

CITY OF NEBRASKA CITY, NEBRASKA
MINUTES OF CITY COUNCIL REGULAR MEETING
August 21, 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 August 21, 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: City Administrator Perry Mader, Police Chief David Lacy, Police Sargent Ben Murry, Fire Chief Rob Schreiner, Director of Parks and Recreation Nick Schmitz, Construction and Facility Manager Marty Stovall, Deputy Clerk-Treasurer Patricia Moore, Utilities Director Jeff Kohrs, Utilities Treasurer Mona Kuhlenengel, Electric Superintendent Stuart Abbott, Utilities Assistant Office Manager Lori Neeman and City Clerk Randy Dunster.

Mayor Bequette moved to approve the following consent items:

Approve minutes from the August 7, 2023 City Council Meeting.

Approve the report of new claims and approving disposition of claims set for the period of August 8, 2023 to August 21, 2023.

Approve the Board of Public Works recommendation to purchase a 2024 ¾ ton Chevrolet 2500 HD Silverado 4X4 pickup in the amount of \$50,653.85 less \$2,500 for the trade in for a total of \$48,153.85.

Approve the Board of Public Works recommendation to purchase a 2023 Chevrolet Colorado 4X4 pickup in the amount of \$35,544.00+ sales tax. Motion seconded by Commissioner Osovski. Upon roll call the following voted YES: Osovski, Wehling, Sharp, Chaney and Mayor Bequette. Voting NO: None. Motion carried.

Claims List					
August 21, 2023					
Payroll	Salaries	\$167,968.38	League of Nebr. Municipalities	Dues	\$18,219.00
K&Z Distributing	Resale	\$342.75	LYON, PHYLLIS	Artist Sales	\$125.25
NE Dept of Revenue	Sales Tax	\$6,280.28	Matheson Tri-Gas, Inc.	Supplies	\$229.30
Wex Health, Inc	Benefits	\$683.95	MCGINTY, PAT	Artist Sales	\$30.00
Zirmed	CC Fees	\$52.66	MD Aquatics, LLC	Chemicals	\$1,223.00
World Pay Integrated	CC Fees	\$2,189.78	Mead Lumber	Rep/Maint	\$273.42
Quality Brands of Lincoln	Resale	\$439.05	Midwest Turf and Irrigation	Rep/Maint	\$218.25
Action Technology Services	Contract Serv	\$400.00	Miller Monroe Farrell	Insurance	\$92.00
Craig Adamek	Artist Sales	\$51.75	MPPC, LLC	Rental	\$325.00
AQUA-CHEM, INC	Chemicals	\$325.00	Mullenax Auto Supply	Rep/Maint	\$68.02
Arbor Country Cleaning	Rep/Maint	\$365.00	NAPA AUTO PARTS	Rep/Maint	\$389.38
Arbor Mart, Inc	Fuel	\$4,895.78	Nationwide Trust Contributions	Pension	\$2,146.00
AT&T MOBILITY	Wireless Service	\$90.59	Nebraska City Utilities	Utilities	\$715.02
AUPPERLE, MARYANN	Artist Sales	\$54.75	NEBRASKA CITY T.N.R.	T.N.R	\$60.00
Barrett Construction Company	Rock	\$665.12	NEBRASKA DENTISTRY & ORAL	Donation	\$1,501.50
BERGMAN, SUSAN	Artist Sales	\$37.50	Jennifer Novak Haar	Artist Sales	\$81.75
BLACKSTRAP, INC	Road Salt	\$1,750.32	Otoe County Clerk	Dispatch	\$4,987.50
Robert Moyer	Rep/Maint	\$75.00	Otoe County Court	Court Fees	\$17.00
Bound Tree Medical LLC	Supplies	\$293.58	PAINTER, MICHELLE	Donation	\$20.00
Card Services	Supplies	\$2,327.43	PAINTER, MICHELLE	Artist Sales	\$56.00
CARPENTER, SANDRA	Artist Sales	\$26.25	PARTSCH, TAMMY	Artist Sales	\$75.88
JOHN CASSON	Refund	\$100.00	Pepsi-Cola of Lincoln	Beverages	\$295.79
Mitch Chapin	Resale	\$313.90	RYAN PETERSON	Refund	\$25.00
Cherry Road Media Inc.	Adv	\$1,092.15	PLATTE VALLEY COMMUNICATIONS	Rep/Maint	\$136.19
CHI HEALTH ST. MARY'S	Screening	\$273.00	QUADIENT FINANCE USA, INC	Postage	\$400.00
CLIA LABORATORY PROGRAM	License	\$180.00	Ragland Painting	Rep/Maint	\$1,000.00
CLINE WILLIAMS WRIGHT JOHNSON	Legal Services	\$328.00	Roddy Family Farm, LLC	Artist Sales	\$37.50
Creighton University Medical	Training	\$277.50	SANDRY FIRE SUPPLY, LLC	Rep/Maint	\$2,099.50
DAS STATE ACCTG - CENTRAL	Radio Systems	\$290.00	Schendel Pest Control	Pest Control	\$275.00
Douglas Tire Co.	Rep/Maint	\$42.95	Leon Schiermeyer	Artist Sales	\$291.75
Eakes Office Solutions	Supplies	\$130.43	SCHWARTZ, KENT	Missoula	\$75.00
Fareway Stores, Inc.	Resale	\$888.24	Southeast Nebr. Develop. Dist.	Dues	\$6,667.00
FARMERS & MERCHANTS BANK	Loan	\$4,017.02	Sirchie Finger Print Labs	Supplies	\$69.29
FEY, JIM	Artist Sales	\$86.25	Carol Skinner Hammond	Artist Sales	\$41.00
FOREST FINDS CANDLE CO, LLC	Artist Sales	\$39.00	Southeast Plumbing & Heating	Rep/Maint	\$165.50
FRANA, DAVID	Artist Sales	\$190.50	Sunset Law Enforcement, LTD	Ammo	\$4,199.00
FRERICHS, NANCY	Artist Sales	\$102.75	SVEHLA LAW OFFICES	Legal Services	\$4,050.00
FRONTIER COOPERATIVE	Rep/Maint	\$250.00	TASC	Reporting	\$228.72
Yasamin Gharinch	Artist Sales	\$37.50	Lumberjack Company	Contract Serv	\$6,210.00

