

**Broken Bow City Council  
Meeting Minutes  
July 25<sup>th</sup>, 2017**

The Broken Bow City Council met in regular session on Tuesday, July 25<sup>th</sup>, 2017. Notice of the meeting was given in advance thereof as required by law by posting in the Broken Bow Post Office, Broken Bow Library, and Broken Bow Municipal Building. 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 25<sup>th</sup>, 2017. Said motion includes approval of Minutes of the July 11<sup>th</sup> Council Meeting, July 18<sup>th</sup> Special Meeting, Bills to Date, and June Treasurer's Report. Roll call vote: Voting aye: Neth, Holcomb, Sonnichsen, and Myers. Nays: None. Motion carried.

ATCO, liberator 600, 265.25; Absolute Plumbing, parts, 37.35; Aflac, insurance, 814.53, 146.75; Arrow Seed, grass seed, 80.00; Biblionix, subscription, 1,600.00; Big State Industrial Supply Inc., supplies, 365.60; Bound Tree Medical, ambulance supplies, 772.30; Broken Bow Chamber of Commerce, agreement for wages, 1,169.00; Broken Bow Mun Utilities, fuel, 2,866.06; Cardmember Services, supplies, 1,745.96; Carquest of Broken Bow, supplies, 18.15; Central NE Medical Clinic, drug testing, 171.00; Century Link, telephone, 85.49; City Flex Benefit Plan, flex plan, 26.04; City of Broken Bow – Health Insurance, insurance, 3,389.54; City of Broken Bow Pension Fund, pension, 1,855.58, 6,292.42, 9.32; Creative Signs, signs, 329.50; Custer County Chief, publication, 684.41; Custer County Hiway Dept., So 1<sup>st</sup> & Tomahawk, 35,250.00; Dan Hanson, boot allowance, 84.99; Deterding, pool, 1,591.39; Dollar General-Regions 410526, soap, 39.70; EFTPS Online Payment, payroll, 2,250.20, 7,733.24, 9,621.42, 2.44, 5.00, 10.52; Eileen's Custom Catering, NCMA Conference, 116.05; Evans Feed Co., fish food, 39.00; Family Heritage, insurance, 56.00; Gateway Motors, repairs, 87.61; Great Plains Communications, internet, 80.95; Grocery Kart, supplies, 439.04; Hokanson Clan Helping Hands, cleaning, 337.50; Hometown Leasing, copier lease, 200.17; Ingram Library Services, materials, 1,414.33; K. Joan Birnie, domain renewal, 29.62; Laurie French, ink, 43.14; Mid Plains Community College, CPR, 60.00; NSA/POAN Conference, conference, 100.00; Nebraska Child Support Payment Center, child support, 379.15; Nebraska Dept of Revenue, Keno, 905.00, OSA/Computers Plus, supplies, 154.12, 13.19; Obrien's True Value, supplies, 213.60; Omaha State Bank, HSA, 318.75; Police Officers Assn of Nebr, dues, 15.00; Prairie Grounds Coffee, NCMA Conference, 124.09; Presto X Company, monthly service, 47.00; Pristine Cleaning, LLC, cleaning, 375.00, 375.00; Schaper and White Law Firm, legal fees, 4,480.00, Schmicks Market, batteries, 5.29; Shirts, Signs, Mugs & More, jackets, 283.17; Shopko Store, supplies, 41.34; State Income Tax WH NE Online Payment, payroll, 2,641.54, 5.00; Steve Scott, postage, 30.17; The Angela Foundation Inc., rent, 600.00; Trotter Fertilizer, grazon for creek, 225.00; Trotter Service, gasoline, 16.82; US Bank Equipment Finance, copier lease, 303.97; United States Treasury, Form 720, 201.81; Universal Insurance, Nancee bond, 525.00; Bi-Weekly Payroll, payroll, 55,881.94; Total Bills = 150,477.51.

Moved by Sonnichsen, seconded by Neth, to open a public hearing at 12:02 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 12:03 p.m. on Ordinance 1165,

Premier Storage Annexation. Roll call vote: Voting aye: Neth, Sonnichsen, and Holcomb. Nays: None. Abstain: Myers. Motion carried.

