

**Broken Bow City Council
Meeting Minutes
May 9th, 2017**

The Broken Bow City Council met in regular session on Tuesday, May 9th, 2017. Notice of the meeting was given in advance thereof as required by law by publication in the Custer County Chief on May 4th, 2017. 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 12:02 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 Sonnichsen, seconded by Myers, to approve the consent agenda for May 9th, 2017. Said motion includes approval of Minutes of the April 25th Council Meeting and Bills to Date. Roll call vote: Voting aye: Neth, Holcomb, Myers, and Sonnichsen. Nays: None. Motion carried.

Aflac, insurance, 814.53, 146.75; Black Hills Energy, utilities, 821.14; Bound Tree Medical, supplies, 358.15; Broken Bow Chamber of Commerce, ambulance incentive, 915.00; Broken Bow Municipal Utilities, utilities, 5,384.91; Capital One Bank, website, supplies, 1,411.86; Card Services, supplies 18.97; Carquest of Broken Bow, supplies, 57.17; Central Fire & Safety, maintenance, 245.00; Central NE Medical Clinic, drug testing, 165.00; Chief Law Enforcement Supply, uniforms, 573.70; City Flex Benefit Plan, flex plan 130.21; City of Broken Bow – Health Insurance, insurance, 26,170.72, 3,383.63; City of Broken Bow Pension Fund, pension, 2,045.12, 9,227.82, 101.58, 1,168.78; Colonial Research Chem Corp, supplies, 575.60; Custer Public Power, CD cell power, 59.79; Danko Emergency Equipment Co, supplies, 874.74; Deb’s Embroidery Shop, hats, 81.73; EFTPS Online Payment, payroll, 2,734.74, 11,351.79, 11,693.16, 26.78, 76.34, 114.52; EMC Insurance, insurance, 2,500.00; Electrical Engineering & Equipment, LED lights, 347.75; Evans Feed Co., fish food, 41.73; Family Heritage, insurance, 56.00; Fourth Grade Foresters, trees, 113.40; Gateway Motors Inc., repairs, 138.47; Great Plains Communications, internet, 70.95; Hire Rights Solutions, drug testing, 259.56; Holmes Plumbing & Heating, water pipe, 168.02; ICMA Memberships, Brent’s due, 960.00; Laurie French, pool clinic, 80.00; Master Cleaners, laundry, 91.19; Mead Lumber, supplies, 2,200.04; Mid American Research Chemical, curb patch, 335.54; Monte Clark, fuel, 20.00; Mt. Custer Truck Sales, fender, 743.90, NMC Exchange LLC, filters, 201.38; NE Mosquito Vector Control, Workshop, 35.00; Nebraska Child Support Payment Center, child support, 629.65; Obrien’s True Value, paint, 10.46; Omaha State Bank, HSA, 318.75; Outdoor Recreation Products, barrel dump, 1,712.98; Plains Equipment Group, parts, 2.28; Platte Valley Communications, repairs, 296.25; Prachts Ace Hardware, supplies, 655.81; Presto X Company, pest service, 96.30; Pristine Cleaning, LLC, cleaning, 375.00; Ramada Inn, clerk school, 375.00; S & L Sanitary Service, trash, 49.30; Shirts, Signs, Mugs & More, bench plate, 7.00; Shopko Store, supplies, 115.85; Site One Landscape Supply, repairs, 661.27; Sleuth Software, annual fee, 2,417.00; State Income Tax WH NE Online Payment, payroll, 4,018.15, 22.98; Steve Scott, postage, 32.37; Trotter Service, supplies, 1,706.83; Unitech, stage floor supplies, 707.50; V-Bar Sales & Service, supplies, 261.55; Varney Healthmart, supplies, 60.80; Verizon Wireless, internet, 132.54; Wenquist Inc., supplies, 314.76; Bi-Weekly Payroll, payroll, 65,047.69; Total Bills = 169,120.23.

Mayor Burt read a proclamation proclaiming May 15, 2017 as Peace Officers Memorial Day and May 14-20, 2017 as Broken Bow Police Week.

