

CITY OF NEBRASKA CITY, NEBRASKA  
MINUTES OF CITY COUNCIL REGULAR MEETING  
September 18, 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 September 18, 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 6:30 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, Fire Chief Rob Schreiner, Construction and Facility Manager Marty Stovall, Utilities Director Jeff Kohrs, Electric Superintendent Stuart Abbott and City Clerk Randy Dunster.

Mayor Bequette moved to approve the following consent items:

Approve minutes from the September 5, 2023 City Council Meeting.

Approve the report of new claims and approving disposition of claims set for the period of September 6, 2023 to September 18, 2023.

Approve the Application for Master Plumbers and Drain Layers License for Brian Hrabik with Victor Plumbing.

Approve the SDL request from Catering Investments LLC to hold a fundraiser event at the Veterans Memorial Building on November 17, 2023 from 10:00am to 11:45pm. Motion seconded by Commissioner Wehling. Upon roll call the following voted YES: Osovski, Wehling, Sharp, Chaney and Mayor Bequette. Voting NO: None. Motion carried.

<b>Claims List</b>					
September 18, 2023					
Payroll	Salaries	\$ 140,627.25	Kreifels Electric L.L.C.	Rep/Maint	\$ 147.85
K&Z Distributing	Resale	\$ 176.55	Landis Engine Company, Inc.	Rep/Maint	\$ 660.85
Quality Brands of Lincoln	Resale	\$ 334.15	LANT HARDWARE, INC	Rep/Maint	\$ 213.50
SENAHC	Rural Workforce Housing	\$ 200,000.00	Larson Motors	2022 Dodge Durango Pursuit	\$ 41,555.70
BOK Financial	Bond	\$ 31,284.56	Loveland Grass Pad	Chemicals	\$ 183.60
Wex Health, Inc	Benefits	\$ 674.05	Matheson Tri-Gas, Inc.	Supplies	\$ 530.91
NE Dept of Revenue	Sales Tax	\$ 2,857.32	MD Aquatics, LLC	Chemicals	\$ 1,223.00
World Pay Integrated	CC Fees	\$ 1,099.20	Mead Lumber	Rep/Maint	\$ 568.15
Zirmed	CC Fees	\$ (6.47)	MERZ INK	Jerseys   Helmets	\$ 4,668.92
A-1 Locksmith	Rep/Maint	\$ 3,900.00	Midwest Turf and Irrigation	Rep/Maint	\$ 18.27
Adkins Signs	Road Markings	\$ 105.00	FRANCIS MILDER	Refund	\$ 25.00
ADVANCED EXTERIORS, LLC	Rep/Maint	\$ 3,575.00	Miller & Sons Golf Cars	Rep/Maint	\$ 680.00
American Recycling &	Trash	\$ 489.09	Miller Monroe Farrell	Ins	\$ 2,616.00
Arbor Mart, Inc	Fuel	\$ 3,904.66	NAPA AUTO PARTS	Rep/Maint	\$ 124.18
Barco Municipal Products	Road Markings	\$ 270.13	Nationwide Trust Contributions	Retirement Plan	\$ 2,146.00
BAUER INFRASTRUCTURE, LLC	Const	\$ 210,276.96	NC Area Econ Development Corp	NCAED	\$ 450.00
Richard D. Bennett, Jr.	Rock	\$ 10,934.36	NC Clerk - Treasurer	Filing	\$ 26.00
Bohl Plumbing and Heating	Flush Valve Repair	\$ 376.52	Nebraska City Utilities	Utilities	\$ 270.07
Bound Tree Medical LLC	Medical Supplies	\$ 1,423.82	NC Tourism & Commerce	Tourism	\$ 600.00
AMANDA BOWERS	Refund	\$ 100.00	Nebraska Department of Revenue	NE Waste Reduction	\$ 25.00
Brown's Shoe Fit Company	Uniforms	\$ 314.50	NE STATE FIRE MARSHAL/BOILER	Boiler Cert	\$ 36.00
Card Services	Multiple	\$ 2,412.70	NSVFA	NSVFA Dues	\$ 780.00
Cherry Road Media Inc.	Adv	\$ 145.47	O'Reilly Auto Parts	Rep/Maint	\$ 26.04
CHI HEALTH ST. MARY'S	Screenings	\$ 101.00	Odey's Inc.	Rep/Maint	\$ 6,034.35
Citizen Printing Company	Printing	\$ 510.00	Otoe County Clerk	Dispatch	\$ 4,987.50
COLUMN SOFTWARE, PBC	Adv	\$ 320.06	PAGE COUNTY ENGINEER'S OFFICE	Asphalt	\$ 3,670.89
Concrete Industries, Inc.	Concrete	\$ 2,306.31	Pepsi-Cola of Lincoln	Resale	\$ 314.09
CORNERSTONE CHURCH	Refund	\$ 100.00	PRECISION DIESEL, INC	Rep/Maint	\$ 7,100.74
DAS STATE ACCTG - CENTRAL	Radio Systems Fee	\$ 290.00	Quill Corporation	Supplies	\$ 56.97
DIAMOND VOGEL	Road Markings	\$ 1,679.80	Stryker Medical	Equipment	\$ 2,091.25
Raymond Doiel	Rep/Maint	\$ 25.85	SVEHLA LAW OFFICES	Legal Services	\$ 2,900.00
Eakes Office Solutions	Supplies	\$ 110.97	Lumberjack Company	Contract Mowing	\$ 6,810.00
Meghan Engle	Uniforms	\$ 236.49	Time Warner Cable	Cable	\$ 153.74
Fareway Stores, Inc.	Resale	\$ 317.34	Tree Worx Tree Service, LLC	Contract Labor	\$ 2,525.00
FARMERS & MERCHANTS BANK	Loan	\$ 4,017.02	Unifirst Corporation	Contract Serv	\$ 163.92
FRIEDLI, PAT	Equipment	\$ 238.10	VAIRKKO	Computer	\$ 98.00
FRONTIER COOPERATIVE	Chemicals	\$ 295.00	W L CONSTRUCTION SUPPLY	Rep/Maint	\$ 197.25
Grimm's Gardens	Flower Fund	\$ 4,000.00	W-SQUARE, INC	Dues	\$ 150.00
ELMER HENDERSON	Refund	\$ 200.00	WESTLAKE ACE HARDWARE	Rep/Maint	\$ 255.03
Ideal Pure Water	Supplies	\$ 104.00	WEX BANK	Fuel	\$ 820.71
J WINDLE DISTRIBUTING, INC	Resale	\$ 147.42	Windstream, Inc.	Phone/Internet	\$ 760.78
JEO Consulting Group, Inc.	Const	\$ 33,775.02	Zimco Supply Co.	Chemicals	\$ 3,478.25
KEMZ SERVICE, LLC	Rep/Maint	\$ 278.77	Zoll Medical Corporation GPO	Zoll Billing	\$ 552.50

