

**Broken Bow City Council  
Meeting Minutes  
March 14<sup>th</sup>, 2017**

The Broken Bow City Council met in regular session on Tuesday, March 14<sup>th</sup>, 2017. 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: Sonnichsen, Neth, Myers, and Holcomb. Absent: None. Following the pledge of allegiance, Mayor Burt announced the availability of the open meetings law.

Moved by Neth, seconded by Holcomb, to approve the consent agenda for March 14<sup>th</sup>, 2017. Said motion includes approval of Minutes of the February 24<sup>th</sup> Council Meeting, Bills to Date, February Treasurer's Report, New Member of Broken Bow Volunteer Fire Department, and Broken Bow Volunteer Fire Department Official Roster. Roll call vote: Voting aye: Neth, Holcomb, Myers, and Sonnichsen. Nays: None. Motion carried.

ATCO \$530.50; Aflac \$237.50, \$895.07, \$146.75; Beaver Bearing Co Albion \$108.78; Bon Tool Co. \$837.71; Broken Bow Airport Authority \$1,083.33; Broken Bow Mun Utilities \$3,017.28, \$1,925.42; Broken Bow Municipal Utilities \$8,121.40; CLIA Laboratory Program \$150.00; Capitol One Bank \$113.95; Cecil Burt \$226.87; Century Link \$622.87; City Flex Benefit Plan \$200.00, \$130.21; City of Broken Bow – Health Insurance \$29,970.25, \$3,599.56; City of Broken Bow Pension Fund \$1,200.42, \$1,950.26, \$6,297.64; Custer County Chief \$101.74; Custer County Treasurer \$10,387.49; Custer Public Power \$95.63; Danko Emergency Equipment Co \$53.13; Dollar General-Regions 410526 \$8.00; EFTPS Online Payment \$1,967.92, \$6,280.25, \$8,414.94, \$21.80, \$93.00; EZ IT Solutions \$75.00; Eakes Office Products \$204.29; Family Heritage \$56.00; Fyr-Tek \$708.25; Garrett Tires & Treads \$476.79; Gateway Motors Inc \$704.83; Great Plains Communications \$70.95; Grocery Kart \$39.52; Hokanson Clan Helping Hands \$360.00; Holmes Plumbing & Heating \$240.66; Insurance Aid Services \$1,391.61; Island Supply Welding Co. \$121.60; League of Municipalities \$25.00; Markham Construction \$1,170.00; Master Cleaners \$81.41; Matheson Tri-Gas Inc \$109.24; Matt Friend \$152.00; Michael Todd & Company \$187.51; Mid State Engineering & Testing \$1,175.00; Midland Telecom \$73.10; Midwest Radar & Equipment \$240.00; NWEA \$100.00; Ne Mosquito Vector Control \$145.00; Neal Neth \$200.63; Nebraska Child Support Payment Center \$629.65; Nebraska State Bank \$25,017.26; OSA/Computers Plus \$229.85; Obrien's True Value \$171.23; Office Net \$447.38; Omaha State Bank \$318.75; Paulsen Inc. \$193.00; Plains Equipment Group \$44.40; Prachts Ace Hardware \$450.82; Pristine Cleaning, LLC \$375.00; Ranchland Ford \$523.58; Regional Care \$500.00; Sargent Pipe Co \$167.96; Schaper and White Law Firm \$3,271.94; Schmicks Market \$26.78; Shirts, Signs, Mugs & More \$43.90; State Income Tax WH NE Online Payment \$2,244.08; Stephanie Wright \$227.23; Steve Scott \$35.40; Trotter Service \$108.00; US Bank Equipment Finance \$303.97; Universal Insurance \$393.00; V-Bar Sales & Service \$824.92; Verizon Wireless \$312.01; Vet Care \$55.00; Wenquist Inc. \$770.90; Woods & Aitken LLP \$2,566.80; Bi-Weekly Payroll \$48,993.21; Total Bills = \$186,144.08.

The Girl Scouts presented Mayor Burt with a check for some of the banners on South 10<sup>th</sup> Avenue. The Downtown Renovation has been their project. They have stacked bricks, cut down trees and are making a video to promote the businesses. Brandi Oeltjen, Scouts Leader, thanked the City for allowing the Girl Scouts to help with everything downtown.