The 3<sup>rd</sup> and final reading of Ordinance No. 1165 providing for the Premier Storage Annexation was read in its entirety. After discussing the matter, Councilmember Holcomb moved for final passage of the Ordinance, which motion was seconded by Councilmember Neth. The Mayor stated the question, "Shall Ordinance No. 1165 be passed and adopted?" Upon roll call vote, the vote was as follows: Ayes: Holcomb, Neth, and Sonnichsen. Nays: None. Abstain: Myers. 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 his signature thereto.

Moved by Sonnichsen, seconded by Holcomb, to open a public hearing at 12:05 p.m. on Ordinance 1166, Premier First Subdivision. Roll call vote: Voting aye: Neth, Holcomb, and Sonnichsen. 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 12:06 p.m. on Ordinance 1166, Premier First Subdivision. Roll call vote: Voting aye: Sonnichsen, Holcomb, and Neth. Nays: None. Abstain: Myers. Motion carried.

The 3<sup>rd</sup> and final reading of Ordinance No. 1166 providing for the Premier First Subdivision was read in its entirety. After discussing the matter, Councilmember Holcomb moved for final passage of the Ordinance, which motion was seconded by Councilmember Neth. The Mayor stated the question, "Shall Ordinance No. 1166 be passed and adopted?" Upon roll call vote, the vote was as follows: Ayes: Sonnichsen, Neth, and Holcomb. Nays: None. Abstain: Myers. 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 his signature thereto.

Moved by Sonnichsen, seconded by Holcomb, to open a public hearing at 12:09 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 Neth, to close a public hearing at 12:10 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.

The 3<sup>rd</sup> and final reading of Ordinance No. 1167 providing for the Opportunity Land Investments Annexation was read in its entirety. After discussing the matter, Councilmember Holcomb moved for final passage of the Ordinance, which motion was seconded by Councilmember Neth. The Mayor stated the question, "Shall Ordinance No. 1167 be passed and adopted?" Upon roll call vote, the vote was as follows: Ayes: Holcomb, Neth and Sonnichsen. Nays: None. Abstain: Myers. 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 his signature thereto.

Hannah Hundley from the Chamber withdrew her request to have Memorial Drive blocked for a color run.

Moved by Myers, seconded by Sonnichsen, to approve blocking off streets for the Custer County Parade on Saturday, July 29<sup>th</sup>, 2017. Roll call vote: Voting aye: Sonnichsen, Myers, Holcomb, and Neth. Nays: None. Motion carried.

Moved by Myers, seconded by Neth, to approve the SDL application from Broken Bow Legends Neighborhood Grill on Saturday, August 19<sup>th</sup>, 2017 from 6:00 p.m. to 1:00 a.m. Roll call vote: Voting aye: Neth, Holcomb, Sonnichsen, and Myers. Nays: None. Motion carried.

Moved by Holcomb, seconded by Myers to approve the SDL application from Kinkaider Brewing Co. on Saturday, August 19<sup>th</sup>, 2017 from 11:00 a.m. to 5:00 p.m. Roll call vote: Voting aye: Myers, Sonnichsen, Neth, and Holcomb. Nays: None. Motion carried.

Moved by Neth, seconded by Holcomb, to approve the letter for the completion Peter Kiewit Grant. Roll call vote: Voting aye: Neth, Holcomb, Sonnichsen, and Myers. Nays: None. Motion carried.

Moved by Sonnichsen, seconded by Holcomb to open a public hearing at 12:32 p.m. on a lot split at Round Valley Ranch. Roll call vote: Voting aye: Holcomb, Myers, Sonnichsen, and Neth. Nays: None. Motion carried. Jay Gormley with Nebraska Land Surveying explained the lot split. Moved by Sonnichsen, seconded by Holcomb, to close the public hearing at 12:36 p.m. on the lot split at the Round Valley Ranch. Roll call vote: Voting aye: Sonnichsen, Neth, Myers, and Holcomb. Nays: None. Motion carried.

Moved by Neth, seconded by Myers, to approve Resolution 2017-45. Said resolution approves the lot split for the Round Valley Ranch. Roll call vote: Voting aye: Sonnichsen, Myers, Holcomb, and Neth. Nays: None. Motion carried.

Moved by Sonnichsen, seconded by Holcomb, to approve Resolution 2017-46. Said resolution adopts the Lower Loup Natural Resources District Multi-Jurisdictional Hazard Mitigation Plan Update. Roll call vote: Voting aye: Neth, Sonnichsen, Myers, and Holcomb. Nays: None. Motion carried.

