

CITY OF NEBRASKA CITY, NEBRASKA
MINUTES OF CITY COUNCIL REGULAR MEETING
February 20, 2023

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 February 20, 2023. 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 and stated that the meeting was being conducted under the Open Meetings Act. This meeting is also being recorded. Mayor Bequette then led in the Pledge of Allegiance. Upon roll call the following answered present: Ron Osovski, Patrick Wehling, Joe Chaney, Cole Sharp and Mayor Bequette. Absent: None. The following City Officials were present: Interim City Administrator Marty Stovall, Police Chief David Lacy, Fire Chief Rob Schreiner, Utilities Director Jeff Kohrs, Director of Parks and Recreation Nick Schmitz, Street Foreman Lonnie Horstmann and City Clerk-Treasurer Randy Dunster.

Mayor Bequette moved to approve the following consent items:

Approve the report of new claims and approving disposition of claims set for the period of February 7, 2023 to February 20, 2023.

Approve an SDL Request from Nebraska City Knights Inc. for a fundraiser event to be held on March 25, 2023 at Lourdes Central High School from 4:00 PM to 11:00 PM.

Approve the BPW EWO#578 to provide electrical service to 355 N 54th Road, Nebraska City with the Customer share of \$10,987.28, NCU share of \$12,642.08 for a total cost of \$23,629.36. Motion seconded by Commissioner Wehling. Upon roll call the following voted YES: Osovski, Wehling, Sharp, Chaney and Mayor Bequette. Voting NO: None. Motion carried.

Claims List					
February 20, 2023					
Payroll	Salaries	\$131,794.41	Larson Motors	Rep/Maint	\$409.04
NE Dept of Revenue	Sales Tax	\$70.06	Lifeguard Auto Service Center	Rep/Maint	\$1,412.20
ZIRMED	CC Fees	\$166.87	MADSEN ELECTRIC, LLC	Rep/Maint	\$602.50
Wex Health, Inc	Benefits	\$730.25	Matheson Tri-Gas, Inc.	Supplies	\$370.78
Arbor Mart, Inc	Fuel	\$3,160.30	Mead Lumber	Rep/Maint	\$49.98
Associated Fire Protection	Rep/Maint	\$350.00	NAPA AUTO PARTS	Rep/Maint	\$678.38
AT&T MOBILITY	Internet	\$89.72	Nationwide Trust Contributions	Retirement Plan	\$2,146.00
DUSTIN BEHNE	Refund	\$5.00	Nebraska City Utilities	Utilities	\$10,806.15
Christian Blum	Referee	\$210.00	NDEE	Permit	\$40.00
Bohl Plumbing and Heating	Rep/Maint	\$17.55	NE Liquor Control Commission	License	\$45.00
Bound Tree Medical LLC	Medical Supplies	\$5,173.86	NE Planning & Zoning Assoc.	Training	\$200.00
Brown Glass Company	Rep/Maint	\$150.00	NSG Logistics, LLC	Road Salt	\$5,738.16
Capital Business Systems	Contract Serv	\$426.37	NEBRASKA CITY T.N.R.	T.N.R. Program	\$90.00
Card Services	Supplies	\$1,449.08	NEVCO INC	Scoreboard	\$13,353.15
Cherry Road Media Inc.	Adv	\$1,009.26	O'Reilly Auto Parts	Colormaxx	\$861.49
CITY OF NC	Flower Basket Bump-out	\$28,500.00	Otoe County Clerk	Dispatch	\$4,987.50
CLINE WILLIAMS WRIGHT JOHNSON	TIF Legal	\$2,112.00	Otoe County Treasurer	Taxes	\$433.12
Consolidated Management Co	Training	\$43.25	QUADIENT FINANCE USA, INC	Postage	\$400.00
DAS STATE ACCTG - CENTRAL	Radio Systems Fee	\$290.00	REAMS Sprinkler Supply Co.	Rep/Maint	\$359.04
Douglas Tire Co.	Rep/Maint	\$435.50	River View Pest Control	Pest Control	\$204.00
Eakes Office Solutions	Supplies	\$72.30	Southeast Nebr. Develop. Dist.	CDBG	\$10,034.05
Fareway Stores, Inc.	Supplies	\$7.58	State Fire Marshall	Training	\$50.00
FARMERS & MERCHANTS BANK	Loan	\$4,017.02	Stryker Medical	Rep/Maint	\$175.74
FRONTIER COOPERATIVE	Propane	\$70.00	TARGETS ONLINE	Supplies	\$60.00
Ryan Graf	Training	\$100.00	Truck & Trailer Repair	Rep/Maint	\$200.00
Hireright GIS Intermediate Cor	Screenings	\$59.20	Time Warner Cable	Cable	\$144.46
John Hodges	Referee	\$150.00	Tom's Radio	Tower Rent	\$1,035.00
Hopkins Automotive Inc.	Rep/Maint	\$6.99	Unifirst Corporation	Contract Serv	\$262.33
Ideal Pure Water	Supplies	\$66.00	VAIRKKO	Computer	\$98.00
Inland Truck Parts	Rep/Maint	\$387.08	Van Wall Turf & Irrigation	Rep/Maint	\$197.92
JEO Consulting Group, Inc.	Construction Serv	\$9,500.00	WESTLAKE ACE HARDWARE	Rep/Maint	\$34.77
William Juilfs	Referee	\$120.00	WEX BANK	Fuel	\$359.53
Ag Solutions Group LLC	Rep/Maint	\$966.92	Windstream, Inc.	Phone/Internet	\$761.08
Landis Engine Company, Inc.	Rep/Maint	\$14.95	Zoll Medical Corporation GPO	ZOLL Billing	\$552.50