Ryan Kavan from JEO gave an engineer update. He stated that work has begun on South B Street. With good weather, the section between South 10th Avenue and South 12th Avenue could possibly be open to traffic in two weeks.

Discussion was held regarding lowering the speed limits on highway 2 on the west side of the City. With all of the expansion, there is a potential safety problem. A traffic study will need to be completed at the City's expense. The State will then decide if the speeds need to be reduced. The City will proceed with the study.

Moved by Sonnichsen, seconded by Holcomb, to open a public hearing at 12:25 p.m. on Ordinance 1161, Alcohol Consumption on Public Property. Roll call vote: Voting aye: Holcomb, Myers, Sonnichsen, and Neth. Nays: None. Motion carried. This ordinance is regarding alcohol at the fire hall. Changes have been made to the previous ordinance and the City and the firemen are happy with the changes. Moved by Sonnichsen, seconded by Holcomb, to close the public hearing at 12:30 p.m. on Ordinance 1161, Alcohol Consumption on Public Property. Roll call vote: Voting aye: Myers, Sonnichsen, Neth, and Holcomb. Nays: None. Motion carried.

After discussing the matter, Councilmember Neth introduced Ordinance No. 1161 entitled "AN ORDINANCE PROVIDING FOR THE CONSUMPTION OF ALCOHOL ON DESIGNATED PUBLIC PROPERTY IN THE CITY OF BROKEN BOW, CUSTER COUNTY, NEBRASKA" and moved that the statutory rule requiring reading on three different days be suspended. Councilmember Myers 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: Neth, Sonnichsen, Holcomb, and Myers. 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 Myers. The Mayor stated the question, "Shall Ordinance No. 1161 be passed and adopted?" Upon roll call vote, the vote was as follows: Ayes: Sonnichsen, Holcomb, Myers, 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 Myers, seconded by Neth, to approve the reappointment of Jess Taylor to the Board of Public Works for a three year term. Roll call vote: Voting aye: Myers, Holcomb, Neth, and Sonnichsen. Nays: None. Motion carried.

Moved by Myers, seconded by Holcomb, to approve Resolution 2017-24. Said resolution approves payment to JEO Consulting Group, Inc. in the amount of \$800.00 for work completed on the CP Landfill NDEQ Financial Submittal through April 14, 2017. Roll call vote: Voting aye: Holcomb, Sonnichsen, Neth, and Myers. Nays: None. Motion carried.

Moved by Sonnichsen, seconded by Neth, to approve Resolution 2017-25. Said resolution approves amendments to the employee handbook. Roll call vote: Voting aye: Myers, Holcomb, Sonnichsen, and Neth. Nays: None. Motion carried.

Moved by Holcomb, seconded by Sonnichsen, to approve Resolution 2017-26. Said resolution approves payment #1 to Chief Construction Company in the amount of \$83,374.40 for work completed on the Broken Bow Library Project through April 30, 2017. Roll call vote: Voting aye: Neth, Holcomb, and Sonnichsen. Nays: None. Abstain: Myers. Motion carried.

Moved by Neth, seconded by Holcomb, to approve Resolution 2017-27. Said resolution deems 503 North C Street as surplus property and allows for advertising for sealed bids, with a minimum bid of \$20,000, for the purchase of the property. Roll call vote: Voting aye: Sonnichsen, Holcomb, Neth, and Myers. Nays: None. Motion carried.

Moved by Holcomb, seconded by Myers, to approve Resolution 2017-28. Said resolution approves the advertisement for bids for underground irrigation on three CEDC properties as part of the community match for NIFA. Roll call vote: Voting aye: Holcomb, Sonnichsen, Myers, and Neth. Nays: None. Motion carried.

Moved by Sonnichsen, seconded by Holcomb, to approve Resolution 2017-29. Said resolution deems the bricks from the 2014 Downtown Improvement Project as surplus and allows for advertising for sealed bids for the purchase of the bricks. Roll call vote: Voting aye: Myers, Neth, Sonnichsen, and Holcomb. Nays: None. Motion carried.

