

CITY OF NEBRASKA CITY, NEBRASKA
MINUTES OF CITY COUNCIL REGULAR MEETING
July 3, 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 July 3, 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, Joe Chaney, Cole Sharp and Mayor Bequette. Absent: Patrick Wehling.

Mayor Bequette moved to approve the following consent items:

Approve minutes from the June 23, 2023 Special City Council Meeting.

Approve the report of new claims and approving disposition of claims set for the period of June 20, 2023 to July 3, 2023.

Approve Liquor License Manager Application for Cassandra M Gerih at Kwik Shop Inc. Store number 649.

Approve the BPW recommendation to trade in a 2009 Ford F-150 and purchase a Ford F-250 4X4 truck with a fiberglass box for a total of \$72,903.

Approve the BPW recommendation to replace the 1996 Ditch Witch trencher with the purchase of a RT70 Ditch Witch trencher for a price not to exceed \$215, 000.

Approve the BPW recommendation to replace the 2013 Toro trencher with the purchase of a RT45 Ditch Witch trencher for a price not to exceed \$120,000. Motion seconded by Commissioner Osovski. Upon roll call the following voted YES: Osovski, Sharp, Chaney and Mayor Bequette. Voting NO: None. Motion carried.

Claims List					
July 3, 2023					
Thompson Painting	WWPH Grant	\$3,900.00	JOHNSON BROTHERS OF NE	Resale	\$559.35
Ameritas Life Ins	Benefits	\$10,002.80	Jones Automotive, Inc.	Capital	\$225.69
Medica	Benefits	\$49,591.63	Kreifels Electric L.L.C.	Rep/Maint	\$390.00
Lincoln Financial Group	Benefits	\$7,364.81	Landis Engine Company, Inc.	Rep/Maint	\$9.10
Quality Brands of Lincoln	Resale	\$895.40	LANT HARDWARE, INC	Supplies	\$426.96
K&Z Distributing	Resale	\$243.85	LOLMANN, MICHAEL	Refund	\$200.00
Payroll	Salaries	\$198,122.58	Loveland Grass Pad	Grounds	\$121.23
A-1 Locksmith	Rep/Maint	\$565.00	Perry Mader	Rep/Maint	\$20.42
AETNA	Refund	\$1,676.47	MUTUAL OF OMAHA	Refund	\$92.36
Animal Hospital	Animal Exp	\$632.35	NAPA AUTO PARTS	Supplies	\$278.48
AQUA-CHEM, INC	Chemicals	\$2,901.20	NC Clerk - Treasurer	Filing Fee	\$50.00
Arbor Mart, Inc	Fuel	\$4,277.10	Nebraska City Museum Assoc.	City Curator	\$2,416.67
Gary Barton	Refund	\$200.00	NC VETERANS MEMORIAL BUILDING	VMB Q Pmt	\$15,000.00
Benefiel Truck Repair	Rep/Maint	\$366.80	NC Tourism & Commerce	Tourism	\$7,083.33
Bohl Plumbing and Heating	Rep/Maint	\$360.48	PAINTER, MICHELLE	Event	\$108.07
Bound Tree Medical LLC	Medical Supplies	\$2,540.01	Pepsi-Cola of Lincoln	Beverages	\$1,495.70
Paul W Essman	Pay Study	\$15,000.00	Quill Corporation	Computer	\$12.99
Cherry Road Media Inc.	Adv	\$557.82	RANDALL RHOADES	Refund	\$25.00
CHI HEALTH ST. MARY'S	Screening	\$662.00	River View Pest Control	Pest Control	\$353.00
CONSTRUCTORS, INC	Const	\$422,271.76	SOUTHEAST COMMUNITY COLLEGE	Training	\$234.00
COUNTRYSIDE BANK	Loan	\$978.09	SOUTHEAST NE TOURISM COUNCIL	Adv	\$200.00
DON JOHNSON HOMES	Refund	\$100.00	Stryker Medical	Rep/Maint	\$1,212.90
Katie Drake-Heng	Training	\$223.14	Edwin Dean Reese	Rep/Maint	\$45.00
Eakes Office Solutions	Supplies	\$885.30	Sysco Lincoln	Resale	\$3,248.20
Fareway Stores, Inc.	Resale	\$1,117.42	Lumberjack Company	Contract labor	\$820.00
Fastenal Company	Supplies	\$29.54	Truck & Trailer Repair	Rep/Maint	\$500.00
GREG GALARDI	Refund	\$25.00	UHC	Refund	\$12,107.30
GREAT PLAINS UNIFORMS	Uniforms	\$48.50	Unifirst Corporation	Contract Serv	\$262.33
HILLMAN MASONRY & RESTORATION	Refund	\$100.00	Valentino's	Resale	\$204.00
Hireright GIS Intermediate Cor	Screening	\$65.20	VERIZON WIRELESS	Phone/Internet	\$705.87
HRTRAININGCENTER.COM	Training	\$2,195.00	VW GOLF, INC	Resale	\$207.36
HUSKER CHEM SALES	Chemicals	\$2,112.50	WESTLAKE ACE HARDWARE	Supplies	\$151.67
J WINDLE DISTRIBUTING, INC	Resale	\$378.24	Windstream, Inc.	Phone/Internet	\$534.11
JEO Consulting Group, Inc.	Const	\$35,959.00	Zimco Supply Co.	Chemicals	\$3,633.25

Mayor Bequette introduced Thomas Krisko and Cory Clark as Volunteer Firefighters.

