

**Broken Bow City Council
Meeting Minutes
October 22, 2019**

The Broken Bow City Council met in regular session on Tuesday, October 22, 2019 at the Broken Bow Library. Notice of the meeting was given in advance thereof as required by publication in the Custer County Chief on October 17, 2019. 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 Jonathon Berghorst called the meeting to order at 6:00 P.M., with the following Councilmembers present: Sonnichsen, Miller, and Holcomb. Absent: Myers. Mayor Berghorst announced the availability of the open meetings law, followed by the reciting of the Pledge of Allegiance.

Mayor Berghorst read the format for submitting requests for future agenda items.

Moved by Miller, seconded by Holcomb, to approve the consent agenda for October 22, 2019. Said motion includes approval of the Minutes of the October 8, 2019 Council Meeting, Bills to Date, September Treasurer Report, and Broken Bow Ambulance Service Roster. Roll call vote: Voting aye: Holcomb, Sonnichsen, and Miller. Nays: None. Motion carried.

Aflac, \$762.44, \$259.78, \$287.86; Bon Appetit, subscription, \$20.00; Broken Bow Ambulance Service, EMS student books, \$1,527.77; Broken Bow Mun Utilities, fuel, \$3,418.39; Capitol One Bank, supplies, \$85.56; Carquest of Broken Bow, air nozzle, \$17.59; Central Ne Economic Dev District, membership, \$5,338.50; Century Link, telephone, \$562.30; City Flex Benefit Plan, \$116.04, \$150.00; City of Broken Bow – Health Insurance, \$3,798.69, \$27,728.68; City of Broken Bow Pension Fund, pension, \$2,139.51, \$6,585.68; Custer County Chief, publication, \$672.08; Custer Transfer Station, dump fees, \$8.80; Danko Emergency Equipment Co, freight, \$65.26; Demco, supplies, \$100.85; Dollar General-Regions 410526, supplies, \$25.90; EFTPS Online Payment, payroll, \$1,983.90, \$5,727.44, \$8,482.86; Eakes Office Products, supplies & copies, \$136.47; Embassy Suites, hotel, \$333.90; Family Heritage, \$56.00; Gale/Cengage Learning, subscription, \$275.62; Gary's Super Foods, supplies, \$27.61; General Traffic Controls, traffic signal lights, \$401.84; Grainger, bird repeller, \$296.40; Great Plains Communications, internet, \$70.95, \$1,000.00; IIMC, membership, \$170.00; Ingram Library Services, materials, \$1,913.15; Insurance Aid Services, fees, \$1,149.63; Island Supply Welding Co., oxygen, \$41.22; K. Joan birnie, materials, \$85.63; Kim Blackburn, mileage, \$243.60; Kirkpatrick Cleaning Solutions, supplies, \$41.62; LaQuinta Inns & Suites, hotel, \$293.85; MacQueen Equipment, supplies, \$313.51; Matheson Tri-Gas Inc., argon Co2, \$54.80; Mead Lumber, supplies, \$1,194.74; Megan Svoboda, meals, \$31.65; Michael Frederick, book, \$24.00; Mid American Research Chemical, supplies, \$5,429.25; NSA/POAN Conference, registration, \$75.00; Nebraska Department of Transportation, asphalt millings, \$4,000.00; Nebraska Library Commission, overdrive fee, \$500.00; OSA/Computers Plus, supplies, \$28.99; O'Brien's True Value, supplies, \$31.84; Omaha State Bank, HSA, \$150.00; Omaha World Herald, subscription, \$392.43; Paulsen Inc., concrete, \$6,442.58; Penguin Random House, books, \$236.25; Prachts Ace Hardware, supplies, \$332.69; Presto X Company, monthly service, \$49.00; Pristine Cleaning, LLC, cleaning, \$375.00; Read aloud Nebraska Workshop, registration, \$35.00; S & L Sanitary Service, trash, \$49.30; Safelite Fulfillment, Inc., windshield, \$356.17; Sargent Pipe Co, supplies, \$67.43; Schaper and White Law Firm, legal fees, \$75.00; State Income Tax WH NE Online Payment, payroll, \$2,520.29; Stephanie Wright, printer cord, \$7.36; Tapco, freight, \$163.47; Taste of Home, book, \$34.98; Trotter Fertilizer, weed spray, \$413.18; Trotter Service, gasoline, \$1,371.81, \$15.43; Trotter's Whoa & Go, fuel, \$184.50; Vanity Fair, subscription, \$26.00;

Verizon Wireless, telephone, \$143.49; World Book Inc., annual renewal, \$714.00; Bi-Weekly Payroll, \$49,294.25; Total Bills = \$151,536.76.

Moved by Sonnichsen, seconded by Miller, to open a public hearing at 6:02 pm regarding the house located at 631 South 9th Avenue. Roll Call vote: Voting aye: Miller, Sonnichsen, and Holcomb. Nays: None. Motion carried. Justin Russell gave a status update. Police Chief Steve Scott recommended that Mr. Russell be given 6 months to completely finish the house. Moved by Sonnichsen, seconded by Holcomb, to close the public hearing at 6:05 pm regarding the house located at 631 South 9th Avenue. Roll Call vote: Voting aye: Holcomb, Miller, and Sonnichsen. Nays: None. Motion carried.