Kay Glenn DBA Nutured	Artist Sales	\$66.00	Time Warner Cable	Cable	\$140.45
GREAT PLAINS UNIFORMS	Uniforms	\$177.98	Tom's Radio	Tower Rent	\$1,035.00
HEINE, LORI	Artist Sales	\$210.00	Unifirst Corporation	Contract Serv	\$163.92
HENRY MOTORS SERVICE	Rep/Maint	\$20.00	United Healthcare	Refund	\$707.23
HOLLIWAY, MARCIA	Artist Sales	\$138.00	VADON, JANET	Artist Sales	\$26.25
Hopkins Automotive Inc.	Rep/Maint	\$48.01	Valentino's	Resale	\$111.00
Marsha Hunzeker	Artist Sales	\$126.00	Van Wall Turf & Irrigation	Rep/Maint	\$66.75
Ideal Pure Water	Supplies	\$182.53	VIERREGGER ELECTRIC CO	Rep/Maint	\$747.50
J WINDLE DISTRIBUTING, INC	Resale	\$94.56	WAHL, RON	Artist Sales	\$157.50
J.P. Cooke Company	Supplies	\$160.55	WALDE, SHARON	Artist Sales	\$165.75
JEO Consulting Group, Inc.	Const	\$19,752.10	Ann Walsh	Artist Sales	\$93.75
JERALD KINZLE	Refund	\$25.00	WELLSANDT, KRIS	Artist Sales	\$42.00
Lang Diesel, Inc	Rep/Maint	\$2,649.11	WESTLAKE ACE HARDWARE	Rep/Maint	\$160.60
KUNZ INDUSTRIES, LLC	Refund	\$200.00	WEX BANK	Fuel	\$450.81
Marie Lamb	Artist Sales	\$51.00	Windstream, Inc.	Phone/Internet	\$740.65
Landis Engine Company, Inc.	Rep/Maint	\$918.27	Ashleigh Wirthele	Artist Sales	\$45.00
LANT HARDWARE, INC	Rep/Maint	\$316.91	Gail Wurtele	Artist Sales	\$60.00
Larson Motors	Rep/Maint	\$120.95	Zimco Supply Co.	Grounds	\$639.00

Mayor Bequette opened the Public Hearing on the use of \$81,264.73 of Growth Funds as a grant to be used as matching funds by the Southeast Rural Workforce Housing Grant Consortium to qualify for grant funds through the Nebraska Rural Workforce Housing program. Dan Mauk spoke to explain the item. No other comments were made by the public. Mayor Bequette moved to close the Public Hearing, seconded by Commissioner Sharp. 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 on the One-and Six-Year Road and Street Plan for Nebraska City. Marty Stovall spoke to explain the item. No other comments were made by the public. Mayor Bequette moved to close the Public Hearing, seconded by Commissioner Chaney. 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 on the Application for the Community Development Block Grant Program, (CDBG) with a City match of \$250,502.50 for a total amount of \$680,502.50. Mary Brown, Rex Nelson and Dan Mauk spoke in favor of the item. No other comments were made by the public. 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.

