

**Broken Bow City Council  
Meeting Minutes  
March 29<sup>th</sup>, 2016**

The Broken Bow City Council met in regular session on Tuesday, March 29<sup>th</sup>, 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 12:01 P.M., with the following Councilmembers present; Schall, Neth, Adams, and Sonnichsen. Absent: None. Following the pledge of allegiance, Mayor Burt announced the availability of the open meetings law.

Moved by Schall, seconded by Sonnichsen, to approve the consent agenda for March 29<sup>th</sup>, 2016. Said motion includes approval of Minutes of the March 15<sup>th</sup>, 2016 Council Meeting, Bills to Date, Lawrence Stump to the Fire Department, Broken Bow Volunteer Fire Department Roster, and Broken Bow Volunteer Fire Department Officer Roster. Roll call vote: Voting aye: Schall, Neth, Adams, and Sonnichsen. Nays: none. Motion carried.

ATCO \$530.00; Aflac \$912.43, \$124.32, \$287.82; Big State Industrial Supply Inc \$538.80; Bound Tree Medical \$443.24; Brent Clark \$304.56; Capital One Bank \$9.95; Card Services \$152.70; City Flex Benefit Plan \$182.29, \$150.00; City of Broken Bow Pension Fund \$2,059.50, \$6,494.88, \$1,222.16; EFTPS Online Payment \$1,876.34, \$6,069.59, \$8,022.52; Eakes Office Products \$77.18; Fairfield Inn & Suites-Kearney \$178.00; Family Heritage \$87.75; Fyr-Tek \$23.50; Insurance Aid Services \$1,042.69; Kathleen A. Laughlin Chapter 13 Trustee \$70.00; Lawson Products \$173.99; League of Municipalities \$23.00; Markham Construction \$13,051.00; Michael Todd & Co \$378.89; MidAmerican Research Chemical \$373.00; Mid State Engineering & Testing \$194.00; Nebraska Child Support Payment Center \$460.00; Nebraska Department of Agriculture \$90.00; Omaha State Bank \$319.25; Platte Valley Communications \$390.86; Pristine Cleaning \$650.00; Productivity Plus Account \$34.99; Regional Care \$2,783.07, \$21,421.56; Register of Deeds \$10.00; Richman, Inc \$2,549.50; Schaper and White Law Firm \$835.00; Source Gas \$713.43; State Income Tax WH NE Online Payment \$2,192.06; Stephanie Wright \$114.90; Ultramax \$500.00; Bi-Weekly Payroll \$45,561.20; Total Bills = \$123,679.92.

Moved by Schall, seconded by Adams, to approve the annual audit report for the year ending September 30, 2015 as presented by Dan Zach from Dana F. Cole. Roll call vote: Voting aye: Schall, Neth, Adams, and Sonnichsen. Nays: none. Motion carried.

Joan Birnie, Library Director, presented the Annual Library Report. She reported that there were 30,678 library visits and 436 programs last year. The Love Your Library campaign has raised half of the money for the library expansion, and she doesn't see any major roadblocks for the year ahead.

Moved by Sonnichsen, seconded by Schall, to approve Resolution 2016-15. Said resolution approves federal funding for the Broken Bow Handi Bus. Roll call vote: Voting aye: Schall, Neth, Adams, and Sonnichsen. Nays: none. Motion carried.

Moved by Adams, seconded by Neth to approve Resolution 2016-16. Said resolution accepts the bid of \$281,249.10 from Myers Construction for the 5<sup>th</sup> Avenue Connector Trail. Roll call voting: Voting aye: Schall, Neth, Adams, and Sonnichsen. Nays: none. Motion carried.

Moved by Adams, seconded by Schall, approving Resolution 2016-17. Said resolution approves payment #5 to Myers Construction Inc. in the amount of \$267,088.48 for labor and materials through February 29,

2016 on the 2014 Downtown Improvements. Roll call vote: Voting aye: Schall, Neth, Adams, and Sonnichsen. Nays: none. Motion carried.

Moved by Schall, seconded by Neth, approving the use of Tomahawk Park for Farmers Market from June 2<sup>nd</sup>, 2016 to November 3<sup>rd</sup>, 2016. This will be a temporary change of location because of the construction around the City Square. Roll call vote: Voting aye: Schall, Neth, Adams, and Sonnichsen. Nays: none. Motion carried.

Moved by Schall, seconded by Sonnichsen, to open a public hearing at 12:38 p.m. on Peddlers and Solicitors Fees. Roll call vote: Voting aye: Schall, Neth, Adams, and Sonnichsen. Nays: none. The Peddlers and Solicitors Fees have not been updated since 1947 and they were the same prices that are currently being charged. The prices that are currently charged are \$3 per day and \$25 per year. The proposed rates are \$5 per day, \$15 per week, \$50 for 4 months, and \$75 per year. We will also need to have a copy of the insurance liability certificate. Moved by Schall, seconded by Sonnichsen, to close the public hearing at 12:41 p.m. Roll call vote: Voting aye: Schall, Neth, Adams, and Sonnichsen. Nays: none. Motion carried.

City Administrator Brent Clark recommended that the Mayor and Council consider an ordinance amending Section 10-501 of the Municipal Code relating to the occupation tax amounts for peddlers and solicitors. After discussing the matter, Councilmember Sonnichsen introduced Ordinance No. 1143 entitled "AN ORDINANCE OF THE CITY OF BROKEN BOW, NEBRASKA, AMENDING SECTION 10-501 OF THE MUNICIPAL CODE AS IT RELATES TO OCCUPATION TAX, AMOUNTS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING A TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT" and moved that the statutory rule requiring reading on three different days be suspended. Councilmember Schall 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: Adams, Sonnichsen, Neth, and Schall. 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 Adams moved for final passage of the Ordinance, which motion was seconded by Councilmember Schall. The Mayor stated the question, "Shall Ordinance No. 1143 be passed and adopted?" Upon roll call vote, the vote was as follows: Ayes: Sonnichsen, Schall, Adams, 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 Adams, seconded by Neth to approve the new contract between the City of Broken Bow and City Administrator Brent Clark. Roll call vote: Voting aye: Schall, Neth, Adams, and Sonnichsen. Nays: none. Motion carried.

City Administrator Brent Clark presented a comparison of wages for Mayors and Councilmembers throughout the State. He wanted to get a feeling from the Council of whether the amount paid to public officials needed to be addressed. It was the consensus of the Council that the wages are in line. No action was taken or needed.

Mayor Burt opened the floor for comments from the Mayor and Councilmembers concerning City Departments. There were not any comments.

Mayor Burt opened the public comment section of the meeting for those in attendance. There were not any comments.

Moved by Schall, seconded by Sonnichsen, to enter into closed session at 12:56 p.m. for the purpose of discussing a potential land acquisition. 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 Economic Director Deb McCaslin. The Mayor stated the motion. Roll call vote: Voting aye: Schall, Adams, Neth, and Sonnichsen. Nays: none. Motion carried.

Moved by Schall, seconded by Neth, to exit out of closed session at 1:41 p.m. from the purpose of discussing a potential land acquisition. Roll call vote: Voting aye: Schall, Adams, Neth, and Sonnichsen. Nays: none. Motion carried.

Moved by Schall, seconded by Sonnichsen, to adjourn the City Council Meeting at 1:42 p.m. Roll call vote: Voting aye: Schall, Adams, Neth, and Sonnichsen. Nays: none. Motion carried.

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Cecil Burt, Mayor

ATTEST:

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Stephanie M. Wright, City Clerk