

**Broken Bow City Council
Meeting Minutes
December 13th, 2016**

The Broken Bow City Council met in regular session on Tuesday, December 13th, 2016. Notice of the meeting was given in advance thereof as required by law. Availability of the agenda and related materials was communicated in the advanced notice to the Mayor and all members of the Council, as well as, shared with various media outlets. All proceedings hereafter shown were taken while the meeting was open to the attendance of the public.

Mayor Burt called the meeting to order at 12:00 P.M., with the following Councilmembers present: Schall, Neth, and Sonnichsen. Absent: Adams. Following the pledge of allegiance, Mayor Burt announced the availability of the open meetings law.

Moved by Sonnichsen, seconded by Schall, to approve the consent agenda for December 13th, 2016. Said motion includes approval of Minutes of the November 22nd Council Meeting and Bills to Date. Roll call vote: Voting aye: Sonnichsen, Schall, and Neth. Nays: none. Motion carried.

American Legal Publishing \$250.00; Arrow Seed \$47.96; Baird Holm, LLP \$1,995.00; Bank of Broken Bow \$36,039.68; Black Hills Energy \$378.35; Bow Family Furniture \$619.71; Broken Bow Chamber of Commerce \$530.00; Broken Bow Mun Utilities \$15,678.24; Broken Bow Municipal Utilities \$4,245.84; Broken Bow Postmaster \$138.00; Capital One \$403.29; Card Services \$255.26; Cecil Burt \$75.60; Circle V Stitching Post \$520.00; City of Broken Bow – Health Insurance \$15,090.84; City of Broken Bow Pension Fund \$6,248.54, \$1,129.20; Clerk School \$443.00; Custer Public Power \$38.05; Custer Transfer Station \$466.44; Danko Emergency Equipment Co. \$146.45; Doug Staab \$105.48; EFTPS Online Payment \$2,011.30, \$6,961.84; \$8,599.90; Eakes Office Products \$177.91; Fireguard \$2,479.44; Fyr-Tek \$594.39; Garrett Tires & Treads \$364.78; Great Plains Communications \$70.95; Grocery Kart \$65.26; Hire Right Solutions \$250.00; Huston & Higgins \$1,200.00; Insurance Aid Services \$2,682.46; Island Supply Welding Co. \$128.82; Jim Crouch \$247.75; Kirkpatrick Cleaning Solutions \$24.70; Laurie French \$209.33; League of Municipalities \$420.00; Master Cleaners \$72.72; Matheson Tri-Gas Inc \$2,462.00; Matt Fiend \$378.61; Matthew Bender & Co \$72.08; Michael Burnett \$100.00; Mid State Engineering & Testing \$1,924.00; Monte Clark \$100.00; Nebraska Municipal Power Pool \$1,439.00; Nebraska State Bank \$40,489.77; Nebraska State Historical Society \$5,300.00; Nebraskaland Tire \$664.08; OSA/Computers Plus \$203.30; Obrien's True Value \$77.02; \$337.89; Office Net \$1,510.93; Overnite Auto \$29.00; Overton Sand & Gravel \$93.03; Platte Valley Communications \$552.02; Prachts Ace Hardware \$1,140.91; Pristine Cleaning, LLC \$300.00; Province Plumbing \$680.00; Ranchland Ford \$21.65; S & L Sanitary Service \$49.30; Schaper and White Law Firm \$7,548.00; Schmicks Market \$31.71; Shirts, Signs, Mugs & More \$111.70; State Income Tax WH NE Online Payment \$2,538.12; Sublime Artistry \$87.00; Taylor Heating & Air Conditioning \$195.00; Trotter's Whoa & Go \$237.14; Varney Health Mart \$3.69; Verizon Wireless \$317.33; Wenquist Inc. \$990.22; Bi-Weekly Payroll \$51,465.71; Total Bills = \$232,856.69.

Mayor Burt presented Outgoing Councilmember Chad Schall with a plaque recognizing his eight years of service to the City Council.

Mayor Burt adjourned Sine Die.

City Attorney Jason White administered the Oath of Office to newly elected Councilmembers Chris Myers and Jacob Holcomb.

Scott Spanel addressed the Council about parking at 811 South C Street. He would like to figure out a way to park his truck there without getting tickets. The best way for him to park is facing east with his tailgate facing the alley. Jason, Steve, Bud, and Brent will work on a plan and present it at the next Council meeting.

A Council President was elected. Neth nominated Rod Sonnichsen, seconded by Holcomb. Roll call vote: Voting aye: Neth, Holcomb, Myers, and Sonnichsen. Nays: none. Motion carried.

