

**CITY OF BROKEN BOW
CITY COUNCIL AGENDA
May 25, 2021 @ 6:00 PM
Municipal Auditorium
314 South 10th Avenue, Broken Bow, NE**

Meeting Procedure

The Public may address specific agenda items at the pleasure of the Mayor. Please come to the podium, state your name and address, and limit your remarks to five minutes or less. Out of respect to City employees, we request that any complaints or criticisms of employees not be aired in a public meeting. Concerns about employees should be brought to the attention of the City Administrator or Mayor. An individual in violation will be declared out of order.

A. Call to Order

- B. Open Meetings Act:** A current copy of the Open Meetings Act is available and is posted for review by all citizens.

C. Roll Call

D. Pledge of Allegiance

- E. Submittal of Requests for Future Items:** Individuals who have appropriate items for City Council consideration should complete the Request for Future Agenda Items. If the issue can be handled administratively without Council action, notification will be provided. If the item is scheduled for a meeting or study session, notification of the date will be given.

- F. Consent Agenda:** Consideration of approving the consent agenda items for May 25, 2021, which will include the following:
- a.** Approval of Minutes of May 11, 2021 Council Meeting
 - b.** Approval of Bills as Posted
 - c.** Approval of Troy's Hot Rocket Fireworks, LLC Application

G. Discussion:

- a.** Nuisance Property Located at 139 South 14th Avenue.
- b.** Overseer of Streets and Parks - Weed Control

H. New Business:

- a. Board Appointments** – Consideration of approving the appointments of Susan Porter, and Lawrence Stump to the Planning Commission for a 3-year term ending February, 2024.

**CITY OF BROKEN BOW
CITY COUNCIL AGENDA
May 25, 2021 @ 6:00 PM
Municipal Auditorium
314 South 10th Avenue, Broken Bow, NE**

- b. Public Hearing, Charles Sargent Irrigation, Inc. Lot Split Application –** Consideration of opening a public hearing regarding the lot split application located at 79772 Highway 21.
- c. Resolution 2021-8, Charles Sargent Irrigation, Inc. Lot Split –** Consideration of approving the lot split for Charles Sargent Irrigation, Inc. located at 79772 Highway 21.
- d. Resolution 2021-9, Sale of Real Property Valued at over \$5,000 –** Consideration of approving the sale of Real Property valued at over \$5,000.
- e. Public Hearing, Ordinance 1203 Mobile Food Vendors –** Consideration of opening a public hearing regarding Ordinance 1203, Mobile Food Vendors.

I. Adjournment

The next City Council Meeting will be on Tuesday, June 8, 2021 @ 6:00 pm.

Upcoming Events:

- ❖ **May 31** – City Offices and Departments Closed in Observance of Memorial Day
- ❖ **June 7** – Board of Public Works at 12:30 pm @ Municipal Building
- ❖ **June 7** – Park Board at 5:10 pm @ Council Chambers
- ❖ **June 8** – City Council Meeting at 6:00 pm @ Municipal Building
- ❖ **June 21** – Board of Public Works at 12:30 pm @ Municipal Building
- ❖ **June 22** – City Council Meeting at 6:00 pm @ Municipal Building

The Council will review the above matters and take such action as they deem appropriate. The Council may enter into closed session to discuss any matter on this agenda when it is determined by the Council that it is clearly necessary for protection of the public interest or the prevention of needless injury to the reputation of any individual and if such individual has not requested a public meeting, or as otherwise allowed by law. Any closed session shall be limited to the subject matter for which the closed session was classed. If the motion to close passes, immediately prior to the closed session the Mayor shall restate on the record the limitation of the subject matter of the closed session.

**Broken Bow City Council
Meeting Minutes
May 11, 2021**

The Broken Bow City Council met in regular session on Tuesday, May 11, 2021 in the Broken Bow Municipal Auditorium. Notice of the meeting was given in advance thereof as required by publication in the Custer County Chief on May 6, 2021. 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 Rod Sonnichsen called the meeting to order at 6:00 P.M., with the following Councilmembers present: Jacob Holcomb, Dave Schmidt, and Larry Miller. Absent: Chris Myers. Moved by Holcomb, seconded by Schmidt to approve the absence of Councilmen Myers. Roll Call vote: Voting aye: Miller, Holcomb, and Schmidt. Nays: None. Motion carried. Mayor Sonnichsen announced the availability of the open meetings law, followed by reciting of the Pledge of Allegiance.

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

Moved by Miller, seconded by Schmidt, to approve the consent agenda for May 11, 2021. Said motion includes approval of the Minutes of the April 27, 2021 Council Meeting and Bills to Date. Roll call vote: Voting aye: Schmidt, Holcomb, and Miller. Nays: None. Motion carried.

