

**Broken Bow City Council
Meeting Minutes
July 11th, 2017**

The Broken Bow City Council met in regular session on Tuesday, July 11th, 2017. Notice of the meeting was given in advance thereof as required by law by publication in the Custer County Chief on June 15, 2017. 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: Sonnichsen, Neth, Myers, and Holcomb. Absent: None. Following the pledge of allegiance, Mayor Burt announced the availability of the open meetings law.

Moved by Sonnichsen, seconded by Holcomb, to approve the consent agenda for July 11th, 2017. Said motion includes approval of Minutes of the June 27th Council Meeting and Bills to Date. Roll call vote: Voting aye: Neth, Holcomb, Sonnichsen, and Myers. Nays: None. Motion carried.

Absolute Plumbing, parts, 812.90; Aflac, insurance, 814.53, 146.75, 287.83; Amy White, replace check, 70.20; Beaver Bearing Co Albion, parts, 168.39; Broken Bow Airport Authority, interlocal, 1,083.33; Broken Bow Chamber of Commerce, relocation expense, 1,466.81, ambulance incentive, 1,190.00; Broken Bow Municipal Utilities, utilities, 8,384.85; Capitol One Bank, misc, 401.15; Card Services, supplies, 276.38; Carquest of Broken Bow, supplies, 185.26; Century Link, telephone, 590.63; Chief Supply Corporation, uniforms, 50.59; City Flex Benefit Plan, flex plan, 130.21, BBHA, 200.00; City of Broken Bow – Health Insurance, insurance, 3,380.23, 26,191.42; City of Broken Bow Pension Fund, pension, 2,196.93, 6,523.48, 1,115.64, 1,167.40; Clive Tranter, refund, 180.00; Colonial Research Chem Corp, weed spray, 522.00; Custer County Treasurer, interlocal, 10,387.49; Custer Public Power, CD Cell Power, 37.65; Dana F. Cole & Company, LLP, audit, 11,000.00; EFTPS Online Payment, payroll, 2,308.10, 7,349.09, 9,869.06, 294.12, 2,048.46, 1,257.64; Eakes Office Products, supplies, 99.98; Evans Feed Co., fish food, 78.00; Family Heritage, insurance, 56.00; Garrett Tires & Treads, repairs, 73.65; Great Plains Communications, internet, 70.95; Holmes Plumbing & Heating, bathroom repairs, 122.57; Insurance Aid Services, fees, 864.63; Island Supply Welding Co., oxygen, 107.37; JM Web Design, domain name, 697.95; McCrometer, chemical monitors, 1,464.53; Mead Lumber, lumber, 129.82; Mid Plains Community College, CPR, 870.00; Mid State Engineering & Testing, downtown testing, 2,454.00; Monte Clark, reimbursement, 152.39; Nebraska Child Support Payment Center, child support, 379.15; Nebraska State Volunteer Firefighters, fire school registration, 440.00, Omaha State Bank, HSA, 318.75; Paulsen Inc., concrete, 6,208.50; Plains Equipment Group, mulcher, 359.31; Platte Valley Communications, radio programming, 1,746.80, radios, 6,364.35; Prachts Ace Hardware, supplies, 603.04; S & L Sanitary Service, trash, 49.30, Sandra Manning, patches, 24.00; Schmicks Market, pool food, 451.46; Site One Landscape Supply, sprinklers, 2,447.33; State Income Tax WH NE Online Payment, payroll, 2,536.52, 596.21; Verizon Wireless, tablet data, 172.55; Viaero Wireless, cell phone, 218.37; Village Uniform, rugs, 119.57; Weathercraft, blue building, 191.00; Wenquist Inc., supplies, 477.21; Bi-Weekly Payroll, payroll, 63,863.99; Total Bills = 196,897.77.

Moved by Sonnichsen, seconded by Neth, to open a public hearing at 12:02 p.m. on Ordinance 1164, Stop Signs. Roll call vote: Voting aye: Neth, Holcomb, Sonnichsen, and Myers. Nays: None. Motion carried. A citizen that had previously spoken against the stop signs spoke for the stop signs now that the fence is up. Moved by Sonnichsen, seconded by Holcomb, to close a public hearing at 12:05 p.m. on Ordinance 1164, Stop Signs. Roll call vote: Voting aye: Sonnichsen, Myers, Neth, and Holcomb. Nays: None. Motion carried.

After discussing the matter, Councilmember Sonnichsen introduced Ordinance No. 1164 entitled “AN ORDINANCE PROVIDING FOR THE PLACEMENT OF A STOP SIGN ON THE CORNERS OF NORTH 17TH AVENUE AND CHEROKEE LANE AND NORTH 17TH AVENUE AND CHEROKEE CIRCLE FOR EAST AND WEST BOUND TRAFFIC” and moved that the statutory rule requiring the third reading be suspended. Councilmember Neth 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: Sonnichsen, Myers, Holcomb, and Neth. 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 Myers. The Mayor stated the question, “Shall Ordinance No. 1164 be passed and adopted?” Upon roll call vote, the vote was as follows: Ayes: Myers, Holcomb, Neth, 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 12:06 p.m. on Ordinance 1165, Premier Storage Annexation. Roll call vote: Voting aye: Holcomb, Sonnichsen, and Neth. Nays: None. Abstain: Myers. Motion carried. This is a voluntary annexation of land south of Dollar General. Moved by Sonnichsen, seconded by Holcomb, to close a public hearing at 12:07 p.m. on Ordinance 1165, Premier Storage Annexation. Roll call vote: Voting aye: Neth, Sonnichsen, and Holcomb. Nays: None. Abstain: Myers. Motion carried.