Mayor Bequette proclaimed October 8-14, 2023 as Fire Prevention Week. Chief Schreiner and Alan Viox were present to receive the proclamation.

Mayor Bequette opened the Public Hearing on a request for Property Rezone of 716 South 6th Street from RO to I-1. Marty Stovall and Dan Mauk spoke to explain the request. 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 August 31, 2023, Total Nebraska City funds of \$13,072,312.93. Total Cash and Reserve for Nebraska City Utilities of \$14,468,472.43. Total City of Nebraska City and Utility funds \$27,540,785.36. Council acknowledged receipt of City Administrator Report. Perry Mader spoke regarding the report. Council acknowledged receipt of Utility Financial Report for period ending July 2023. Council acknowledged receipt of Utility Claims for period ending August 2023.

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 3106-23** to approve a request for Property Rezone of 716 South 6<sup>th</sup> Street from R-O to I-1. Upon roll call the following voted YES: Chaney, Wehling, Sharp, Osovski and Mayor Bequette. Voting NO: None. Motion carried.

#### ORDINANCE NO. 3106-23

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP BY CHANGING THE CLASSIFICATION OF THE ZONING DISTRICT OF THE PROPERTY AT 716 S 6TH STREET, NEBRASKA CITY, NE, AS MORE SPECIFICALLY DESCRIBED HEREIN, FROM R/O, RESIDENTIAL/OFFICE, TO I-1, LIGHT INDUSTRIAL; TO PROVIDE FOR INCORPORATION INTO THE OFFICIAL ZONING MAP; AND TO PROVIDE FOR AN EFFECTIVE DATE.

Council discussed a request from Karen Stigge to be granted Right-of-Way easement access to parcel 0004661000 and resolved to review options with regard to possible sale or lease of land and possible trail definitions with the City Attorney. Karen Stigge, David Ramold, Dan Nastase and Randy Dunster spoke on the item.

Moved by Commissioner Osovski and seconded by Wehling to approve the SDL request from the Fraternal Order of Eagles Aerie #968 for a benefit fundraiser event to be held on October 14, 2023 from 6:00am to midnight at the Fraternal Order of Eagles Aerie #968. Precilla McGinnis spoke to explain the request. 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 the request from Taylor Furnas to use the Sunken Parking lot for a Trunk-or-Treat event from 5:30 PM to 8:30 PM on October 22, 2023. Dan Mauk spoke to explain the request. Upon roll call, the following voted YES: Osovski, Wehling, Chaney, Sharp and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Commissioner Sharp and seconded by Chaney to approve **Resolution 2945-23** to set the FY23/24 final property tax rate for the General Fund and the Bonded Indebtedness Fund. 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 **Resolution 2947-23** to approve the Placement of Additional Stop Signs at 7<sup>th</sup> Street and 2<sup>nd</sup> Ave. 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 to approve **Resolution 2948-23** to update the EMS Rates for fiscal year 23/24. Upon roll call the following voted YES: Chaney, Wehling, Sharp, Osovski and Mayor Bequette. Voting NO: None. Motion carried.

Mayor Bequette called for the first reading of **Ordinance 3107-23** to amend chapter 2 article VI of the City Code regarding EMS Lift Assist cost recovery.

Moved by Commissioner Sharp and seconded by Wehling to approve **Resolution 2949-23** to approve the FY23/24 Step Pay Schedule for City Employees. Upon roll call, the following voted YES: Osovski, Wehling, Chaney, Sharp and Mayor Bequette. Voting NO: None. Motion carried.

Council tabled the discussion to approve the Demolition Permit Application for 516 N 13<sup>th</sup> Street since it had been previously approved at the August 7, 2023 City Council Meeting and this application was the processing of the paperwork to complete the project.

Moved by Commissioner Osovski and seconded by Wehling to approve an engineering evaluation on the proposed floodwater mitigation and wastewater plant expansion project. Jeff Kohrs spoke to explain the request. 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 Sharp to approve to award bid to Bauer Infrastructure, LLC for the Kreifels Hills Subdivision project in the amount of \$2,273,419.50. 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.

Meeting Adjourned at 8:29 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.

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Randy A. Dunster, City Clerk