Aflac, \$590.82, \$183.24; Andy Holland, firetruck title, \$20.00; Blessing Construction, concrete, \$5,540.13; Broken Bow Airport Authority, monthly payment, \$1,083.33; Broken Bow Chamber of Commerce, ambulance incentive, \$745.00; Broken Bow Fire Department, fuel, supplies, \$307.63; Broken Bow Mun. Utilities, fuel, \$3,196.54; Broken Bow Municipal Utilities, utilities/trash removal, \$7,438.79; Card Services, repairs, \$569.83; Century Link, basic/long distance, \$651.20; City Flex Benefit Plan, \$135.00; City of Broken Bow Health Insurance, \$2,822.80; City of Broken Bow Pension Fund, \$1,361.34; \$6,336.42; Colonial Insurance, \$916.16; \$316.76; Custer County Treasurer, Communications Interlocal Payment, \$12,120.58; Custer Public Power, CD Cell Power, \$90.45; Darren Marten, education program, \$80.00; Dave Dunkel, boot allowance, \$101.64; EFTPS Online Payment \$2,118.52; \$6,015.76; \$9,058.50; Eakes, copier lease, supplies, \$1,947.20, Enerspect, training materials, \$152.83; Family Heritage, \$51.00; Garrett Tires & Treads, repairs, \$28.15; Great Plains Communications, Internet, \$70.95; Grocery Kart, table clothes for auditorium, \$83.12; Hometown Leasing, copier lease, \$159.18; Island Supply Welding Co. oxygen, \$10.98; JEO, CD Cell Financial Submittal and Drinking Water Plan, \$6,649.75; John Deere Financial, mower lease, \$216.51; Kirkpatrick Cleaning Solutions, supplies, \$1,292.34; Lawrence Stump, medical bill, \$167.86; MPH Industries, radar repair, \$87.93; Mid Plains Community College, CPR Class, \$455.00; Nebraska State Treasurer, dog tags, \$52.38; Omaha State Bank, HSA, \$75.00; Peak Software System, pool software, \$1,280.00; Platte Valley Communications, installation of server, \$1,736.40; Power Solutions, repairs, \$24.91; Prachts Ace Hardware, supplies, \$569.34; Presto X Company, pest service, \$116.63; Pristine Cleaning, LLC, cleaning service, \$325.00; Rockmount Research and Alloys Inc., welding rod, \$441.60; S&L Sanitary Service, trash around the square, \$49.30; Steve Mogensen, education program, \$80.00; Sara J. Hulinsky, cleaning service, \$1,192.00; State Income Tax WH NE Online Payment, \$2,799.21; TextMyGov, software, \$3,000.00; V-Bar Sales & Service, supplies & repairs, \$832.71; Verizon Wireless, police internet for Ipads, \$280.07; Weathercraft, repairs, \$250.00; Total Bills: \$86,277.79.

Discussion was held about the Mobile Food Vendors on the Square. City Administrator Dan Knoell addressed Council. He has received several complaints about the Mobile Food Vendors that have

been parked on the south side of the Square. Some complaints mentioned were lack of trash removal, power cords being trip hazards, misusing city outlets, being parked for over 24hrs, and an eye sore. He elaborated that from a tourist standpoint these vendors remove the view of the square and eliminate available parking. Park Foreman Steve Mogensen spoke to the Council about what he has observed while maintaining the Square. He explained certain vendors are not cleaning up after themselves and leaving full bags of trash by the trash receptacles which then at times tip over, spreading trash all over the ground. He detailed how when these vendors utilize the power outlets in the square the breakers go out frequently and instead of reporting those issues to the City, they string their power cords from one side of the Square to the other side causing a big concern for safety. When this happens and those power cords are laying through the grass, they are not easily visible for workers such as himself mowing or doing other maintenance throughout the square. He has visited with these vendors about covering the power cords to eliminate the tripping hazard which they were doing for a while but now they are not. Managing Editor for the Custer County Chief Mona Weatherly stressed her concerns of the competition with local businesses and for the safety of individuals crossing the street. Jason Baum was also concerned about taking away customers from local businesses who pay taxes. Mayor Sonnichsen said in July of 2019 they were dealing with some of the same issues. Police Chief Steve Scott informed the council that the parking direction is probably not correct but has never been enforced because you cannot say who can and cannot park at that location. Joyce Richardson informed the Council that back in 2019 the fee for a mobile food vendor permit was increased because these businesses do not pay property taxes. Mayor Sonnichsen asked Joyce Richardson if she thought revising the mobile food vendor permit to only be used at special events such as market on the square would be a reasonable request. She elaborated that food trucks are becoming more and more popular and that they should be welcomed more than one day a week.

Fire Chief Jason Baum gave a fire report to the Council. They have had to use the new truck and it worked well. Baum said he feels it was a great purchase for the City and has saved a lot of man hours. Eight Firemen have been trained to run it and more are working on being trained. Councilman Schmidt read an appreciation letter he wrote for all the firemen thanking them for all they do.

Moved by Miller, seconded by Holcomb, to approve the appointment of David Schmidt as a Representative for Custer County Communications. Roll Call vote: Voting aye: Miller and Holcomb. Nays: None. Abstain: Schmidt. Motion carried.

Moved by Miller, seconded by Holcomb, to approve the Car and Bike Show, with street closer of D Street on July 24, 2021. Roll call vote: Voting Aye: Schmidt, Miller, and Holcomb. Nays: None. Motion carried.

Moved by Schmidt, seconded by Miller, to adjourn the City Council Meeting at 6:30 p.m. Roll call vote: Voting aye: Schmidt, Holcomb, and Miller. Nays: None. Motion carried.

