

**Broken Bow City Council
Meeting Minutes
June 11, 2019**

The Broken Bow City Council met in regular session on Tuesday, June 11, 2019 at the Broken Bow Library. Notice of the meeting was given in advance thereof as required by publication in the Custer County Chief on June 6, 2019. 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 Jonathon Berghorst called the meeting to order at 6:00 P.M., with the following Councilmembers present: Sonnichsen, Myers, Miller, and Holcomb. Absent: None. Mayor Berghorst announced the availability of the open meetings law, followed by the reciting of the Pledge of Allegiance.

Mayor Berghorst read the format for submitting requests for future agenda items.

Moved by Sonnichsen, seconded by Holcomb, to approve the consent agenda for June 11, 2019. Said motion includes approval of Minutes of the May 28, 2019 Council Meeting, Minutes of the June 4, 2019 Special Meeting, Bills to Date, Fireworks Applications from Broken Bow Volunteer Fire Department, and EMS Roster. Roll call vote: Voting aye: Holcomb, Sonnichsen, Miller, and Myers. Nays: None. Motion carried.

Bound Tree Medical, EMS supplies, \$344.81; Broken Bow Airport Authority, monthly payment, \$1,083.33; Broken Bow Chamber of Commerce, ambulance incentive, \$1,000.00; Broken Bow Mun Utilities, fuel, \$3,381.89; Broken Bow Municipal Utilities, utilities, \$5,707.49; Broken Bow Rural Fire Board, utilities, \$619.26; Capital one, misc, \$586.49; Card Services, bow rake, \$53.48; Carquest of Broken Bow, hose, \$15.79; Century Link, telephone, \$520.46; City of Broken Bow Pension Fund, pension, \$6,081.94, \$1,348.78; Cole Electric Company, pump repair, \$350.00; Custer County Treasurer, interlocal payment, \$11,233.49; Custer Public Power, CD Cell power, \$58.14; Deere Credit Inc., mower lease, \$216.51; Deterding, chemicals, \$7,960.15; EFTPS Online Payment, payroll, \$2,264.98, \$6,707.59, \$9,684.80; EZ IT Solutions, camera repair, \$78.25; Eakes Office Products, supplies, \$73.56; Gt Fire & Security, Inc., fire extinguisher maintenance, \$382.94; Garrett Tires & Treads, Handibus inspection, \$78.15; Great Plains Communications, internet, \$70.95; Grocery Kart, supplies, \$616.46; Heather Hulinsky, cleaning service, \$180.00; Holcomb Pharmacy, test strips, \$19.16; Hometown Leasing, copier lease, \$159.18; Island Supply Welding Co., oxygen, \$41.22; JM Web Design, domain registration, \$25.95; Jory Lowe, pool supplies, \$14.10; Kirkpatrick Cleaning Solutions, park supplies, \$1,574.26; Laurie French, supplies, \$87.84; Lawson Products, supplies, \$71.09; Mead Lumber, supplies, \$48.16; Med Tech Resource, supplies, \$142.45; Platte Valley Communications, ecitiation setup, \$442.50; Prachts Ace Hardware, supplies, \$812.68, \$2.96; Presto X Company, pest service, \$6.93; Pristine Cleaning, LLC, cleaning, \$375.00; Register of Deeds, lien release, \$10.00; S & L Sanitary, trash, \$49.30; Sara Hulinsky, cleaning service, \$1,012.00; Schaper and White Law Firm, legal fees, \$6,839.58; Shirts, Signs, Mugs & More, plaque, \$32.50; Site One Landscape Supply, spray, \$829.96; State Income Tax WH NE Online Payment, payroll, \$2,933.56; Stephanie Wright, cookies, \$32.10; T&S Signs, park signs, \$228.00; Taylor Heating & Cooling LLC, roof repair, \$48.00; Tori Meschke, supplies, \$8.97; Verizon Wireless, \$406.40; Viaero Wireless, telephone, \$102.09; Village Uniform, rugs, \$100.60; Wenquist Inc., parts, \$74.43; Wesco Receivables Corp, LED light, \$494.88; Bi-Weekly Payroll, \$59,592.10; Total Bills = \$137,317.64.

Moved by Holcomb, seconded by Miller, to postpone all discussion on Ordinance 1203, Mobile Food Vendors until the next Council meeting on June 25, 2019. Roll call vote: Voting aye: Holcomb, Sonnichsen, Myers, and Miller. Nays: None. Motion carried.

Moved by Holcomb, seconded by Sonnichsen, to approve the following appointments: City Clerk – Stephanie Wright, City Treasurer – Nancee Coufal, Water/Sewer Superintendent – Darren Marten, Electrical Superintendent – Jeremy Tarr, Street Superintendent – Monte Clark, Park Superintendent – Darren Marten, Library Director – K. Joan Birnie, City Attorney – Jason White, Zoning Administrator – Stephanie Wright, Police Chief – Steve Scott, Police Captain – Dan Hanson, Police Office – Benjamin Tucker, Police Officer – Shane Fiorelli, Police Officer – David Taylor III, Police Officer, Christopher Anderson, and Finance Committee – Councilmembers Sonnichsen, Holcomb, Myers, and Miller. Roll Call vote: Voting aye: Sonnichsen, Myers, Holcomb, and Miller. Nays: None. Motion carried.

