

**Broken Bow City Council
Meeting Minutes
September 26th, 2017**

The Broken Bow City Council met in regular session on Tuesday, September 26th, 2017. Notice of the meeting was given in advance thereof as required by law by publishing in the Custer County Chief on September 21, 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 12:00 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 Holcomb, to approve the consent agenda for September 26th, 2017. Said motion includes approval of Minutes of the September 12th Council Meeting, Bills to Date, and August Treasurer's Report. Roll call vote: Voting aye: Neth, Holcomb, Sonnichsen, and Myers. Nays: None. Motion carried.

Aflac, insurance, 832.21, 170.93, 287.83; Ben Tucker, meals & fuel, 50.13; Big State Industrial Supply Inc., supplies, 765.41; Bound Tree Medical, supplies, 1,431.00; Broken Bow Mun Utilities, fuel, 3,688.63; Broken Bow School, liquor & tobacco tax, 4,000.00; Capital One Bank, supplies, 543.72; Cardmember Services, supplies, 1,957.46; Century Link, telephone, 85.49; Chief Construction Company, arrow alley, 14,378.00; Chief Supply Corporation, pants, 433.99; City Flex Benefit Plan, flex, 26.04, 200.00; City of Broken Bow – Health Insurance, insurance, 3,389.54; City of Broken Bow Pension Fund, pension, 1,848.91, 6,163.08; Cole Electric Company, repair, 420.00; Computers Plus, laptops, 1,890.00; Consolidate Management Co., meal, 88.87; Custer County Chief, publication, 568.16; Custer County Treasurer, mini grant, 3,500.00; Custer Transfer Station, dumping fees, 27.20; David Taylor III, supplies, 54.09; Deere Credit Inc., lease, 216.51; Demco, supplies, 150.08; EFTPS Online Payment, payroll, 1,985.68, 6,503.15, 8,490.38; Eakes Office Products, copies, 194.90; Family Heritage, insurance, 56.00; Figgins Construction Co, armor coating, 12,080.20; Holcomb Mechanical LLC, repair ac, 106.12; Hometown Leasing, copier lease, 200.17; Ingram Library Supplies, materials, 710.97; Instant Rain Lawn Irrigation, rental, 300.00; Island Supply Company, oxygen, 51.73; Matheson Tri-Gas Inc., oxygen, 44.72; Matt Friend, snowplow, 8,356.96; Mead Lumber, supplies, 222.99; Med Tech Resource, supplies, 254.90; Mid Plains Community College, training, 917.00; Nebraska Child Support Payment Center, child support, 379.15; Nebraska Law Enforcement Training Center, training, 200.00; OSA/Computers Plus, supplies, 503.02, 195.13; Obrien's True Value, hardware, 128.40; Office Net, copies, 623.14; Omaha State Bank, HAS, 318.75; Overnite Auto, repairs, 668.27; Platte Valley Communications, radios, 3,489.50, 129.00; Prachts Ace Hardware, supplies, 21.54; Presto X Company, pest service, 47.00; Pristine Cleaning, LLC, cleaning, 375.00; Sandry Fire Supply LLC, gear, 2,420.08; Schaper and White Law Firm, legal fees, 1,965.00; Site One Landscape Supply, backflow preventer, 797.89; State Income Tax WH NE Online Payment, payroll, 2,283.54; Steve Scott, postage, 36.15; Tapco, signs, 2,406.25; Taste of Home, books, 65.96; The Angela Foundation Inc., library rent, 600.00; This Old House, book, 30.00; Titan Machinery-North Platte, fittings, 150.32; Trotter Service, tire repair, 1,070.00; Trotter's Whoa & Go, fuel, 157.60; US Bank Equipment Finance, copier lease, 303.97; Universal Insurance, work comp audit, 3,359.20; Verizon Wireless, cell phone, 30.02; Village Uniform, rugs, 81.04; Woods & Aitken LLP, legal fees, 199.50; Bi-Weekly Payroll, payroll, 49,053.33; Total Bills = 159,730.90.

An engineer update was given.

Moved by Sonnichsen, seconded by Neth, to open a public hearing at 12:04 p.m. regarding Ordinance 1172, Electric Rate Ordinance. Roll call vote: Voting aye: Sonnichsen, Neth, Myers, and Holcomb. Nays: None. Motion carried. This ordinance is regarding a 5.5% increase to the electric rates. Moved by Neth, seconded by Holcomb, to close a public hearing at 12:05 p.m. regarding Ordinance 1172, Electric Rate Ordinance. Roll call vote: Voting aye: Holcomb, Sonnichsen, Neth, and Myers. Nays: None. Motion carried.