Rod Sonnichsen, Mayor

ATTEST:

Kandi K. Peters, City Clerk

Vend#		Vendor Name							
Pay#	Post Date	Due Date	Amount	Invoice	Date	PO#	Date	Status	
	Account#	Work Order		Description			Debit	Credit	
Aflac									
30961	5/12/2021	5/12/2021	373.97					Posted	
	01-1501.00			PRE TAX AFLAC			373.97		0.00
30962	5/12/2021	5/12/2021	130.14					Posted	
	01-1501.00			AFLAC POST TAX			130.14		0.00
30995	5/25/2021	5/25/2021	914.35					Posted	
	01-1501.00			BBHA Aflac-March			127.59		0.00
	01-1501.00			BBHA Aflac-April			85.06		0.00
	01-1501.00			Dan-March			421.02		0.00
	01-1501.00			Dan-April			280.68		0.00
							914.35		0.00
Carquest of Broken Bow									
30984	5/25/2021	5/25/2021	113.66					Posted	
	06-3310.00			supplies			100.78		0.00
	08-3310.00			Repair			12.88		0.00
							113.66		0.00
Century Link									
30992	5/25/2021	5/25/2021	85.49					Posted	
	01-3221.00			General -Basic & Long Distance Radio			85.49		0.00
City Flex Benefit Plan									
30963	5/12/2021	5/12/2021	135.00					Posted	
	01-1501.00			SELECT FLEX-UNREIMBURSED M/D/V			135.00		0.00
City of Broken Bow - Health Insurance									
30973	5/12/2021	5/12/2021	2,822.80					Posted	
	01-1501.00			HEALTH INSURANCE			2,822.80		0.00
31010	5/25/2021	5/25/2021	15,736.62					Posted	
	01-1501.00			BBHA Health Insurance-Jan			5,245.54		0.00
	01-1501.00			BBHA Health Insurance-Feb			5,245.54		0.00
	01-1501.00			BBHA Health Insurance-Mar			5,245.54		0.00
							15,736.62		0.00
City of Broken Bow Pension Fund									
30964	5/12/2021	5/12/2021	1,823.31					Posted	
	01-1513.00			RETIREMENT LOAN PAYMENT			1,823.31		0.00
30965	5/12/2021	5/12/2021	6,308.06					Posted	
	01-1502.00			RETIREMENT NEW			6,308.06		0.00
30974	5/25/2021	5/25/2021	1,447.82					Posted	
	01-1502.00			Liability - BBHA			1,447.82		0.00
Colonial Insurance									
30959	5/12/2021	5/12/2021	505.27					Posted	
	01-1501.00			COLONIAL LIFE PRE TAX			505.27		0.00
30960	5/12/2021	5/12/2021	190.84					Posted	
	01-1501.00			COLONIAL LIFE POST TAX			190.84		0.00
30975	5/25/2021	5/25/2021	401.16					Posted	
	01-1501.00			BBHA-March			205.74		0.00
	01-1501.00			BBHA-April			195.42		0.00
							401.16		0.00
Custer County Chief									
30993	5/25/2021	5/25/2021	325.19					Posted	
	01-3209.00			publication			269.79		0.00
	07-3342.00			promotions			55.40		0.00
							325.19		0.00
Demco									
31004	5/25/2021	5/25/2021	86.45					Posted	
	07-3223.00			supplies			86.45		0.00
EFTPS Online Payment									
30969	5/12/2021	5/12/2021	2,098.56					Posted	
	01-1500.00			MEDICARE			2,098.56		0.00
30970	5/12/2021	5/12/2021	5,892.92					Posted	
	01-1500.00			FEDERAL MARRIED			2,718.56		0.00
	01-1500.00			FEDERAL SINGLE			3,174.36		0.00
							5,892.92		0.00

Accounts Payable Detail Listing

City of Broken Bow

<u>Vend#</u>	<u>Vendor Name</u>								
<u>Pay#</u>	<u>Post Date</u>	<u>Due Date</u>	<u>Amount</u>	<u>Invoice</u>	<u>Date</u>	<u>PO#</u>	<u>Date</u>	<u>Status</u>	
	<u>Account#</u>	<u>Work Order</u>		<u>Description</u>			<u>Debit</u>	<u>Credit</u>	
EFTPS Online Payment (continued)									
30971	5/12/2021	5/12/2021	8,973.08						
	01-1500.00			SOCIAL SECURITY			8,973.08		Posted
								0.00	
EZ IT Solutions									
30977	5/25/2021	5/25/2021	484.00						Posted
	01-3438.00			IT Services			234.00		0.00
	02-3438.00			IT Services			100.00		0.00
	06-3438.00			IT Services			150.00		0.00
							484.00		0.00
Family Heritage									
30966	5/12/2021	5/12/2021	51.00						Posted
	01-1501.00			FAMILY HERITAGE			51.00		0.00
Frontier Family Pharmacy									
30981	5/25/2021	5/25/2021	150.64						Posted
	05-3338.00			supplies			150.64		0.00
Garrett Tires & Treads									
30985	5/25/2021	5/25/2021	28.15						Posted
	04-3310.00			repairs			28.15		0.00
Heiman Fire Equipment									
30982	5/25/2021	5/25/2021	2,700.00						Posted
	05-3410.00			EMS gear			2,700.00		0.00
In-Fisherman									
30999	5/25/2021	5/25/2021	6.00						Posted
	07-3340.00			subscription			6.00		0.00
Ingram Library Services									
1001	5/25/2021	5/25/2021	1,540.61						Posted
	07-3340.00			materials			1,540.61		0.00
Insurance Aid Services									
30983	5/25/2021	5/25/2021	2,172.79						Posted
	05-3336.00			Insurance Aid Fees			2,172.79		0.00
Kirkpatrick Cleaning Solutions									
30991	5/25/2021	5/25/2021	132.44						Posted
	02-3223.01			supplies			105.16		0.00
	07-3223.00			supplies			27.28		0.00
							132.44		0.00
League of NE Municipalities									
31011	5/25/2021	5/25/2021	420.00						Posted
	01-3202.00			training			420.00		0.00
Mead Lumber									
31006	5/25/2021	5/25/2021	62.12						Posted
	08-3311.00			lumber/cement mix			45.63		0.00
	09-3339.00			lumber/cement mix			16.49		0.00
							62.12		0.00
Megan Svoboda									
30996	5/25/2021	5/25/2021	67.61						Posted
	07-3223.00			materials & supplies			11.98		0.00
	07-3340.00			materials & supplies			55.63		0.00
							67.61		0.00
NMC Exchange LLC									
31008	5/25/2021	5/25/2021	1,697.45						Posted
	08-3310.00			service repair			1,697.45		0.00
Nebraska Library Association									
1000	5/25/2021	5/25/2021	60.00						Posted
	07-3206.00			Association Dues			60.00		0.00
OCLC Inc.									
30997	5/25/2021	5/25/2021	138.78						Posted
	07-3340.00			Materials			138.78		0.00