Moved by Neth, seconded by Sonnichsen, to table Resolution 2016-71. Said resolution would rename West End Road to Thomas Road. Roll call vote: Voting aye: Sonnichsen, Myers, Neth, and Holcomb. Nays: none. Motion carried.

Moved by Sonnichsen, seconded by Neth, to approve the EMT and Fireman roster. Roll call vote: Voting aye: Holcomb, Neth, Sonnichsen, and Myers. Nays: none. Motion carried.

Moved by Neth, seconded by Sonnichsen, to appoint Monte Clark as the Street Superintendent from January 1, 2017 to December 31, 2017. Roll call vote: Voting aye: Myers, Holcomb, Sonnichsen, and Neth. Nays: none. Motion carried.

Moved by Neth, seconded by Myers, to approve Nebraska State Bank and Bruning State Bank as designated depositories for the City. Roll call vote: Voting aye: Neth, Myers, Holcomb, and Sonnichsen. Nays: none. Motion carried.

Moved by Neth, seconded by Holcomb, to approve City Treasurer Nancee Coufal, City Clerk Stephanie Wright, Mayor Cecil Burt, City Administrator Brent Clark, and the newly elected Council President as authorized signers for all city accounts held at Bruning State Bank and Nebraska State Bank. Also, authorizing Police Chief Steven Scott as an authorized signer for accounts ending 384, 999, 095 at Nebraska State Bank, and Utility Clerk Katie Hogg as an authorized signer for accounts ending 831, 631, 173, and 179 at Nebraska State Bank. Roll call vote: Voting aye: Sonnichsen, Neth, Myers, and Holcomb. Nays: none. Motion carried.

Moved by Neth, seconded by Sonnichsen, to approve the South B Design and Change Order No. 7 in the amount of \$396,915.20. Roll call vote: Voting aye: Neth, Holcomb, and Sonnichsen. Nays: none. Abstain: Myers. Motion carried. Mr. Myers abstained because of association and interest with the contract.

Moved by Myers, seconded by Neth, to approve the appointment of James Callaway and reappointment of Doug Staab to the Airport Authority. Roll call vote: Voting aye: Myers, Holcomb, Neth, and Sonnichsen. Nays: none. Motion carried.

Moved by Myers, seconded by Holcomb, to approve the manager recommendation for the liquor license for Grocery Kart. Roll call vote: Voting aye: Sonnichsen, Myers, Neth, and Holcomb. Nays: none. Motion carried.

Moved by Sonnichsen seconded by Neth, to open a public hearing at 12:44 p.m. on the Cornerstone Estates Lot Split. Roll call vote: Voting aye: Holcomb, Sonnichsen, Neth, and Myers. Nays: none. Jay Gormley from Nebraska Land Surveying explained that the lot split will be directly down the middle of the common wall of the duplexes being built there. Moved by Sonnichsen, seconded by Neth, to close the public hearing at 12:52 p.m. Roll call vote: Voting aye: Sonnichsen, Myers, Holcomb, and Neth. Nays: none. Motion carried.

Moved by Neth, seconded by Sonnichsen, to approve Resolution 2016-72. Said resolution approves the lot split at Cornerstone Estates. Roll call vote: Voting aye: Neth, Holcomb, Myers, and Sonnichsen. Nays: none. Motion carried.

Moved by Neth, seconded by Holcomb, to approve Resolution 2016-73. Said resolution approves the amendment to the employee handbook. Roll call vote: Voting aye: Sonnichsen, Neth, Holcomb, and Neth. Nays: none. Motion carried.

Moved by Neth, seconded by Sonnichsen, to approve Resolution 2016-74. Said resolution approves payment #15 to JEO Consulting Group Inc. in the amount of \$2,287.50 for work completed on the Comprehensive Plan and Zoning/Subdivision Regulations through November 18, 2016. Roll call vote: Voting aye: Myers, Holcomb, Neth, and Sonnichsen. Nays: none. Motion carried.

Moved by Sonnichsen, seconded by Holcomb, to approve Resolution 2016-75. Said resolution approves payment #4 to JEO Consulting Group Inc. in the amount of \$31,230.00 for work completed on the Library Design Services through November 25, 2016. Roll call vote: Voting aye: Neth, Myers, Holcomb, and Sonnichsen. Nays: none. Motion carried.

Moved by Sonnichsen seconded by Neth, to open a public hearing at 1:03 p.m. on Ordinance 1154, Ambulance Use Fees. Roll call vote: Voting aye: Holcomb, Sonnichsen, Neth, and Myers. Nays: none. Andy Holland, EMS/Fire Coordinator, explained the ambulance fees have not been increased since 2009. Moved by Sonnichsen, seconded by Neth, to close the public hearing at 1:10 p.m. Roll call vote: Voting aye: Sonnichsen, Myers, Holcomb, and Neth. Nays: none. Motion carried.

