

May 26, 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 26, 2015 in the Municipal Building at Broken Bow, Nebraska. Present were Mayor Cecil Burt; Council President Chad Schall; Councilmembers Cody Schmick, Bill Adams and Rod Sonnichsen. Absent: None. 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 May 12, 2015 Council Meeting and May 16, 2015 Council Retreat; approval of application for sale of fireworks by Troy Wuehler; approval of claims for the May 26, 2015 Council Meeting:

Payroll – 48,929.43; EFTPS Online Payment \$17,272.13; Nebraska Child Support Payment Center 209.50; State Income Tax WH 2,399.85; City Flex Benefit Plan – 568.74; Family Heritage 210.25; Kathleen Laughlin 70.00; Aflac 2225.56; Omaha State Bank 575.84; AgLand ATV 145.80; American Red Cross 300.00; BCN 109.88; Bow Locksmith 34.00; Card Services 349.99; Century Link 797.50; City of Broken Bow Pension 18,693.72; Custer County Chief 297.47; Custer County Hiway Dept. 327.35; Dan Anderson 58.87; Demco 49.11; Deterding 9,915.05; Dollar General 42.11; Elaine Bayer 15.67; Garrett Tires & Treads 1,473.51; Henning Brothers Leasing 3,500.00; Hometown Leasing 111.26; Hometown Leasing 88.91; Ingram Library Services 1,406.70; Insurance Aid Services 1,182.62; JEO 14,841.00; Markham Construction 4,500.00; Matheson Tri-Gas 227.39; Megan Svoboda 74.75; Michael Todd & Co. 129.60; Mid American Research Chemical 210.84; Mid State Units 80.00; Municipal Supply 4,722.85; Nancee Coufal 5.35; NEDA 150.00; NebKan Specialty Vehicles 18.31; OCLO Inc. 117.20; OSA/Computers Plus 14.76; O'Briens True Value 110.88; Paulsen Inc. 1,068.25; Plains Equipment Group 32757; Presto X Company 43.50; Productivity Plus Account 288.92; Ranchland Ford 1,856.48; Randy Schmidt 100.00; Regional Care 25,600.00; Register of Deeds 20.00; Schaper and White 2,602.50; Shirts, Signs, Mugs & More 30.00; Steve Scott 14.09; The Atlantic 27.95; Trotter Fertilizer 231.75; Van Diest Supply Co. 3,577.75; Verizon Wireless 179.06.

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: Adams, Sonnichsen, Schmick and Schall; Nays: None. Motion carried.

City Administrator Brent Clark informed the Council that three firms had presented proposals for a Comp Plan for the City of Broken Bow. City Attorney Jason White addressed the necessity of a new Comp Plan for the City stating that the current plan allows for some inconsistencies in the zoning laws and a new plan will address these inconsistencies by integrating current policies and procedures in one book. Representatives from Miller and Associates and Marvin Planning were in attendance to address any questions that the Council may have. After discussing the proposals, it was moved by Councilmember Schmick and seconded by Councilmember Schall to accept the proposal of JEO in the amount \$44,850 with a timeframe of June 2015-May 2016. The Mayor stated the motion. Upon roll call the vote was as follows: Ayes: Adams, Sonnichsen, Schall and Schmick. Motion carried.

City Administrator Brent Clark presented a recommendation from the Broken Bow Planning Commission that Section 11-403 "E" of the Comprehensive Plan regarding accessory buildings be amended to delete the last sentence of the second paragraph which reads "Attached garages are considered part of principal building". After discussing the matter it was moved by Councilmember Schmick and seconded by Councilmember Schall to approve the recommendation of the Broken Bow Planning Commission regarding the deletion of the last sentence of the second paragraph in Section 11-403 "E" Accessory Buildings. The Mayor stated the motion. Upon roll call the vote was as follows: Ayes: Adams, Schmick, Sonnichsen and Schall. Nays: None. Motion carried.

City Administrator Brent Clark recommended that the Mayor and Council adopt an ordinance dealing with the parking of unattached trailers on city streets in the business and residential areas. The new ordinance will prohibit trailers from parking on the street for more than 8 hours without being attached to a vehicle. A provision for contractors working on a property will allow them to obtain a permit which must be posted on the trailer for the duration of the work. After discussing the matter, Councilmember Schmick introduced Ordinance No. 2015-08 entitled "AN ORDINANCE OF THE CITY OF BROKEN BOW, NEBRASKA, ADOPTING SECTION 72-16 IN THE BROKEN BOW MUNICIPAL CODE TO PROVIDE FOR THE PARKING OF DETACHED TRUCK, ETC., TRAILERS; 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: Schmick, Sonnichsen, Adams 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 Schmick moved for final passage of the Ordinance, which motion was seconded by Councilmember Schall. The Mayor stated the question, "Shall Ordinance No. 2015-08 be passed and adopted?" Upon roll call vote, the vote was as follows: Ayes: Schmick, Schall, Sonnichsen 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 presented Resolution 2015-12 authorizing payment to JEO Consulting Group in the amount of \$4,485.50 for work completed through April 17, 2015 on the

5<sup>th</sup> Avenue-Hwy 2 to Memorial Project – Project No. R100118.00. After discussing the payment, it was moved by Councilmember Schall and seconded by Councilmember Sonnichsen that Resolution 2015-12 approving payment to JEO in the amount of \$4,485.00 for work completed through April 17, 2015 on the 5<sup>th</sup> Avenue-Hwy 2 to Memorial Drive Project – Project R100118.00 be adopted. The Mayor stated the motion. Upon roll call the vote was as follows: Ayes: Schmick, Adams, Sonnichsen and Schall. Nays: None. Motion carried.

City Administrator Brent Clark presented Resolution 2015-13 authorizing payment to JEO Consulting Group in the amount of \$2,094.50 for work completed through April 17, 2015 on the Downtown Improvement Project-Project No. R141001.00. After discussing the payment, it was moved by Councilmember Schmick and seconded by Councilmember Schall that Resolution 2015-13 approving payment to JEO in the amount of \$2,904.50 for work completed through April 17, 2015 on the Downtown Improvement Project-Project No. R141001.00 be adopted. The Mayor stated the motion. Upon roll call the vote was as follows: Ayes: Schmick, Adams, Sonnichsen and Schall. Nays: None. Motion carried.

Three bids were opened and tabulated as follows for the purchase of a 2016 Ambulance:

- Fyr Tek - \$186,950.00
- Osage - \$171,140.00
- Arrow Manufacturing - \$134,202.00

After discussing the bids it was recommended that the EMT's review the bids and present their recommendation to the Mayor and Council at the June 9<sup>th</sup>, 2015 Council meeting.

At 12:35 P.M. it was moved by Councilmember Schall and seconded by Councilmember Schmick that the Council meeting of the City of Broken Bow be adjourned.

Ayes: Schall, Sonnichsen, Adams and Schmick.

Nays: None.

Motion carried.

ATTEST:

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Mayor, Cecil Burt

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Elaine L. Bayer, City Clerk