Accounts Payable Detail Listing

City of Broken Bow

<u>Vend#</u>	<u>Vendor Name</u>	<u>Pay#</u>	<u>Post Date</u>	<u>Due Date</u>	<u>Amount</u>	<u>Invoice</u>	<u>Date</u>	<u>PO#</u>	<u>Date</u>	<u>Status</u>
	<u>Account#</u>			<u>Work Order</u>		<u>Description</u>			<u>Debit</u>	<u>Credit</u>
	Omaha State Bank (continued)									
30967	5/12/2021	5/12/2021			75.00					Posted
	01-1501.00				HSA				75.00	0.00
	Pavement Repair & Supplies									
31005	5/25/2021	5/25/2021			2,150.00					Posted
	08-3425.00				street patch				2,150.00	0.00
	Popular Mechanics									
30998	5/25/2021	5/25/2021			29.97					Posted
	07-3340.00				Subscription				29.97	0.00
	Presto X Company									
31003	5/25/2021	5/25/2021			54.00					Posted
	07-3311.00				monthly service				54.00	0.00
	Pristine Cleaning, LLC									
30994	5/25/2021	5/25/2021			325.00					Posted
	02-3419.01				Cleaning Service				325.00	0.00
	Rembolt, Ludtke & Berger									
31009	5/25/2021	5/25/2021			4,750.00		4/19/2021			Posted
	01-3214.00				Refunding Bonds-Bond Counsel fees				4,750.00	0.00
	STEVE MOGENSEN									
31007	5/25/2021	5/25/2021			106.99					Posted
	09-3410.01				boots				106.99	0.00
	Schaper and White Law Firm									
30990	5/25/2021	5/25/2021			2,129.17					Posted
	01-3214.00				legal fees				2,129.17	0.00
	State Income Tax WH NE Online Payment									
30972	5/12/2021	5/12/2021			2,774.48					Posted
	01-1500.00				STATE MARRIED				1,393.24	0.00
	01-1500.00				STATE SINGLE				1,381.24	0.00
									<u>2,774.48</u>	<u>0.00</u>
	Steve Scott									
30987	5/25/2021	5/25/2021			65.50					Posted
	04-3223.00				office supplies				65.50	0.00
	TX Child Support SDU									
31012	5/25/2021	5/25/2021			69.23					Posted
	01-1503.00				Child Support				69.23	0.00
	The Niobrara Lodge									
30986	5/25/2021	5/25/2021			85.00					Posted
	04-3205.00				lodging				85.00	0.00
	This Old House									
31002	5/25/2021	5/25/2021			25.00					Posted
	07-3340.00				subscription				25.00	0.00
	Trotter's Whoa & Go									
30979	5/25/2021	5/25/2021			45.16					Posted
	06-3225.00				Fuel				45.16	0.00
	Varney Healthmart									
30980	5/25/2021	5/25/2021			4.29					Posted
	05-3338.00				supplies				4.29	0.00
	Verizon Wireless									
30988	5/25/2021	5/25/2021			200.61					Posted
	05-3221.00				Rescue hot spots				52.92	0.00
	06-3221.00				EMS cell phone				41.23	0.00
	03-3221.00				Handi Bus Phone				24.00	0.00
	08-3221.00				streets cell phone				41.23	0.00
	09-3221.00				parks cell phone				41.23	0.00
									<u>200.61</u>	<u>0.00</u>

Wenquist Inc.

Accounts Payable Detail Listing

City of Broken Bow

Vend# Vendor Name

<u>Pay#</u>	<u>Post Date</u>	<u>Due Date</u>	<u>Amount</u>	<u>Invoice</u>	<u>Date</u>	<u>PO#</u>	<u>Date</u>	<u>Status</u>
	<u>Account#</u>	<u>Work Order</u>		<u>Description</u>			<u>Debit</u>	<u>Credit</u>
Wenquist Inc. (continued)								
30978	5/25/2021	5/25/2021	93.12					Posted
	06-3310.00			repair			58.49	0.00
	08-3310.00			repair			34.63	0.00
							93.12	0.00
Woods & Aitken LLP								
30989	5/25/2021	5/25/2021	91.50					Posted
	01-3214.00			legal fees			91.50	0.00
			71,150.30	52 Non-voided payables listed.				