Mayor Bequette and Chief Schreiner made the introduction of Josh Epp as a new Volunteer Firefighter.

Moved by Mayor Bequette to appoint Lynn Heng and Doug Friedli to the Dock Board. Upon roll call the following voted YES: Chaney, Wehling, Sharp, Osovski and Mayor Bequette. Voting NO: None. Motion carried.

Dean Schissler gave the Council the Annual Museum Report for 2022.

Kelly Bequette gave the Council the Annual Flower Baskets and Bump-Outs Report for 2022.

Treasurer's Monthly report was given, as of January 31, 2023, Total Nebraska City funds of \$10,255,865.77. Total Cash and Reserve for Nebraska City Utilities of \$13,709,360.48. Total City of Nebraska City and Utility funds \$23,965,226.25.

Council acknowledged receipt of City Administrator Report. Randy Dunster spoke regarding the report.

Council acknowledged receipt of Utility Claims for period ending January 31, 2023.

Mayor Bequette opened the Public Hearing to Amend the City of Nebraska City Community Development Block Grant, Economic Development Revolving Loan Fund Program (CDBG – EDRLF). Mayor Bequette recognized that Otoe County Commissioners Jarad Sorensen and Rick Freshman were also present for the public hearing. Kelly Gentrup from SENDD spoke to explain the item. 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: Chaney, Wehling, Sharp, Osovski and Mayor Bequette. Voting NO: None. Motion carried.

Mayor Bequette opened the Public Hearing to Discontinue the City of Nebraska City Community Development Block Grant, Economic Development Revolving Loan Fund Program (CDBG – EDRLF). Mayor Bequette recognized that Otoe County Commissioners Jarad Sorensen and Rick Freshman were also present for the public hearing. Kelly Gentrup from SENDD and Marty Stovall spoke to explain the item. Gloria Glover spoke to ask a question. Mayor Bequette moved to close the Public Hearing, seconded by Commissioner Osovski. Upon roll call the following voted YES: Chaney, Wehling, Sharp, Osovski and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Mayor Bequette and seconded by Wehling to approve minutes from the February 6, 2023 City Council Meeting and amending the second to last paragraph to read, "unanimous consent to continue moving forward". Upon roll call, the following voted YES: Osovski, Wehling, Chaney, Sharp and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Commissioner Osovski and seconded by Chaney to approve **Resolution 2932-23** to amend the City of Nebraska City Community Development Block Grant, Economic Development Revolving Loan Fund Program (CDBG – EDRLF). Upon roll call, the following voted YES: Osovski, Wehling, Chaney, Sharp and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Commissioner Osovski and seconded by Sharp to approve **Resolution 2933-23** to discontinue the City of Nebraska City Community Development Block Grant, Economic Development Revolving Loan Fund Program (CDBG – EDRLF). Upon roll call, the following voted YES: Osovski, Wehling, Chaney, Sharp and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Mayor Bequette and seconded by Wehling that the statutory rule requiring reading on three different days be suspended. Upon roll call the following voted YES: Chaney, Wehling, Sharp, Osovski 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 Chaney for final passage of **Ordinance 3094-23** to Create Paving District for 11th Street Improvements. Andy Forney from DA Davidson spoke to explain the item. Upon roll call the following voted YES: Chaney, Wehling, Sharp, Osovski and Mayor Bequette. Voting NO: None. Motion carried.