After discussing the matter, Councilmember Neth introduced Ordinance No. 1154 entitled "AN ORDINANCE OF THE CITY OF BROKEN BOW, NEBRASKA AMENDING THE AMBULANCE USE FEES." and moved that the statutory rule requiring reading on three different days be suspended. Councilmember Sonnichsen seconded the motion. The Mayor stated the motion and instructed the Clerk to call the roll. The Clerk called the roll and the following was the vote: Ayes: Neth, Myers, Holcomb, and Sonnichsen. Nays: None. Motion carried. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule was declared suspended for consideration of said Ordinance. Said Ordinance was then read by title and thereafter Councilmember Neth moved for final passage of the Ordinance, which motion was seconded by Councilmember Holcomb. The Mayor stated the question, "Shall Ordinance No. 1154 be passed and adopted?" Upon roll call vote, the vote was as follows: Ayes: Neth, Myers, Holcomb, and Sonnichsen. Nays: None. Motion carried. The passage and adoption of said Ordinance having been concurred in by a majority of all members of the Council, the Mayor declared the Ordinance adopted and the Mayor in the presence of the Council signed and approved the Ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto.

Moved by Sonnichsen, seconded by Neth, to open a public hearing at 1:11 p.m. on Ordinance 1155, Parking Regulations at Custer School. Roll call vote: Voting aye: Holcomb, Sonnichsen, Neth, and Myers. Nays: none. City Administrator Brent Clark explained that this was a request from the School that since there is not as much bus and loading traffic on the south side of Custer School that the loading zone be removed. Moved by Sonnichsen, seconded by Holcomb, to close the public hearing at 1:13 p.m. Roll call vote: Voting aye: Sonnichsen, Myers, Holcomb, and Neth. Nays: none. Motion carried.

After discussing the matter, Councilmember Neth introduced Ordinance No. 1155 entitled "AN ORDINANCE OF THE CITY OF BROKEN BOW, NEBRASKA PROVIDING FOR PARKING REGULATIONS AROUND BLOCK EIGHTEEN (18) OF J.P. GANDY'S ADDITION." and moved that the statutory rule requiring reading on three different days be suspended. Councilmember Holcomb seconded the motion. The Mayor stated the motion and instructed the Clerk to call the roll. The Clerk

called the roll and the following was the vote: Ayes: Neth, Myers, Holcomb, and Sonnichsen. Nays: None. Motion carried. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule was declared suspended for consideration of said Ordinance. Said Ordinance was then read by title and thereafter Councilmember Holcomb moved for final passage of the Ordinance, which motion was seconded by Councilmember Sonnichsen. The Mayor stated the question, "Shall Ordinance No. 1155 be passed and adopted?" Upon roll call vote, the vote was as follows: Ayes: Neth, Myers, Holcomb, and Sonnichsen. Nays: None. Motion carried. The passage and adoption of said Ordinance having been concurred in by a majority of all members of the Council, the Mayor declared the Ordinance adopted and the Mayor in the presence of the Council signed and approved the Ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto.

Mayor Burt opened the floor for comments from the Mayor and Councilmembers concerning City Departments. City Attorney Jason White told the new Councilmembers that state law requires the council members attendance at meetings and that they can be compelled to attend the meetings. Councilmember Neth stated the importance of attending so that there will be a quorum.

Mayor Burt opened the public comment section of the meeting for those in attendance. Deb McCaslin from the CEDC welcomed the new council members and thanked them for giving their time to this important service.

Moved by Neth, seconded by Sonnichsen, to enter closed session at 1:19 p.m. for the purpose of discussing possible litigation and union contract negotiations. The City representatives that shall remain present during the closed session including the Mayor and City Council are City Attorney Jason White, City Administrator Brent Clark, City Clerk Stephanie Wright, and Police Chief Steve Scott. The Mayor stated the motion. Roll call vote: Voting aye: Neth, Sonnichsen, Holcomb, and Myers. Nays: none. Motion carried.

Police Chief Steve Scott exited at 1:56 p.m.

Moved by Sonnichsen, seconded by Neth, to exit out of closed session at 2:31 p.m. from the purpose of discussing potential litigation and union negotiations. Roll call vote: Voting aye: Holcomb, Myers, Neth, and Sonnichsen. Nays: none. Motion carried.

Moved by Sonnichsen, seconded by Neth, to adjourn the City Council Meeting at 2:32 p.m. Roll call vote: Voting aye: Holcomb, Neth, Myers, and Sonnichsen. Nays: none. Motion carried.

Cecil Burt, Mayor

ATTEST:

Stephanie M. Wright, City Clerk