Report Setup

AP - Accounts Payable Listing : Vendor Name

Filter Options

Starting: 5/12/2021

Ending: 5/25/2021

Banks: All

Payable Status: Posted, Printed, ACH, Recorded, Voided

All Vendors Selected

Bi-weekly Payroll \$52,793.10

Check Approval List - GL Account

5/21/2021 11:42:18 AM

City of Broken Bow

Page 1 of 2

<u>Vendor Name</u>	<u>Invoice</u>	<u>Invoice Description</u>	<u>Account Description</u>	<u>Amount</u>
General				
General				
Aflac		PRE TAX AFLAC	Health/Life/Acc Insuranc	373.97
Aflac		AFLAC POST TAX	Health/Life/Acc Insuranc	130.14
Aflac		BBHA Aflac & Dan	Health/Life/Acc Insuranc	127.59
Aflac		BBHA Aflac & Dan	Health/Life/Acc Insuranc	85.06
Aflac		BBHA Aflac & Dan	Health/Life/Acc Insuranc	421.02
Aflac		BBHA Aflac & Dan	Health/Life/Acc Insuranc	280.68
Century Link		Basic & Long Distance Radio	Telephone/Internet	85.49
City Flex Benefit Plan		SELECT FLEX-UNREIMBURSED M/D/V	Health/Life/Acc Insuranc	135.00
City of Broken Bow - Health Insurance		HEALTH INS	Health/Life/Acc Insuranc	2,822.80
City of Broken Bow - Health Insurance		health insurance	Health/Life/Acc Insuranc	5,245.54
City of Broken Bow - Health Insurance		health insurance	Health/Life/Acc Insuranc	5,245.54
City of Broken Bow - Health Insurance		health insurance	Health/Life/Acc Insuranc	5,245.54
City of Broken Bow Pension Fund		RETIREMENT NEW	Pension	6,308.06
City of Broken Bow Pension Fund		BBHA retirement April	Pension	1,447.82
City of Broken Bow Pension Fund		RETIREMENT LOAN PAYMENT	Loan Payment	1,823.31
Colonial Insurance		COLONIAL LIFE PRE TAX	Health/Life/Acc Insuranc	505.27
Colonial Insurance		COLONIAL LIFE POST TAX	Health/Life/Acc Insuranc	190.84
Colonial Insurance		BBHA	Health/Life/Acc Insuranc	205.74
Colonial Insurance		BBHA	Health/Life/Acc Insuranc	195.42
Custer County Chief		publications	Printing & Publication	269.79
EFTPS Online Payment		MEDICARE	Payroll Taxes	2,098.56
EFTPS Online Payment		FEDERAL	Payroll Taxes	2,718.56
EFTPS Online Payment		FEDERAL	Payroll Taxes	3,174.36
EFTPS Online Payment		FICA	Payroll Taxes	8,973.08
EZ IT Solutions		IT Services	IT Expense	234.00
Family Heritage		FAMILY HERITAGE	Health/Life/Acc Insuranc	51.00
League of NE Municipalities		training	Education and Training	420.00
Omaha State Bank		HSA	Health/Life/Acc Insuranc	75.00
Omolt, Ludtke & Berger		Refunding Bonds-Bond Counsel fees	Legal Fees	4,750.00
Opaper and White Law Firm		legal fees	Legal Fees	2,129.17
State Income Tax WH NE Online Payment		STATE	Payroll Taxes	1,393.24
State Income Tax WH NE Online Payment		STATE	Payroll Taxes	1,381.24
TX Child Support SDU		Child Support	Child Support	69.23
Woods & Aitken LLP		legal fees	Legal Fees	91.50
			Total General	\$58,703.56
Municipal Building				
EZ IT Solutions		IT Services	IT Expense	100.00
Kirkpatrick Cleaning Solutions		supplies	Building Cleaning Suppli	105.16
Pristine Cleaning, LLC		cleaning service	Contracted Services	325.00
			Total Municipal Building	\$530.16
Handi Bus				
Verizon Wireless		telephone	Telephone/Internet	24.00
			Total Handi Bus	\$24.00
Police				
Garrett Tires & Treads		repairs	Maint/Repair Equipment	28.15
Steve Scott		office supplies	Supplies & Postage	65.50
The Niobrara Lodge		lodging	Travel & Meeting Expen:	85.00
			Total Police	\$178.65
Rescue Unit				
Frontier Family Pharmacy		supplies	Ambulance Supplies	150.64
Heiman Fire Equipment		EMS gear	Equipment Purchases	2,700.00
Insurance Aid Services		EMS billing	Insurance Aid Fees	2,172.79
Varney Healthmart		supplies	Ambulance Supplies	4.29
Verizon Wireless		telephone	Telephone/Internet	52.92
			Total Rescue Unit	\$5,080.64
Fire				
Request of Broken Bow		supplies/repair	Maint/Repair Equipment	100.78
IT Solutions		IT Services	IT Expense	150.00
Trotter's Whoa & Go		fuel	Gas and Oil	45.16
Verizon Wireless		telephone	Telephone/Internet	41.23
Wenquist Inc.		repair	Maint/Repair Equipment	58.49
			Total Fire	\$395.66
Library				