ORDINANCE NO. 3094-23

AN ORDINANCE OF THE CITY OF NEBRASKA CITY, NEBRASKA CREATING STREET IMPROVEMENT DISTRICT NO. 2023-1; DEFINING THE BOUNDARIES AND LIMITS THEREOF; PROVIDING FOR PAVING, GRADING, CURBING, GUTTERING AND OTHER NECESSARY AND INCIDENTAL WORK; APPROVING PLANS, SPECIFICATIONS, AND ESTIMATES OF COST; PROVIDING FOR THE SECURING OF BIDS; PROVIDING FOR THE PAYMENT OF SUCH IMPROVEMENTS AND OTHER INCIDENTAL EXPENSES BY THE ISSUANCE OF WARRANTS, BOND ANTICIPATION NOTES AND BONDS; PROVIDING THAT NO PROPERTY WILL BE SPECIALLY BENEFITED BY SUCH IMPROVEMENTS AND PROVIDING FOR THE LEVY OF GENERAL TAXES; PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET OR ELECTRONIC FORM; AND RELATED MATTERS.

Moved by Mayor Bequette and seconded by Osovski that the statutory rule requiring reading on three different days be suspended. Upon roll call the following voted YES: Chaney, Wehling, Sharp, Osovski 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 Osovski for final passage of **Ordinance 3095-23** to Create Paving District for 11th Street Improvements Bond Note. Andy Forney from DA Davidson spoke to explain the item. Upon roll call the following voted YES: Chaney, Wehling, Sharp, Osovski and Mayor Bequette. Voting NO: None. Motion carried.

ORDINANCE NO. 3095-23

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF BOND ANTICIPATION NOTES, SERIES 2023, OF THE CITY OF NEBRASKA CITY, NEBRASKA, OF THE PRINCIPAL AMOUNT OF NOT TO EXCEED TWO MILLION FIFTY THOUSAND DOLLARS (\$2,050,000) FOR THE PURPOSE OF PROVIDING INTERIM FINANCING FOR A PORTION OF THE COSTS OF CONSTRUCTING IMPROVEMENTS IN STREET IMPROVEMENT DISTRICT NO. 2023-1 OF THE CITY PENDING THE ISSUANCE OF PERMANENT GENERAL OBLIGATION BONDS; PRESCRIBING THE FORM OF SAID NOTES; AGREEING TO ISSUE GENERAL OBLIGATION BONDS TO PAY THE NOTES AT MATURITY OR TO PAY THE NOTES FROM OTHER AVAILABLE FUNDS; ENTERING INTO A CONTRACT ON BEHALF OF THE CITY WITH THE HOLDERS OF SAID NOTES; AND ORDERING THIS ORDINANCE PUBLISHED IN PAMPHLET OR ELECTRONIC FORM.

Moved by Mayor Bequette and seconded by Sharp to approve the Rural Work Force Housing Grant Commitment Letter to NDED and authorize Commissioner Sharp to sign. Kelly Gentrup from SENDD and Marty Stovall spoke to explain this item. Upon roll call the following voted YES: Chaney, Wehling, Sharp, Osovski and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Commissioner Wehling and seconded by Osovski to approve the Request for Proposals for the Comparable Pay Study. Marty Stovall spoke to explain the item. Upon roll call, the following voted YES: Osovski, Wehling, Chaney, Sharp and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Commissioner Chaney and seconded by Osovski to approve award 2022 1st Corso Improvements to Pavers Inc. Waverly Nebraska in the amount of \$788,992.25. Marty Stovall spoke to explain the item. Upon roll call, the following voted YES: Osovski, Wehling, Chaney, Sharp and Mayor Bequette. Voting NO: None. Motion carried.

Council discussed financing options for the Clint & Kim Kreifels subdivision. Marty Stovall and Jeff Kohrs spoke to explain the item. Council approved to move forward with Bond Council.

Moved by Commissioner Wehling and seconded by Sharp to approve JEO Task Order No. 23-02 Phase I Engineering for Sports Complex in the amount of \$76,000. Nick Schmitz spoke to explain the item. Upon roll call, the following voted YES: Osovski, Wehling, Chaney, Sharp and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Mayor Bequette and seconded by Osovski for the Council to go into closed session for the protection of public interest specifically under the Open Meetings Act Subparagraph E for the Community Trust created under section 81-1801.82 discussion regarding amounts to be paid to individuals who have suffered from a tragedy of violence, and be joined by the Interim City Administrator Marty Stovall and the Chief of Police David Lacy.

Council began the closed session at 7:32 PM.

Council came out of closed session and resumed the Open Session at 7:51 PM stating that no action was taken during closed session. Moved by Mayor Bequette and seconded by Wehling for the Council to deny the claim by Mr. & Mrs. Roth for approximately \$6,600.00 to the City.

Meeting Adjourned at 7:53 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