City Clerk Stephanie Wright read the second reading of Ordinance 1165, Premier Storage Annexation.

Moved by Sonnichsen, seconded by Holcomb, to open a public hearing at 12:09 p.m. on Ordinance 1166, Premier First Subdivision. Roll call vote: Voting aye: Holcomb, Sonnichsen, and Neth. Nays: None. Abstain: Myers. Motion carried. City Administrator Brent Clark explained that by creating this subdivision there will be two parcels instead of the one lot and the owner will be able to split the lots if necessary. Moved by Sonnichsen, seconded by Holcomb, to close a public hearing at 12:11 p.m. on Ordinance 1166, Premier First Subdivision. Roll call vote: Voting aye: Neth, Sonnichsen, and Holcomb. Nays: None. Abstain: Myers. Motion carried.

City Clerk Stephanie Wright read the second reading of Ordinance 1166, Premier First Subdivision.

Moved by Sonnichsen, seconded by Holcomb, to open a public hearing at 12:13 p.m. on Ordinance 1167, Opportunity Land Investments LLC Annexation. Roll call vote: Voting aye: Holcomb, Sonnichsen, and Neth. Nays: None. Abstain: Myers. Motion carried. City Administrator Brent Clark explained that this is a voluntary annexation. The location of this is annexation is south of the highway by the Catholic Cemetery. Moved by Sonnichsen, seconded by Holcomb, to close a public hearing at 12:14 p.m. on Ordinance 1167, Opportunity Land Investments LLC Annexation. Roll call vote: Voting aye: Neth, Sonnichsen, and Holcomb. Nays: None. Abstain: Myers. Motion carried.

City Clerk Stephanie Wright read the second reading of Ordinance 1167, Opportunity Land Investments LLC Annexation.

Moved by Holcomb, seconded by Neth, to approve the bid from Watts Electric Co. in the amount of \$455,233.90 for the 2017 Distribution Upgrade Project. Roll call vote: Voting aye: Myers, Holcomb, Neth, and Sonnichsen. Nays: None. Motion carried.

Moved by Sonnichsen, seconded by Neth, to open a public hearing at 12:20 p.m. on Ordinance 1168, Mayor and City Council Wages. Roll call vote: Voting aye: Myers, Holcomb, Sonnichsen, and Neth. Nays: None. Motion carried. City Administrator Brent Clark explained that this just a housekeeping ordinance so that the wages will be listed in our code book and can be amended if and when necessary. Moved by Sonnichsen, seconded by Neth, to close a public hearing at 12:22 p.m. on Ordinance 1168, Mayor and City Council Wages. Roll call vote: Voting aye: Neth, Sonnichsen, Holcomb, and Myers. Nays: None. Motion carried.

After discussing the matter, Councilmember Sonnichsen introduced Ordinance No. 1168 entitled “AN ORDINANCE OF THE CITY OF BROKEN BOW, CUSTER COUNTY, NEBRASKA ADDING SECTION 30.29: MAYOR AND CITY COUNCIL WAGES” and moved that the statutory rule requiring reading on three different days be suspended. Councilmember Myers 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: Sonnichsen, Myers, and Holcomb. Nays: Neth. 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 Sonnichsen moved for final passage of the Ordinance, which motion was seconded by Councilmember Holcomb. The Mayor stated the question, “Shall Ordinance No. 1168 be passed and adopted?” Upon roll call vote, the vote was as follows: Ayes: Neth, Sonnichsen, Myers, and Holcomb. 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 Holcomb, seconded by Neth, to approve Resolution 2017-42. Said resolution approves payment #3 to Chief Construction Company in the amount of \$113,373.01 for work completed on the Library Renovation through June 30, 2017. Roll call vote: Voting aye: Holcomb, Neth, Myers, and Sonnichsen. Nays: None. Motion carried.

Moved by Sonnichsen, seconded by Holcomb, to approve Resolution 2017-43. Said resolution approves payment #15 to Myers Construction, Inc. in the amount of \$89,473.45 for work completed on the 2014 Downtown Improvements through June 30, 2017. Roll call vote: Voting aye: Holcomb, Sonnichsen, and Neth. Nays: None. Abstain: Myers. Motion carried.

Mayor Burt opened the floor for comments from the Mayor and Councilmembers concerning City Departments. There were no comments.

Mayor Burt opened the public comment section of the meeting for those in attendance. Mark Walker, 1720 Cherokee Lane, addressed the Council about a part of the sidewalk that is missing at the corner of North 9th and Memorial Drive. Joan Birnie addressed the Council about the Trail Plan and encouraged everyone to be engaged.

Moved by Sonnichsen, seconded by Holcomb, to enter into closed session at 12:38 p.m. for the purpose of discussing potential litigation. 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 Electric Superintendent Doug Staab. The Mayor stated the motion. Roll call vote: Voting aye: Neth, Sonnichsen, Myers, and Holcomb. Nays: none. Motion carried.

Jason White exited at 1:00 p.m. Neal Neth exited at 1:04 p.m.

Moved by Sonnichsen, seconded by Myers, to exit closed session at 1:11 p.m. from the purpose of discussion potential litigation. Roll call vote: Voting aye: Holcomb, Myers, and Sonnichsen. Nays: None. Motion carried.

Moved by Sonnichsen, seconded by Holcomb, to adjourn the City Council Meeting at 1:15 p.m. Roll call vote: Voting aye: Sonnichsen, Myers, and Holcomb. Nays: None. Motion carried.

Cecil Burt, Mayor

ATTEST:

Stephanie M. Wright, City Clerk