Moved by Sonnichsen, seconded by Miller, to allow Justin Russell an extension of 6 months for completion of remodeling of the house located at 631 South 9th Avenue per the recommendation of Police Chief Steve Scott. Roll Call vote: Voting aye: Miller, Holcomb, and Sonnichsen. Nays: None. Motion carried.

Moved by Sonnichsen, seconded by Miller, to open a public hearing at 6:07 pm regarding Ordinance 1214, Electric Rates. Roll Call vote: Voting aye: Miller, Sonnichsen, and Holcomb. Nays: None. Motion carried. Electric Superintendent Jeremy Tarr explained that the increase will only affect the large power customers. The disconnect fee will also increase from \$60 to \$75. Moved by Sonnichsen, seconded by Holcomb, to close the public hearing at 6:07 pm regarding Ordinance 1214, Electric Rates. Roll Call vote: Voting aye: Holcomb, Miller, and Sonnichsen. Nays: None. Motion carried.

Moved by Holcomb, seconded by Sonnichsen, to not waive the two readings of Ordinance 1214, Electric Rates. Roll Call vote: Voting aye: Sonnichsen, Holcomb, and Miller. Nays: None. Motion carried.

City Clerk Stephanie Wright read the second reading of Ordinance 1214, Electric Rates.

Moved by Holcomb, seconded by Miller, to approve the appointment of Kirk Crawley to the Board of Adjustment for a term ending February 2022. Roll Call vote: Voting aye: Holcomb, Sonnichsen, and Miller. Nays: None. Motion carried.

Moved by Sonnichsen, seconded by Holcomb, to open a public hearing at 6:09 pm regarding Ordinance 1211, O'Reilly Administrative Lot Split Subdivision. Roll Call vote: Voting aye: Miller, Sonnichsen, and Holcomb. Nays: None. Motion carried. City Clerk and Zoning Administrator Stephanie Wright explained the subdivision. It has been presented to both the Planning Commission and Board of Public Works, and both Boards recommended the approval of the subdivision. Moved by Sonnichsen, seconded by Miller, to close the public hearing at 6:13 pm regarding Ordinance 1211, O'Reilly Administrative Lot Split Subdivision. Roll Call vote: Voting aye: Holcomb, Miller, and Sonnichsen. Nays: None. Motion carried.

After discussing the matter, Councilmember Sonnichsen introduced Ordinance No. 1211 entitled "AN ORDINANCE OF THE CITY OF BROKEN BOW, NEBRASKA APPROVING THE PLAT OF O'REILLY ADMINISTRATIVE LOT SPLIT SUBDIVISION, INCORPORATING SAID SUBDIVISION INTO THE CITY, AUTHORIZING THE MAYOR TO SIGN ALL DOCUMENTS APPROVING THE SAME, PROVIDING FOR PUBLICATION AND EFFECTIVE DATE" 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: Miller, Sonnichsen, 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 Miller. The Mayor stated the question, "Shall Ordinance No. 1211 be passed and adopted?" Upon roll call vote, the vote was as follows: Ayes: Miller, Sonnichsen, and Holcomb. 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 open a public hearing at 6:14 pm regarding Ordinance 1215, Wellhead Protection Map. Roll Call vote: Voting aye: Miller, Sonnichsen, and Holcomb. Nays: None. Motion carried. Water Superintendent Darren Marten explained that this map shows where water will flow from for the next 50 years. The map will help the NRD with protecting the water. Moved by Sonnichsen, seconded by Miller, to close the public hearing at 6:16 pm regarding Ordinance 1215, Wellhead Protection Map. Roll Call vote: Voting aye: Holcomb, Miller, and Sonnichsen. Nays: None. Motion carried.

After discussing the matter, Councilmember Miller introduced Ordinance No. 1215 entitled "AN ORDINANCE TO THE CITY OF BROKEN BOW, NEBRASKA TO ADD SECTION 51.10: WELLHEAD PROTECTION AREA, OF THE BROKEN BOW MUNICIPAL CODE DESIGNATING A WELLHEAD PROTECTION AREA, AS DRAWN BY THE NEBRASKA DEPARTMENT OF ENVIRONMENT AND ENERGY, WELLHEAD PROTECTION PROGRAM, DATED SEPTEMBER 2019, TO PROVIDE FOR THE REPEAL OF ORDINANCES INCONSISTENT HEREWITH; TO PROVIDE WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT; AND TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM" 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, Miller, 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 Miller. The Mayor stated the question, "Shall Ordinance No. 1215 be passed and adopted?" Upon roll call vote, the vote was as follows: Ayes: Holcomb, Sonnichsen, and Miller. 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.

Mayor Berghorst opened the floor for comments from the Councilmembers concerning City Departments. There were no comments from the Council. Mona Weatherly from the Chief asked the Mayor some questions.

Moved by Sonnichsen, seconded by Holcomb, to adjourn the City Council Meeting at 6:24 p.m. Roll call vote: Voting aye: Sonnichsen, Holcomb, and Miller. Nays: None. Motion carried.

Jonathon Berghorst, Mayor

ATTEST:

Stephanie M. Wright, City Clerk