Moved by Sonnichsen, seconded by Neth, to approve Resolution 2017-47. Said resolution approves payment #29 to JEO Consulting Group Inc. in the amount of \$7,865.00 for work completed on the 2015 Downtown Improvements through July 7, 2017. Roll call vote: Voting aye: Holcomb, Neth, Myers, and Sonnichsen. Nays: None. Motion carried.

Moved by Holcomb, seconded by Neth, to approve Resolution 2017-48. Said resolution approves payment #11 to JEO Consulting Group Inc. in the amount of \$4,612.00 for work completed on the Broken Bow Library Design Services/Building Renovation and Addition through June 30, 2017. Roll call vote: Voting aye: Neth, Myers, Sonnichsen, and Holcomb. Nays: None. Motion carried.

Moved by Myers, seconded by Holcomb, to approve Resolution 2017-49. Said deems the light fixtures from the Library as surplus property with the amendment that the light bulbs will be sold individually for \$2.00 each. Roll call vote: Voting aye: Myers, Holcomb, Neth, and Sonnichsen. Nays: None. Motion carried.

Moved by Neth, seconded by Holcomb, to table Resolution 2017-50 regarding payment to JEO Consulting Group Inc. for a street report. Roll call vote: Voting aye: Holcomb, Neth, Sonnichsen, and Myers. Nays: None. Motion carried.

Moved by Sonnichsen, seconded by Myers, to open a public hearing at 12:47 p.m. on Ordinance 1169, Amended Mayor and City Council Wages. Roll call vote: Voting aye: Neth, Sonnichsen, Myers, and Holcomb. Nays: None. Motion carried. This is just to have the correct wage for the City Council. There was an error in the amount of Council wages on the original ordinance. Moved by Sonnichsen, seconded by Myers, to close a public hearing at 12:48 p.m. on Ordinance 1169, Amended Mayor and City Council Wages. Roll call vote: Voting aye: Sonnichsen, Myers, Neth, and Holcomb. Nays: None. Motion carried.

After discussing the matter, Councilmember Sonnichsen introduced Ordinance No. 1169 entitled “AN ORDINANCE OF THE CITY OF BROKEN BOW, CUSTER COUNTY, NEBRASKA AMENDING 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: Myers and Sonnichsen. Nays: Neth and Holcomb. Mayor Burt broken the tie with an aye vote. 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 Neth. The Mayor stated the question, “Shall Ordinance No. 1169 be passed and adopted?” Upon roll call vote, the vote was as follows: Ayes: Sonnichsen, Myers, Holcomb, and Neth. 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 12:50 p.m. on Ordinance 1170, Amending Section 91.19, Wildflowers. Roll call vote: Voting aye: Holcomb, Myers, Neth, and Sonnichsen. Nays: None. Motion carried. Discussion was held. Moved by Sonnichsen, seconded by Neth, to close a public hearing at 12:52 p.m. on Ordinance 1170, Amending Section 91.19, Wildflowers. Roll call vote: Voting aye: Sonnichsen, Holcomb, Neth, and Myers. Nays: None. Motion carried.

After discussing the matter, Councilmember Sonnichsen introduced Ordinance No. 1170 entitled “AN ORDINANCE OF THE CITY OF BROKEN BOW, CUSTER COUNTY, NEBRASKA AMENDING SECTION 91.19: WEEDS; LITTER; STAGNET WATER, SUBSECTION (G) TO ADD WILDFLOWERS” and moved that the statutory rule requiring reading on three different days 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: Neth, Myers, Sonnichsen, and Holcomb. 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 Sonnichsen moved to not adopt the Ordinance, which motion was seconded by Councilmember Holcomb. The Mayor stated the question, “Shall Ordinance No. 1170 be not be adopted?” Upon roll call vote, the vote was as follows: Ayes: Myers, Holcomb, Neth, and Sonnichsen. Nays: None. Motion carried. Ordinance 1170 was not adopted.

Mayor Burt opened the floor for comments from the Mayor and Councilmembers concerning City Departments. Councilman Holcomb complimented the street crew on how nice the streets look with the lines painted.

Mayor Burt opened the public comment section of the meeting for those in attendance. There were no comments.

Moved by Sonnichsen, seconded by Neth, to adjourn the City Council Meeting at 12:56 p.m. Roll call vote: Voting aye: Sonnichsen, Myers, Holcomb, and Neth. Nays: None. Motion carried.

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Cecil Burt, Mayor

ATTEST:

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Stephanie M. Wright, City Clerk