Moved by Sonnichsen, seconded by Neth, to open a public hearing at 12:40 p.m. on Ordinance 1162, One Way Alley. Roll call vote: Voting aye: Holcomb, Myers, Sonnichsen, and Neth. Nays: None. Motion carried. This ordinance is regarding a one way alley for the alley behind the east side of the square. Dick Taylor from Bow Booterie spoke against the one way. There was other discussion. Moved by Sonnichsen, seconded by Holcomb, to close the public hearing at 1:02 p.m. on Ordinance 1162, One Way Alley. Roll call vote: Voting aye: Myers, Sonnichsen, Neth, and Holcomb. Nays: None. Motion carried.

After discussing the matter, Councilmember Myers introduced Ordinance No. 1162 entitled “AN ORDINANCE OF THE CITY OF BROKEN BOW, NEBRASKA PROVIDING FOR TRAFFICE CONTROL FOR BLOCK THREE OF ORIGINAL TOWN, OF BROKEN BOW, CUSTER COUNTY, NEBRASKA” 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, Holcomb, Neth, and Myers. 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 to not adopt Ordinance 1162, which motion was seconded by Councilmember Holcomb. Upon roll call vote, the vote was as follows: Ayes: Neth, Myers, Holcomb, and Sonnichsen. Nays: None. Motion carried. Ordinance 1162 was not adopted.

Moved by Sonnichsen, seconded by Neth, to open a public hearing at 1:03 p.m. on Ordinance 1163, Rates with Ratchet Clause. Roll call vote: Voting aye: Holcomb, Myers, Sonnichsen, and Neth. Nays: None. Motion carried. Doug Staab, Electric Superintendent, stated that this is not an ordinance to raise rates. This ordinance amends the rate ordinance to add a ratchet clause that will allow the Utilities to charge a demand customer for 23 months if they choose to leave. This protects the City because energy purchases are scheduled for purchase three years in advance. If a large demand customer would leave, that customer could be charged for 23 months to help with the energy costs that will still be charged to the City. Moved by Sonnichsen, seconded by Holcomb, to close the public hearing at 1:07 p.m. on Ordinance 1163, Rates with Ratchet Clause. Roll call vote: Voting aye: Myers, Sonnichsen, Neth, and Holcomb. Nays: None. Motion carried.

After discussing the matter, Councilmember Holcomb introduced Ordinance No. 1163 entitled “AN ORDINANCE OF THE CITY OF BROKEN BOW, NEBRASKA ESTABLISHING ELECTRIC USE FEES” and moved that the statutory rule requiring reading on three different days be suspended. Councilmember Myers 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, and Myers. Nays: Neth. 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 Neth. The Mayor stated the question, "Shall Ordinance No. 1163 be passed and adopted?" Upon roll call vote, the vote was as follows: Ayes: Sonnichsen, Holcomb, Myers, 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 Holcomb, to table the playground equipment for Indian Hills until after the completion of South B Street. Roll call vote: Voting aye: Myers, Neth, Sonnichsen, and Holcomb. Nays: None. Motion carried.

Moved by Holcomb, seconded by Neth, to approve the amendment to the fire station agreement. Roll call vote: Voting aye: Holcomb, Sonnichsen, Neth, and Myers. Nays: None. Motion carried.

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

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

Moved by Sonnichsen, seconded by Neth, to enter closed session at 1:22 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 Administrator Brent Clark and City Clerk Stephanie Wright. Roll call vote: Voting aye: Neth, Sonnichsen, Myers, and Holcomb. Nays: None. Motion carried.

Moved by Sonnichsen, seconded by Neth, to exit out of closed session at 1:36 p.m. from the purpose of discussing strategy with respect to collective bargaining. Roll call vote: Voting aye: Holcomb, Myers, Sonnichsen, and Neth. Nays: None. Motion carried.

Moved by Sonnichsen, seconded by Neth, to adjourn the City Council Meeting at 2:13 p.m. Roll call vote: Voting aye: Sonnichsen, Myers, Holcomb, and Neth. Nays: None. Motion carried.

Cecil Burt, Mayor

ATTEST:

Stephanie M. Wright, City Clerk