Jerad Reimers with Congressman Adrian Smith's office presented an update of what the Congressman is doing in Congress. He is a member of the House Committee of Administration, House Committee of Ways and Means Committee, Subcommittee of Health, and the HR Subcommittee. Congressman Smith is concerned about trade and continues to monitor and work on trade.

Ryan Kavan, JEO, presented an update on the projects that are going on in the City. Ryan reported on the Downtown Project. South 10<sup>th</sup> Avenue will be completed soon, and the start date for South B Street is April 1<sup>st</sup>. There are some soil issues that will be need to be addressed on the west edge of South B Street. Ryan does not work directly with the other projects, but if any information is needed, he can get it.

Moved by Myers, seconded by Sonnichsen, to approve the appointment of Stephanie Evans to the Park Board for a three year term and the board reappointment of Brent Custer to the CRA Board for a five year term. Roll call vote: Voting aye: Myers, Holcomb, Neth, and Sonnichsen. Nays: None. Motion carried.

Moved by Neth, seconded by Holcomb, to approve the Prairie Pioneer Center to use the Municipal Auditorium, with usage fees waived, during construction in front of their building from April 17<sup>th</sup> until June 2<sup>nd</sup>, 2017. Roll call vote: Voting aye: Sonnichsen, Neth, Holcomb, and Myers. Nays: None. Motion carried.

Moved by Neth, seconded by Sonnichsen, to approve the agreement with Mid-States Engineering & Testing to perform a geotechnical investigation on South B Street. Roll call vote: Voting aye: Holcomb, Sonnichsen, and Neth. Nays: None. Abstain: Myers. Motion carried.

Moved by Holcomb, seconded by Sonnichsen, to approve Change Order No. 8 for coordinating and developing recommendations from Mid-State engineering on South B Street in the amount of \$1,700.00. Roll call vote: Voting aye: Holcomb, Sonnichsen, and Neth. Nays: None. Abstain: Myers. Motion carried.

Moved by Sonnichsen, seconded by Holcomb, to approve Resolution 2017-14. Said resolution approves payment #12 to Myers Construction Inc. in the amount of \$193,037.90 for work completed on the 2014 Downtown Improvements through February 28, 2017. Roll call vote: Voting aye: Neth, Sonnichsen, and Holcomb. Nays: None. Abstain: Myers. Motion carried.

Moved by Sonnichsen, seconded by Holcomb, to approve Resolution 2017-15. Said resolution establishes a policy for ambulance standby fees for non-school sanctioned events. Roll call vote: Voting aye: Myers, Holcomb, Sonnichsen, and Neth. Nays: None. Motion carried.

Moved by Sonnichsen, seconded by Holcomb, to open a public hearing at 12:35 p.m. on Ordinance 1158, Yield Signs. Roll call vote: Voting aye: Holcomb, Sonnichsen, Neth, and Myers. Nays: None. Motion carried. This ordinance is to allow for yield signs at the intersection of South 27<sup>th</sup> Avenue and Thomas Road. This is an uncontrolled intersection and with Dairy Queen opening soon, this would help with the safety and traffic congestion in this area. Moved by Sonnichsen, seconded by Myers, to close the public hearing at 12:30 p.m. on Ordinance 1158, Yield Signs. Roll call vote: Voting aye: Myers, Neth, Sonnichsen, and Holcomb. Nays: None. Motion carried.

After discussing the matter, Councilmember Neth introduced Ordinance No. 1158 entitled "AN ORDINANCE PROVIDING FOR THE PLACEMENT OF YIELD SIGNS AT THE INTERSECTION OF SOUTH 27<sup>TH</sup> AVENUE AND THOMAS ROAD" 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: Sonnichsen, Neth, Myers, 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 Holcomb moved for final passage of the Ordinance, which motion was seconded by Councilmember Myers. The Mayor stated the question, "Shall Ordinance No. 1158 be passed and adopted?" Upon roll call vote, the vote was as follows: Ayes: Myers, Holcomb, Sonnichsen, 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 12:39 p.m. on Ordinance 1159, Prohibited Parking. Roll call vote: Voting aye: Neth, Myers, Holcomb, and Sonnichsen. Nays: None. Motion carried. This ordinance is to allow for no parking on the north and south sides of Thomas Road. This road is narrow and there will not be enough room for vehicles to get around if there are other vehicles parked on the road. Councilman Sonnichsen questioned if this was going to make it difficult to get freight in for Dairy Queen. Police Chief Steve Scott stated that trucks can load and unload in places marked No Parking. Moved by Sonnichsen, seconded by Neth, to close the public hearing at 12:45 p.m. on Ordinance 1159, Prohibited Parking. Roll call vote: Voting aye: Myers, Neth, Sonnichsen, and Holcomb. Nays: None. Motion carried.