Moved by Sonnichsen, seconded by Holcomb, to open a public hearing at 6:04 pm regarding the liquor license for Gary's Super Foods. Roll call vote: Voting aye: Myers, Holcomb, Sonnichsen, and Miller. Nays: None. Motion carried. Discussion was held. Moved by Sonnichsen, seconded by Holcomb, to close the public hearing at 6:05 pm regarding the liquor license for Gary's Super Foods. Roll call vote: Voting aye: Sonnichsen, Miller, Holcomb, and Myers. Nays: None. Motion carried.

Moved by Myers, seconded by Miller, to approve the Class C liquor license for Gary's Super Foods. Roll call vote: Voting aye: Miller, Sonnichsen, Myers, and Holcomb. Nays: None. Motion carried.

Moved by Holcomb, seconded by Sonnichsen, to approve moving the July "Third Thursday from July 18, 2019 to July 11, 2019 to coincide with Crazy Days and Alumni Weekend. Roll call vote: Voting aye: Holcomb, Miller, Sonnichsen, and Myers. Nays: None. Motion carried.

Moved by Holcomb, seconded by Myers, to approve the Food & Craft Court in the Square on July 27, 2019 in conjunction with the Custer County Fair Parade. Roll call vote: Voting aye: Myers, Miller, Holcomb, and Sonnichsen. Nays: None. Motion carried.

Moved by Sonnichsen, seconded by Miller, to approve the appointment of Travin Flynn to the Board of Public Works for a term ending June 2022 and the reappointment of Butch Brunken and Dan Jacobson to the Board of Public Works for three year terms ending June 2022. Roll call vote: Voting aye: Miller, Holcomb, Sonnichsen, and Myers. Nays: None. Motion carried.

Moved by Sonnichsen, seconded by Miller, to open a public hearing at 6:10 pm regarding Ordinance 1205, Amended Section 92.069, Vacating Public Ways; Procedure. Roll call vote: Voting aye: Myers, Holcomb, Sonnichsen, and Miller. Nays: None. Motion carried. This ordinance is to clean up the process for vacating public ways. The code book currently has the procedure for cities of the first class. This will make everything compliant with cities of the second class. Moved by Sonnichsen, seconded by Myers, to close the public hearing at 6:13 pm regarding Ordinance 1205, Amended Section 92.069, Vacating Public Ways; Procedure. Roll call vote: Voting aye: Sonnichsen, Miller, Holcomb, and Myers. Nays: None. Motion carried.

After discussing the matter, Councilmember Holcomb introduced Ordinance No. 1205 entitled "AN ORDINANCE OF THE CITY OF BROKEN BOW, CUSTER COUNTY, NEBRASKA, AMENDING SECTION 92.069: VACATING PUBLIC WAYS; PROCEDURE" and moved that the statutory rule requiring reading on three different days be suspended. Councilmember Miller 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, Holcomb, Myers, and Miller. 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 for final passage of the Ordinance, which motion was seconded by Councilmember Holcomb. The Mayor stated the question, "Shall Ordinance No. 1205 be passed and adopted?" Upon roll call vote, the vote was as follows: Ayes: Myers, Miller, Sonnichsen, 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 Miller, seconded by Sonnichsen, to approve Resolution 2019-14. Said resolution approves payment #18 to JEO Consulting Group Inc. in the amount of \$332.00 for work completed on the Broken Bow Flood Risk Reduction through May 17, 2019. Roll call vote: Voting aye: Holcomb, Miller, Sonnichsen, and Myers. Nays: None. Motion carried.

Moved by Miller, seconded by Sonnichsen, to approve Resolution 2019-15. Said resolution approves payment to the Nebraska Department of Transportation in the amount of \$6,397.00 for the new Handibus. Roll call vote: Voting aye: Sonnichsen, Holcomb, Myers, and Miller. Nays: None. Motion carried.

Moved by Holcomb, seconded by Myers, to approve Resolution 2019-16. Said resolution approves payment to Brite in the amount of \$27,538.00 for eCitation equipment. Roll call vote: Voting aye: Miller, Sonnichsen, Myers, and Holcomb. Nays: None. Motion carried.

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

Moved by Sonnichsen, seconded by Holcomb, to enter closed session at 6:17 pm for the purpose of discussing litigation to include the Mayor and Council and City Attorney Jason White, City Clerk Stephanie Wright, and Terry Waite. Roll call vote: Voting aye: Miller, Sonnichsen, Myers, and Holcomb. Nays: None. Motion carried.

Moved by Sonnichsen, seconded by Holcomb, to exit closed session at 6:43 pm for the purpose of discussing litigation. Roll call vote: Voting aye: Holcomb, Myers, Sonnichsen, and Miller. Nays: None. Motion carried.

Moved by Sonnichsen, seconded by Myers, to adjourn the City Council Meeting at 6:44 p.m. Roll call vote: Voting aye: Sonnichsen, Myers, Holcomb, and Miller. Nays: None. Motion carried.

Jonathon Berghorst, Mayor

ATTEST:

Stephanie M. Wright, City Clerk