

May 12, 2015
Broken Bow, Nebraska

A meeting of the Mayor and Council of the City of Broken Bow, Nebraska was convened in open and public session at 12:00 Noon on May 12, 2015 in the Municipal Building at Broken Bow, Nebraska. Present were Mayor Cecil Burt; Council President Chad Schall; Councilmembers Cody Schmick and Bill Adams. Absent: Councilmember Rod Sonnichsen. Notice of the meeting was given in advance thereof as required by law. Advance notice of the meeting was also given to the Mayor and all members of the Council and a copy of their acknowledgment of receipt of such notice is attached to these minutes. Availability of the agenda was communicated in the advance notice to the Mayor and all members of the Council. All proceedings hereafter shown were taken while the meeting was open to the attendance of the public.

Mayor Burt stated that the Open Meeting Act was posted on the north wall of the Council Chambers.

Mayor Burt led the Council in reciting the Pledge of Allegiance.

Mayor Burt presented the Consent Agenda and stated that the items on the Consent Agenda were approval of the Council Minutes of the April 28, 2015 regular meeting; approval of claims for the May 12, 2015 council meeting:

Payroll – 47,434.11; EFTPS Online Payment \$16,953.04; Nebraska Child Support Payment Center 209.50; State Income Tax WH 2,385.17; Arrow Seed 71.94; Beaver Bearing 24.22; Broken Bow Chamber of Commerce 460.00; Broken Bow Municipal Utilities \$4,641.82; CitiBusiness Card 9.95; Custer Public Power 63.25; Dan Anderson 239.70; Danko Emergency Equipment Co 112.08; Eakes Office Products 98.36; Embassy Suites 135.45; Garrett Tires & Threads 38.50; Gateway Motors 139.24; Grassland Hospital 127.33; Great Plains Communications 49.95; Holcomb Pharmacy 40.64; Island Supply Welding 53.39; JM Web Design 60.00; John Deere Landscapes 990.65; MES-MIDAM 205.00; Master Cleaners 5.55; Matheson Tri-Gas Inc 122.69; Mead Lumber-Broken Bow 267.40; OSA/Computers Plus 11.99; Paula Daily 14.96; Paulsen Inc. 1068.25; Platte Valley Communications 135.63; Prachts Ace Hardware 625.28; Presto X Company 96.30; Pristine Cleaning 1350.00; S&L Sanitary Service 49.30; Source Gas 669.44; Titan Machinery 61.95; Trotter Service 2,548.65; U Bank Equipment Finance 303.97; V-Bar Sales 22.63; Wenquist Inc. 42.98; Whoa & Go-West 334.77.

It was moved by Councilmember Schall and seconded by Councilmember Adams that the Consent Agenda be approved. The Mayor stated the motion. Upon roll call the vote was as follows: Ayes: Schall, Schmick and Adams. Nays: None. Motion carried.

Mark Rempe, Custer County Emergency Manager appeared before the Mayor and Council to update them on the duties of the Emergency Manager. He also informed the Council that at the Board of Supervisors meeting he had been named as Communications Director and would be the contact person for any disaster that would occur in Custer County.

Mayor Cecil Burt read a proclamation proclaiming May as “Beef Month” in Broken Bow and encouraged all of the citizens to appreciate the contributions the beef industry continues to provide to our City, County and State.

City Administrator Brent Clark recommended that the Mayor and Council consider an ordinance amending Section 91-19 of the Municipal Code relating to the abatement and clean-up process for nuisances, weeds, grass and worthless vegetation. After discussing the matter, Councilmember Schall introduced Ordinance No. 2015-05 entitled “AN ORDINANCE OF THE CITY OF BROKEN BOW, NEBRASKA, AMENDING SECTION 91-19 OF THE MUNICIPAL CODE AS IT RELATES TO DEFINITION OF A NUISANCE, MAINTENANCE OF PROPERTY NOT ALLOWING GROWTH OF EIGHT (8) INCHES OR MORE IN HEIGHT OF WEEDS, GRASSES OR WORTHLESS VEGETATION AND PROVIDING FOR NOTICE TO ABATE AND HEARING; 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 Schmick 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, Schmick 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 Schall moved for final passage of the Ordinance, which motion was seconded by Councilmember Schmick. The Mayor stated the question, “Shall Ordinance No. 2015-05 be passed and adopted?” Upon roll call vote, the vote was as follows: Ayes: Schmick, Schall and Adams. 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 his signature thereto.

City Administrator Brent Clark discussed with the Mayor and Council parking issues at the Melham Soccer and Ballfields Complex. It was his recommendation that the Council adopt an ordinance prohibiting parking for approximately 550 feet on the north and south sides of Laurel Drive which would require players and spectators to utilize the parking lot. After discussing the matter Councilmember Schmick introduced Ordinance No. 2015-06 entitled “AN ORDINANCE OF THE CITY OF BROKEN BOW, NEBRASKA, PROHIBITING PARKING FOR APPROXIMATELY 550 FEET ON THE NORTH AND SOUTH SIDES OF LAUREL DRIVE COMMENCING APPROXIMATELY 500 FEET EAST OF NORTH 5TH AVENUE ON LAUREL DRIVE WITHIN THE CORPORATE LIMITS OF THE CITY OF BROKEN BOW, 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 Adams 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: Schall, Schmick and Adams. 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 Schmick moved for final passage of the Ordinance, which motion was seconded by Councilmember Adams. The Mayor stated the question, “Shall Ordinance No. 2015-06 be passed and adopted?” Upon roll call vote, the vote was as follows: Ayes: Adams, Schmick and Schall. Nays: None. Motion carried. The passage and adoption of said Ordinance having been

concurrent 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.

City Administrator Brent Clark recommended that the Council adopt an ordinance to close the a section of Laurel Parkway and stated that this street is not being vacated and can be opened at any time. Clark stated that due to the location of irrigation pipes, certain weather conditions could cause damage to these pipes should vehicles continue to drive on the east side of the complex. Councilmember Schall introduced Ordinance No. 2015-07 entitled "AN ORDINANCE OF THE CITY OF BROKEN BOW, NEBRASKA, PROVIDING FOR THE CLOSING OF A SECTION OF LAUREL PARKWAY DRIVE COMMENCING APPROXIMATELY 1,050 FEET EAST OF NORTH 5TH AVENUE FOR APPROXIMATELY 1,077 FEET, WITHIN THE CORPORATE LIMITS OF THE CITY OF BROKEN BOW, 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 Adams 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, Schmick 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 Schall moved for final passage of the Ordinance, which motion was seconded by Councilmember Adams. The Mayor stated the question, "Shall Ordinance No. 2015-07 be passed and adopted?" Upon roll call vote, the vote was as follows: Ayes: Schmick, Schall and Adams. 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 his signature thereto.

Mayor and Council Comments:

Councilmember Schmick inquired as to whether the Park Department has a regular maintenance schedule for the playground equipment and stated that the basketball net at Tomahawk Park was in need of replacement

City Administrator Brent Clark stated that the Library Expansion Project would be releasing a short video that would be played at the Tiffany Theater compliments of Stuart Fox. He also informed the Council that the Library has applied for the CCCSS grant.

At 12:50 P.M. it was moved by Councilmember Adams and seconded by Councilmember Schmick that the Council meeting of the City of Broken Bow be adjourned.

Ayes: Schall, Adams and Schmick.

Nays: None.

Motion carried.

ATTEST:

Mayor, Cecil Burt

Elaine L. Bayer, City Clerk