Moved by Mayor Bequette to appoint Dan Swanson to the Dock Board to fill the remainder of Dan Patton's term. Upon roll call the following voted YES: Chaney, Sharp, Osovski and Mayor Bequette. Voting NO: None. Motion carried.

Mayor Bequette postponed the Public Hearing on the Citizen's Advisory Review Committee's Annual Report to the July 17, 2023 City Council Meeting as the Public Hearing Notice published in the paper stated it would be.

Mayor Bequette requested the second of three readings of **Ordinance 3097-23** on the Annexation of Kreifels Hills Subdivision.

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, 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 3101-23** to Vacate a portion of 11th Corso between 3rd Street and 4th Street, Blocks 69 & 70 Kearney Addition. Upon roll call the following voted YES: Chaney, Sharp, Osovski and Mayor Bequette. Voting NO: None. Motion carried.

ORDINANCE NO. 3101-23

AN ORDINANCE TO VACATE A PORTION OF 11th CORSO IN KEARNEY ADDITION NEBRASKA CITY, OTOE COUNTY, NEBRASKA, AS DESCRIBED IN SECTION 1 HEREOF; AND TO DECLARE AN EFFECTIVE DATE.

Mayor Bequette postponed taking action on the Memorial Building Elevator Service Agreement with TK Elevator Corporation. Perry Mader, Drew Graham, Jim Kuhn and Gloria Glover spoke to explain the item.

Mayor Bequette postponed the discussion regarding a proposal to pass a Resolution to invest funds into Nebraska CLASS as the representative was unable to attend the meeting to explain the proposal.

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, 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 3102-23** to approve the BPW recommendation to use the new Natural Gas Rate Structure and Rate Ordinance as presented by Andrew Ross effective July 1, 2023. Upon roll call the following voted YES: Chaney, Sharp, Osovski and Mayor Bequette. Voting NO: None. Motion carried.

ORDINANCE NO. 3102-23

AN ORDINANCE ESTABLISHING A SCHEDULE OF RATES TO BE CHARGED FOR NATURAL GAS SERVICE FURNISHED BY THE COMBINED UTILITY SYSTEM OF THE CITY OF NEBRASKA CITY, NEBRASKA; TO REPEAL ORDINANCE NO. 3032-19 AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; AND TO DECLARE AN EFFECTIVE DATE.

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, 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 3103-23** to approve the BPW recommendation to use the new Sanitary Sewer Rate Structure and Rate Ordinance as presented by Andrew Ross effective July 1, 2023. Upon roll call the following voted YES: Chaney, Sharp, Osovski and Mayor Bequette. Voting NO: None. Motion carried.

ORDINANCE NO. 3103-23

AN ORDINANCE TO ESTABLISH A SCHEDULE OF RATES TO BE CHARGED FOR SANITARY SEWER SERVICE FURNISHED BY THE COMBINED UTILITY SYSTEM OF THE CITY OF NEBRASKA CITY, NEBRASKA, TO REPEAL ORDINANCE No. 3012-18 OF THE CITY OF NEBRASKA CITY; AND TO DECLARE AN EFFECTIVE DATE.

Moved by Commissioner Osovski and seconded by Sharp to approve the BPW recommendation to replace the 2012 Single Man Bucket Truck with the purchase of an ATM41 Single Man Bucket Truck for a price not to exceed \$318, 000. Jeff Kohrs spoke to explain the item. Upon roll call, the following voted YES: Osovski, Chaney, Sharp and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Commissioner Osovski and seconded by Chaney to approve the BPW recommendation to purchase an In-Line Grinder to remove & destroy flushable wipes and various debris at the Wastewater Treatment Facility for a price not to exceed \$55,000. Jeff Kohrs & Jerry Whitehead spoke to explain the item. Upon roll call, the following voted YES: Osovski, Chaney, Sharp and Mayor Bequette. Voting NO: None. Motion carried.

Council tabled the request for tuition reimbursement by Meghan Engle for further research into the employee policy. Perry Mader and Drew Graham spoke to explain the item.

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 for the community trust created under section 81-1801.02 discussion regarding negotiations and possible litigation strategy with the Nebraska Railroad Museum, and be joined by the City Administrator, City Attorney and the Executive Director of Economic Development Dan Mauk.

Council began the closed session at 6:38 PM.

Council came out of closed session and resumed the Open Session at 6:50 PM stating that no action was taken during closed session. No further action was taken.

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 for the community trust created under section 81-1801.02 discussion regarding negotiations with the FOP, and to be joined by Captain Neeman and the City Attorney.

Council began the closed session at 6:52 PM.

Council came out of closed session and resumed the Open Session at 7:25 PM stating that no action was taken during closed session.

Moved by Mayor Bequette and seconded by Sharp to approve the proposed renewal agreement with the Nebraska City Police Officers Bargaining Unit #79 and the Memorandum of Understanding, (MOU), to amend the current agreement article 22 "Wages" and authorize the Mayor to sign. Upon roll call, the following voted YES: Osovski, Chaney, Sharp and Mayor Bequette. Voting NO: None. Motion carried.

Meeting Adjourned at 7:26 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