Check Approval List - GL Account

5/21/2021 11:42:18 AM

City of Broken Bow

Page 2 of 2

<u>Vendor Name</u>	<u>Invoice</u>	<u>Invoice Description</u>	<u>Account Description</u>	<u>Amount</u>
Library				
ter County Chief		publications	Library Promotions	55.40
Demco		supplies	Supplies & Postage	86.45
In-Fisherman		subscription	Book Purchases	6.00
Ingram Library Services		materials	Book Purchases	1,540.61
Kirkpatrick Cleaning Solutions		supplies	Supplies & Postage	27.28
Megan Svoboda		materials & supplies	Supplies & Postage	11.98
Megan Svoboda		materials & supplies	Book Purchases	55.63
Nebraska Library Association		Association Dues	Association Dues	60.00
OCLC Inc.		Materials	Book Purchases	138.78
Popular Mechanics		Subscription	Book Purchases	29.97
Presto X Company		monthly service	Maintenance & Repair B	54.00
This Old House		subscription	Book Purchases	25.00
			Total Library	\$2,091.10
Street				
Carquest of Broken Bow		supplies/repair	Maint/Repair Equipment	12.88
Mead Lumber		lumber/cement mix	Maintenance & Repair B	45.63
NMC Exchange LLC		service repair	Maint/Repair Equipment	1,697.45
Pavement Repair & Supplies		street patch	Street Construction	2,150.00
Verizon Wireless		telephone	Telephone/Internet	41.23
Wenquist Inc.		repair	Maint/Repair Equipment	34.63
			Total Street	\$3,981.82
Park				
Mead Lumber		lumber/cement mix	Maintenance/Repair Gro	16.49
STEVE MOGENSEN		boots	Safety Equipment	106.99
Verizon Wireless		telephone	Telephone/Internet	41.23
			Total Park	\$164.71
				\$71,150.30

Report Selection: Check Approval List - GL Account
 Date Range Selection: GL Posting Date
 Starting Date: 5/12/2021
 Ending Date: 5/25/2021

Bi-weekly Payroll
 \$52,793.10

BROKEN BOW

N E B R A S K A

Rooted. But Not Standing Still.

**City of Broken Bow, Nebraska
Application to Sell Fireworks**

Name of Applicant/Organization Troy Wuehler/Hot Rocket Fireworks

Permanent Address of Applicant or Organization 921 Avenue C
Cozad NE 69130

Daytime/Evening Phone 308-784-3132

Contact Person Troy Wuehler

Address of Contact Person 921 Avenue C
Cozad NE 69130

Phone Numbers for Contact Person 308-746-2440 (cell)

Street Address or Legal Description of Premises for Firework Stand:

454 E Street South (Empty lot between)
Broken Bow NE 68822 Napa and
Orschelins

Description of Proposed Firework Stand (ie: tent, building, trailer, etc.)

Fireworks will be sold out of a semi trailer
32 feet long and a car trailer for additional merchandise and
Sales.

How will the fireworks be secured during hours stand is not open for business?

The trailers will be locked with padlocks.

Where will the fireworks inventory be stored?

All inventory except for what is in the trailers will be stored
in a building in Cozad, before, during and after the
Season.

When will your inventory arrive? First part of June

Please attach the following to the application:

1. Map or sketch showing the location of the fireworks stand in relation to the boundaries of the premises and any other building on the premises.
2. Letter of permission from the owner of the property on which proposed fireworks stand will be located.
3. Copy of the Certificate of Insurance
4. Copy of State of Nebraska License for Sale of Fireworks
5. Copy of Certificate of Flame Resistance for tent stands

The undersigned hereby agrees to conduct the sale of fireworks within the City of Broken Bow strictly in accordance with all laws of the State of Nebraska and Ordinances of the City of Broken Bow.

Signature of Applicant Tray Wheeler

Police Chief Comments:

[Signature] 5/19/2021
Police Chief Date

Fire Chief Comments:

[Signature] 5/19/21
Fire Chief Date

Returned to City Clerk on May 19, 2021

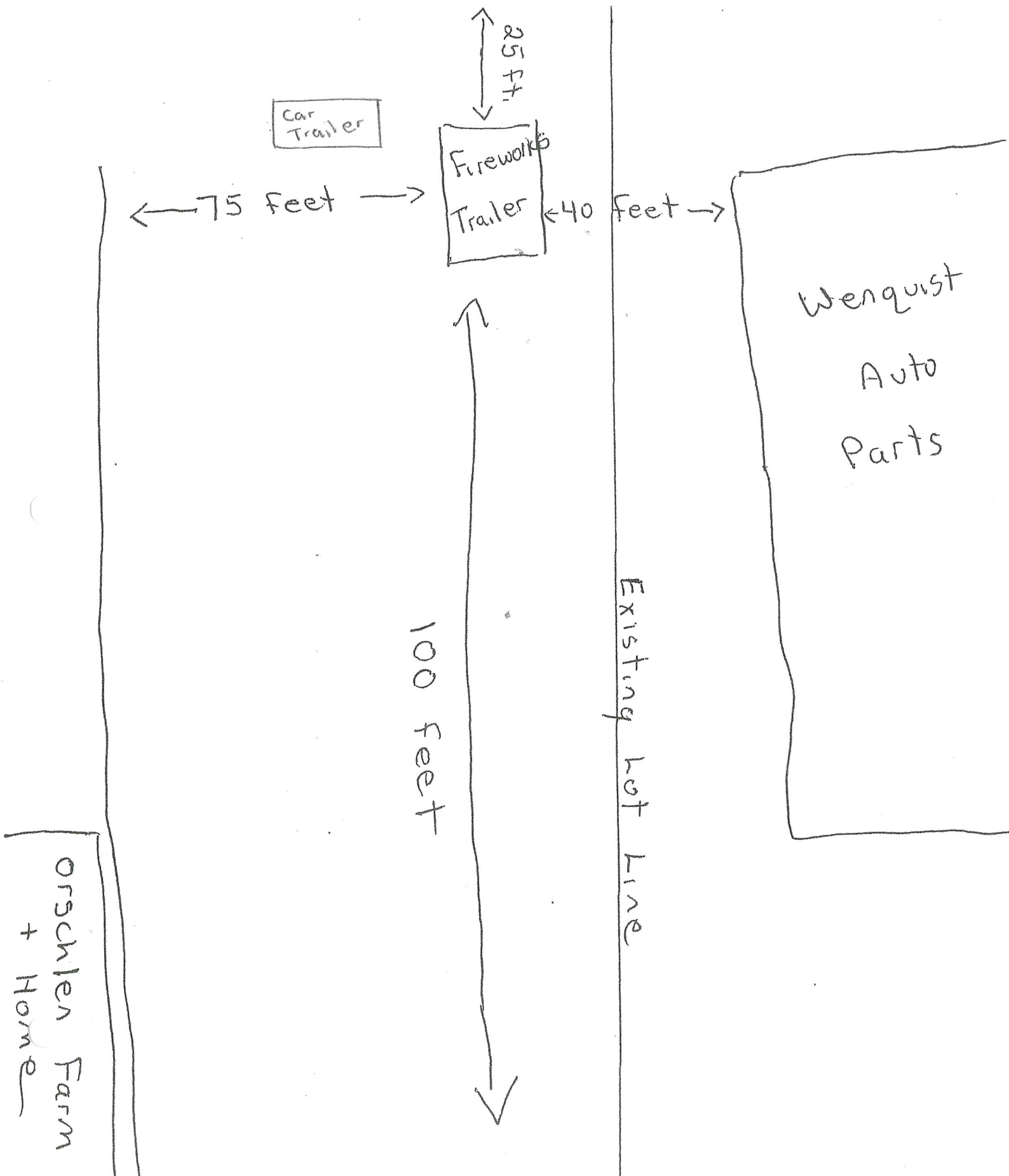
Brought before the Broken Bow City Council on May 25, 2021

Fee paid to the City of Broken Bow? \$1000⁰⁰ license Date paid? May 19, 2021
\$10.00 App Fee

Approval given by City Council? _____ Date approved _____

N.

East Hiway 2.



NEBRASKA STATE FIRE MARSHAL

246 South 14th Street
Lincoln, NE 68508-1804

LICENSE FOR SALE OF FIREWORKS

Permissible fireworks may be sold at retail commencing 12:01 AM June 25 and ending 11:59 PM July 4 OR 12:01 AM December 29 and ending 11:59 PM December 31 and must be purchased from a licensed distributor or jobber. A jobber may not sell retail. Invoice copies for all fireworks must be kept available for inspection and must show the license number of the distributor or jobber. Fireworks may not be sold outside the city limits of an incorporated town or village. Violations of State Fire Marshal regulations may result in immediate revocation of this license.

LICENSE GOOD ONLY FOR CALENDAR YEAR IN WHICH ISSUED

This copy signed, dated and numbered by the STATE FIRE MARSHAL constitutes issuance of a LICENSE pursuant to the provisions of Nebraska Revised Statute 28-1246 (1994 Supp.). Such license shall be displayed at licensee's place of business.

DATE RECEIVED:

May 16, 2021 09:26 PM

TYPE OF LICENSE AND FEE:

Retail Permit (July) - \$25.00

LOCATION OF OUTLET FOR RETAIL SALE OF FIREWORKS:

454 E Street South
Broken Bow
Trailer in vacant lot

COUNTY:

Custer

STORAGE LOCATION:

DISTRIBUTOR(S)/JOBBER(S):

Spirit of 76 Fireworks (2021-RP-59461276-6)
Troys Hot Rocket Fireworks (2021-RP-62500748-44)
Jakes Fireworks (2021-RP-61837398-37)
Pyro Magic Fireworks LLC. (2021-RP-59468230-10)
American Promotional Events dba TNT FIREWORKS (2021-RP-60853450-33)
Lews Fireworks, Inc. (2021-RP-59474988-11)
Winco Fireworks International, LLC (2021-RP-59495980-13)
Crazy Debbies Fireworks, LLC (2021-RP-60564252-31)
Kracklin Kirks Fireworks (2021-RP-59658600-17)
Garretts Worldwide Enterprises, LLC (2021-RP-59598844-15)

SALES TAX NUMBER:

011324015

DATE ISSUED:

May 14, 2021 03:36 PM



STATE FIRE MARSHAL

LICENSE HOLDER:

Troys Hot Rocket Fireworks

LICENSE NUMBER:

2021-RP-62621496-287-02



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

5/5/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Ryder Rosacker McCue & Huston (MGD by Hull & Compa
509 W Koenig St
Grand Island NE 68802

CONTACT
NAME: Kristy Wolfe
PHONE (A/C, No, Ext): 308-382-2330 FAX (A/C, No): 308-382-7109
E-MAIL
ADDRESS: kwolfe@ryderinsurance.com

INSURED
Troy's Hot Rocket Fireworks
921 Ave C
Cozad NE 69130

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A: SCOTTSDALE INS CO	41297
INSURER B:	
INSURER C:	
INSURER D:	
INSURER E:	
INSURER F:	

COVERAGES**CERTIFICATE NUMBER:** 213806564**REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS			CPS3385347	3/21/2021	3/21/2022	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y / N If yes, describe under DESCRIPTION OF OPERATIONS below		N / A				WC STATUTORY LIMITS <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Blanket Additional Insured applies to the entities listed below per attached form GLS-150s when required by written agreement. Waiver of Subrogation applies to the entities listed below per attached form CG 24 04 when required by written agreement.