After discussing the matter, Councilmember Holcomb introduced Ordinance No. 1159 entitled "AN ORDINANCE PROVIDING THAT PARKING ON THE NORTH SIDE AND SOUTH SIDE OF THOMAS ROAD, FROM SOUTH 26<sup>TH</sup> AVENUE TO SOUTH 28<sup>TH</sup> AVENUE, IN THE CITY OF BROKEN BOW, CUSTER COUNTY, NEBRASKA IS PROHIBITED, PROVIDING FOR PUBLICATION AND EFFECTIVE DATE AND REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE" 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: Sonnichsen, Neth, Myers, 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 for final passage of the Ordinance, which motion was seconded by Councilmember Holcomb. The Mayor stated the question, "Shall Ordinance No. 1159 be passed and adopted?" Upon roll call vote, the vote was as follows: Ayes: Myers, Holcomb, Sonnichsen, 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 Holcomb, seconded by Neth, to approve the agreement for the future fire station. Roll call vote: Voting aye: Neth, Myers, Holcomb, and Sonnichsen. Nays: None. Motion carried.

Mayor Burt opened the floor for comments from the Mayor and Councilmembers concerning City Departments. Councilman Neth commended the Girl Scouts on all of their hard work and suggested to them that they consider being on a Council when they get older. Councilman Neth also stated how much he appreciated the work of the Rural Fire Board and how they have worked with the City. Library Director Joan Birnie thanked everyone for their help with moving the library. She thanked the City crews for all that they did and all of the volunteers for their work so that they could open on Monday, March 13<sup>th</sup>.

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

Moved by Sonnichsen, seconded by Holcomb, to enter closed session at 12:58 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 and City Clerk Stephanie Wright. Roll call vote: Voting aye: Neth, Sonnichsen, Holcomb, and Myers. Nays: None. Motion carried. City Administrator Brent Clark entered at 1:43 p.m. City Clerk Stephanie Wright exited at 1:43 p.m.

Moved by Sonnichsen, seconded by Neth, to exit out of closed session at 2:06 p.m. from the purpose of discussing potential litigation. Roll call vote: Voting aye: Holcomb, Myers, Neth, and Sonnichsen. Nays: None. Motion carried.

Moved by Sonnichsen, seconded by Holcomb, to approve the contract between the City of Broken Bow and the City Administrator with the change of the ending date to February 16<sup>th</sup>, 2019. Roll call vote: Voting aye: Sonnichsen, Neth, Myers, and Holcomb. Nays: None. Motion carried.

Moved by Sonnichsen, seconded by Neth, to enter closed session at 2:12 p.m. for the purpose of discussing strategy with respect to collective bargaining. 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, and City Clerk Stephanie Wright. Roll call vote: Voting aye: Neth, Sonnichsen, Holcomb, and Myers. Nays: None. Motion carried.

Moved by Sonnichsen, seconded by Neth, to exit out of closed session at 2:25 p.m. from the purpose of discussing strategy with respect to collective bargaining. Roll call vote: Voting aye: Holcomb, Myers, Neth, and Sonnichsen. Nays: None. Motion carried.

Moved by Sonnichsen, seconded by Neth, to approve the union contract and pay grid, contingent upon approval of clarification addendum of union employees on pay scale. Roll call vote: Voting aye: Myers, Holcomb, Sonnichsen, and Neth. Nays: None. Motion carried.

Moved by Myers, seconded by Sonnichsen, to adjourn the City Council Meeting at 2:25 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