clerk	Dispatch	\$ 4,987.50
AMERICAN NATIONAL BANK	Loan	\$ 2,745.70	Otoe County Court	Court Costs	\$ 17.00
AQUA-CHEM, INC	Chemicals	\$ 1,002.80	PAGE COUNTY ENGINEER'S OFFICE	Asphalt	\$ 1,118.70
Arbor Mart, Inc	Fuel	\$ 3,342.94	Paper Tiger Shredding, Inc.	Shredding	\$ 35.00
Richard D. Bennett, Jr.	Rock	\$ 8,038.38	Pepsi-Cola of Lincoln	Beverages	\$ 2,662.30
Bill Walters & Son Shop, Inc.	Rep/Maint	\$ 173.20	Quill Corporation	Supplies	\$ 51.98
Bohl Plumbing and Heating	Rep/Maint	\$ 539.77	R & R Products Co.	Rep/Maint	\$ 45.14
Bound Tree Medical LLC	Medical Supplies	\$ 3,046.92	ROYALTEES GOLF	Resale	\$ 232.99

Brown's Shoe Fit Company	Uniforms	\$ 119.00	Solution Computer Sales & Serv	Computer	\$ 229.98
Capital Business Systems	Contract Service	\$ 270.85	Jake Shull	Refund	\$ 200.00
Card Services	Multiple	\$ 2,863.89	SOUTHEAST SEAMLESS GUTTER	Rep/Maint	\$ 540.00
CHEEVER CONSTRUCTION CO	CDBG	\$ 293,316.30	State Fire Marshall	Training	\$ 300.00
Concrete Industries, Inc.	Multiple	\$ 525.34	Sysco Lincoln	Resale	\$ 1,733.26
DAS STATE ACCTG - CENTRAL	Radio Systems Fee	\$ 290.00	TENNIS COURTS UNLIMITED	Grant/Rep/Maint	\$ 5,500.00
Douglas Tire Co.	Rep/Maint	\$ 98.90	Lumberjack Company	Tree Expense	\$ 500.00
Eakes Office Solutions	Multiple	\$ 276.22	Time Warner Cable	Cable	\$ 115.90
Glen Edmisten	Ice	\$ 28.00	Trade Well Pallet, Inc.	Rep/Maint	\$ 1,100.00
Fareway Stores, Inc.	Multiple	\$ 867.81	Unifirst Corporation	Contract Service	\$ 232.80
Gatehouse Media NE Holdings	Adv	\$ 653.43	VAIRKKO	Computer	\$ 98.00
Hopkins Automotive Inc.	O-ring	\$ 2.52	Valentino's	Resale	\$ 84.00
Ideal Pure Water	Supplies	\$ 220.60	Van Wall Turf & Irrigation	Rep/Maint	\$ 155.00
J&T DISTRIBUTING, LLC	Resale	\$ 197.37	WatchGuard Video	Grant Purchase	\$ 309.00
JEO Consulting Group, Inc.	Const	\$ 15,936.25	WESTLAKE ACE HARDWARE	Multiple	\$ 151.31
JOHN'S APPLIANCE	Rep/Maint	\$ 328.70	WEX BANK	Fuel	\$ 2,682.30
Ag Solutions Group LLC	Rep/Maint	\$ 926.72	Windstream, Inc.	Phone/Internet	\$ 811.00
Larson Motors	Rep/Maint	\$ 47.05	Zimco Supply Co.	Chemicals	\$ 1,832.00
Loveland Grass Pad	Chemicals	\$ 175.95			

The Council heard a discussion led by Tom Bliss of SENDD and Dan Mauk on the proposed contribution of \$175,000 of City funds towards the Workforce Housing Investment pool to be managed by SENDD under the guidance of a sub-committee composed of representatives from the city and determined to address this item during the budget discussions.

Moved by Commissioner Glover and seconded by Wehling to approve the use of the Memorial Building Parking Lot and SDL request from Backstage Bar, LLC to be held on August 14, 2021 from 11:00AM to 10:00PM. Cari Lee spoke to explain the event. 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 the Nebraska City Fast Pitch Softball Association to construct a press box on Field 3 at the Softball Complex at the end of July or as soon as possible. Phil Silvius and Nick Schmitz spoke to explain the request. Upon roll call, the following voted YES: Davis, Wehling, Johns, Glover and Mayor Bequette. Voting NO: None. Motion carried.

The Council provided unanimous direction for the City Attorney to draft an Ordinance to vacate a portion of 11th Corso between S. 10th Street and S. 11th Street and reserve Title of the property for sale to Lifetime Vision Center. Darin Wright, Dan Rosenthal and Keith Morrison spoke to explain the request.

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 3074-21** to create a Public Right-of-Way Shared Mobility Device Pilot Program for personal use electric scooter rental service in Nebraska City and to amend section 7 subparagraph G to include a \$300.00 annual fee. Drew Graham spoke to explain the item. Upon roll call the following voted YES: Johns, Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

ORDINANCE NO. 3074-21

AN ORDINANCE TO ESTABLISH A PILOT PROGRAM TEMPORARILY GOVERNING THE USES OF SHARED MOBILITY DEVICES IN THE PUBLIC RIGHT-OF-WAY.

Commissioner Johns departed the meeting at 7:30pm and returned at 7:32pm.

The Council directed the City Administrator to publish a Public Right-of-Way Shared Mobility Device Pilot Program Request for Qualifications. Drew Graham spoke to explain the item.

The Council did not take any action on a Draft Agreement to be entered into with an eventual provider pursuant to the Public Right-of-Way Shared Mobility Device Pilot Program as the agreement would need to be brought back to a future City Council Meeting.

Moved by Mayor Bequette and seconded by Johns to approve the request from EMS to close 14th Ave from 13th Street to 11th Street from 8:00AM to approximately 5:00PM for a full-scale Fire/EMS Drill on Saturday September 11, 2021. Andrew Snodgrass spoke to explain the request. Upon roll call the following voted YES: Johns, Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

The City Administrator discussed with the Council the status of replacing the City's General Insurance policy. No action was taken.

Moved by Commissioner Johns and seconded by Wehling to award 2021 Asphaltic Concrete Overlay, CDBG No. 16-CD-204 to Pavers Inc. Waverly, NE. 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 to complete a Nebraska Game & Parks Grant Application for the Trails Project. Doug Friedli spoke to explain the request. Upon roll call, the following voted YES: Davis, Wehling, Johns, Glover and Mayor Bequette. Voting NO: None. Motion carried.

The Council provided unanimous consent for Drew Graham to provide the interim legal counsel as a replacement City Attorney is being sought after his last day of employment which will be July 23, 2021. Lou Leone and Jeff Kohrs expressed their support as well.

Moved by Mayor Bequette and seconded by Wehling to approve Fire/EMS to submit a grant application to Firehouse Subs Restaurant in the amount of \$20,000.00 for the purchase of Lucas equipment and other equipment that qualifies under the grant guidelines. Andrew Snodgrass spoke to explain the request. Upon roll call the following voted YES: Johns, Wehling, Glover, Davis and Mayor Bequette. Voting NO: None. Motion carried.

Drew Graham informed the Council that no offers have been received regarding the sale of the EMS house since the last meeting.

Meeting Adjourned at 8:02 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