After discussing the matter, Councilmember Sonnichsen introduced Ordinance No. 1172 entitled "AN ORDINANCE OF THE CITY OF BROKEN BOW, NEBRASKA ESTABLISHING ELECTRIC USE FEES" and moved that the statutory rule requiring the third reading not be suspended. Councilmember Neth 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: Myers, Sonnichsen, Holcomb, and Neth. Nays: None. Motion carried. The Ordinance was read for the third time. 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. 1172 be passed and adopted?" Upon roll call vote, the vote was as follows: Ayes: Neth, Sonnichsen, Myers, 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 Holcomb, seconded by Myers, to approve the SDL application for alcohol at the Employee Appreciation Banquet on December 1, 2017. Roll call vote: Voting aye: Holcomb, Neth, Myers, and Sonnichsen. Nays: None. Motion carried.

Moved by Neth, seconded by Holcomb, to approve opening a Community Betterment checking account at Nebraska State Bank with signers to be Nancee Coufal, Stephanie Wright, Brent Clark, Cecil Burt, and Rod Sonnichsen. Roll call vote: Voting aye: Myers, Holcomb, Sonnichsen, and Neth. Nays: None. Motion carried.

Moved by Sonnichsen, seconded by Holcomb, to open a public hearing at 12:13 p.m. regarding the condemnation and demolition of the house located at 437 North 12th Avenue. Roll call vote: Voting aye: Neth, Myers, Holcomb, and Sonnichsen. Nays: None. Motion carried. This property owner has been given the 60 day notice and had an extension until September 5, 2017. This house has been on skids for two years and has had several chances to get this house on a foundation. If the house is condemned the owner will have 30 days from condemnation to get the house on a foundation to stop it from being demolished. Moved by Sonnichsen, seconded by Myers, to close the public hearing at 12:22 p.m. regarding the condemnation and demolition of the house located at 437 North 12th Avenue. Roll call vote: Voting aye: Sonnichsen, Neth, Myers, and Holcomb. Nays: None. Motion carried.

Moved by Sonnichsen, seconded by Holcomb, to condemn and demolish the house located at 437 North 12th Avenue. Roll call vote: Voting aye: Sonnichsen, Holcomb, and Myers. Nays: Neth. Motion carried.

Moved by Holcomb, seconded by Sonnichsen, to approve Resolution 2017-65. Said resolution approves payment #13 to JEO Consulting Group Inc. in the amount of \$6,920.50 for work completed on the Library Design Services/Building Renovation and Addition through September 1, 2017. Roll call vote: Voting aye: Myers, Neth, Holcomb, and Sonnichsen. Nays: None. Motion carried.

Moved by Neth, seconded by Sonnichsen, to approve Resolution 2017-66. Said resolution approves payment #33 to JEO Consulting Group Inc. in the amount of \$15,246.00 for work completed on the 2015

Downtown Improvements through September 8, 2017. Roll call vote: Voting aye: Sonnichsen, Neth, and Holcomb. Nays: None. Abstain: Myers. Motion carried.

Moved by Neth, seconded by Holcomb, to approve expenditures for the employee appreciation banquet. Roll call vote: Voting aye: Myers, Holcomb, Sonnichsen, and Neth. Nays: None. Motion carried.

Moved by Holcomb, seconded by Myers, to approve Resolution 2017-68. Said resolution approves payment to B2 Environmental in the amount of \$250.00 for post asbestos air clearance at the Library. Roll call vote: Voting aye: Neth, Sonnichsen, Holcomb, and Myers. Nays: None. Motion carried.

Moved by Sonnichsen, seconded by Neth, to set November 14, 2017 as the date for the Board of Equalization and levying of special assessments in connection with Street Improvement Districts No., 2014-1 and 2014-2. Roll call vote: Voting aye: Myers, Holcomb, Sonnichsen, and Neth. 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 Holcomb, to enter into closed session at 12:32 p.m. for the purpose of discussing potential litigation. 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, and City Clerk Stephanie Wright. Roll call vote: Voting aye: Neth, Sonnichsen, Myers, and Holcomb. Nays: None. Motion carried. Neth exited at 12:53 p.m.

Moved by Sonnichsen, seconded by Holcomb, to exit out of closed session at 12:59 p.m. from the purpose of discussing potential litigation. Roll call vote: Voting aye: Holcomb, Myers, and Sonnichsen. Nays: None. Motion carried.

Moved by Sonnichsen, seconded by Myers, to adjourn the City Council Meeting at 1:00 p.m. Roll call vote: Voting aye: Sonnichsen, Myers, and Holcomb. Nays: None. Motion carried.

Cecil Burt, Mayor

ATTEST:

Stephanie M. Wright, City Clerk