Treasurer's Monthly report was given, as of July 31, 2023, Total Nebraska City funds of \$14,752,686.23. Total Cash and Reserve for Nebraska City Utilities of \$14,360,511.89. Total City of Nebraska City and Utility funds \$29,113,198.12. Council acknowledged receipt of City Administrator Report. Perry Mader spoke regarding the report. Council acknowledged receipt of Utility Financial Report for period ending June 2023. Council acknowledged receipt of Utility Claims for period ending July 2023.

Moved by Commissioner Wehling and seconded by Osovski to approve **Resolution 2941-23** on the use of \$81,264.73 of Growth Funds as a grant to be used as matching funds by the Southeast Rural Workforce Housing Grant Consortium to qualify for grant funds through the Nebraska Rural Workforce Housing program. 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 Osovski to approve the Grant Agreement for the use of \$81,264.73 of Growth Funds as a grant to be used as matching funds by the Southeast Rural Workforce Housing Grant Consortium to qualify for grant funds through the Nebraska Rural Workforce Housing program. 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 Sharp to approve the Agreement & funding source and to designate Marty Stovall as Board Member to the Southeast Rural Workforce Housing Grant Consortium. Upon roll call the following voted YES: Chaney, Wehling, Sharp, Osovski and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Commissioner Chaney and seconded by Osovski to approve Resolution 2942-23 to approve the One-and Six-Year Road and Street Plan for Nebraska City. Upon roll call the following voted YES: Chaney, Wehling, Sharp, Osovski and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Commissioner Sharp and seconded by Wehling to approve the application for the Community Development Block Grant Program, (CDBG) with a City match of \$250,502.50 for a total amount of \$680,502.50 and to authorize the Mayor to sign all documents related to the (CDBG) Funding (Chief Elected Official, Exhibits C1, C2, D, K1b, K2, Q). Upon roll call the following voted YES: Chaney, Wehling, Sharp, Osovski and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Commissioner Sharp and seconded by Chaney to approve **Resolution 2943-23** Authorizing the Execution of All Contracts, Documents, or Other Memoranda between the City of Nebraska City, and the Nebraska Department of Economic Development to Accept an Awarded Grant (Exhibit B). Upon roll call the following voted YES: Chaney, Wehling, Sharp, Osovski and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Commissioner Osovski and seconded by Wehling to approve JEO Task Order 23-04 to provide bidding and negotiation services for the Kreifels Hills Subdivision in the amount of \$6,500. Marty Stovall spoke to explain the item.

Upon roll call the following voted YES: Chaney, Wehling, Sharp, Osovski and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Commissioner Osovski and seconded by Chaney to approve advertisement for bid for the Kreifels Hills Subdivision project. Marty Stovall spoke to explain the item. Upon roll call the following voted YES: Chaney, Wehling, Sharp, Osovski and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Commissioner Chaney and seconded by Sharp to approve Change Order #1 for the 19th Street Improvements Project. Marty Stovall spoke to explain the 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 Sharp to approve the application to the Steinhart Foundation for a grant to the City of Nebraska City in the range of \$80,000 to \$100,000 to fund the building of two more pickleball courts with lighting in Steinhart Park. Tammy Partsch spoke to explain the item. Upon roll call the following voted YES: Chaney, Wehling, Sharp, Osovski and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Commissioner Sharp and seconded by Wehling to approve the renewal of Employee Benefits and Health Insurance Services for fiscal year 2023-2024 with Medica, our HRA provider be with Mid-American and all ancillaries remain as they currently are and to change the HRA structure to remove the backend reimbursement keeping the co-insurance as it is. Beau Reid spoke to explain the item. Upon roll call the following voted YES: Chaney, Wehling, Sharp, Osovski and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Commissioner Sharp and seconded by Chaney to approve the Auditing Services Contract with FORVIS for FY22/23 audit and direct the City Administrator to sign. 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 Osovski for the Council to go into closed session for the protection of public interests specifically in the Open Meetings Act for community trust created under section 81-1802.2 for discussion regarding negotiations to be paid to the members of the FOP and be joined by the City Administrator and the Chief of Police.

Council began the closed session at 7:02 PM.

Council came out of closed session and resumed the Open Session at 7:28 PM stating that no action was taken during closed session. Moved by Commissioner Wehling and seconded by Sharp to approve a new MOU with the Fraternal Order of Police Lodge #79 regarding wages and authorize the Mayor to sign. Upon roll call the following voted YES: Chaney, Wehling, Sharp, Osovski and Mayor Bequette. Voting NO: None. Motion carried.

Council discussed next steps in the budget preparations for FY23/24.

Meeting Adjourned at 7:39 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