Dave Staab; Staab Real Estate, City of Broken Bow
Stand Location: 454 E St. South, Broken Bow, NE

CERTIFICATE HOLDER

Dave Staab
Staab Real Estate
454 E St. South
Broken Bow NE 68822

CANCELLATION

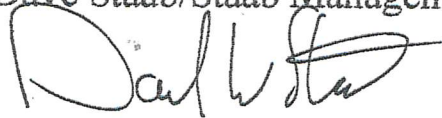
SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

© 1988-2010 ACORD CORPORATION. All rights reserved.

I have given my permission for Troy Wuehler to set up and operate a fireworks stand on my property during the upcoming 2021 fireworks season. The fireworks will be sold out of a semi trailer and it will be located on property that I own at 454 E Street South. (West of Wenquist Auto Parts)

Dave Staab/Staab Management Co.

A handwritten signature in black ink, appearing to read "Dave Staab", written over the printed name.

BROKEN BOW

N E B R A S K A

Routed. But Not Standing Still.

Application for Appointment

The purpose of this form is to obtain general information for use in the nomination and confirmation process for appointments by the Mayor and to assist the Mayor in making inquiries concerning the qualifications of applicants for appointment. If you have recently prepared a biography or resume, please attach it to this form.

Please complete this form and return it to: City Clerk, PO Box 504, Broken Bow, NE 68822. Fax (308) 872-6885

Name: Susan Porter

Home Address: 872 Dawn Ln

Home Telephone: 308-870-2112

Email Address (Optional): Susan.Miston@gmail.com

Employer: Myers Iron Salvage

Business Telephone: 308-870-0638

Are you a qualified elector of Broken Bow? Yes

Why do you want to serve on this board?

Community Involvement

Do you have any conflict of interests in serving on this board? (if yes, please explain)

Yes ☒ No

Please mark the Boards and Commissions you are interested in serving on:

☐ City Council ☐ Park Board ☒ Planning Commission ✓

☐ Library Board ☒ Board of Adjustment ✓ ☐ Housing Authority

☐ Board of Public Works ☐ Community Redevelopment Association (CRA)

BROKEN BOW

N E B R A S K A

Rooted. But Not Standing Still.

Application for Appointment

The purpose of this form is to obtain general information for use in the nomination and confirmation process for appointments by the Mayor and to assist the Mayor in making inquiries concerning the qualifications of applicants for appointment. If you have recently prepared a biography or resume, please attach it to this form.

Please complete this form and return it to: City Clerk, PO Box 504, Broken Bow, NE 68822. Fax (308) 872-6885

Name: Lawrence Stump

Home Address: 416 S. D Street

Home Telephone: 308-870-5538

Email Address (Optional): lawrencestump@gmail.com

Employer: Custer County Sheriff's Office

Business Telephone: 308-872-6418

Are you a qualified elector of Broken Bow? YES

Why do you want to serve on this board?

Help build a safe, growing, progressive, and fiscal
responsible community for my children's future.

Do you have any conflict of interests in serving on this board? (if yes, please explain)

☐ Yes ☒ No

Please mark the Boards and Commissions you are interested in serving on:

☒ City Council ☐ Park Board ☒ Planning Commission
☒ Library Board ☒ Board of Adjustment ☒ Housing Authority
☒ Board of Public Works ☒ Community Redevelopment Association (CRA)

Lot Split Application

Broken Bow, Nebraska

Complete this form and submit it to the City of Broken Bow Planning and Zoning Office with the following attachments:

- A detailed drawing/map of the property involved, showing the current structures and the proposed new property lines. A survey is highly recommended, however, the City is not by this application certifying or verifying the actual lot lines, survey lines or pin locations. The applicant is responsible for the legal description herein.
- A certified list of all the property owners within 300 feet of the boundary of the proposed lot to be split. This list must be prepared by a registered abstractor.
- Filing fee - \$50.00

Property Owner/Applicant Charles Sargent Irrigation, Inc.

Property Address 79772 Highway 21 Legal Description Part of the E1/2
of the NW1/4 of Section 5, T16N, R20W, Custer County, Nebr.

What is the intended use for the property after the lot split is granted? _____
Garage / shop buildings

Is a new street or alley needed if this lot split is granted? Yes _____ No X

Is a vacation of streets, alleys, setback lines, access control or easements required for this particular lot split? Yes _____ No X

Will this lot split require an increase in service requirements by the City of Broken Bow? (utilities, traffic control, streets) Yes _____ No X

Will this lot split interfere with maintaining existing services? Yes _____ No X

Does the granting of this lot split lessen the right-of-way by the City of Broken Bow? Yes _____ No X

Does this lot split result in a substandard sized lot or parcel? Yes _____ No X

Will this lot have direct access to a street? Yes X No _____

Has this lot been previously split in accordance with current zoning regulations? Yes _____ No X

Jay D. Gormley for Charles Sargent Irr.

02/17/21

308-872-601

Applicant

Date

Phone

For Office Use Only

Application Approved _____ Not Approved _____

Accepted by _____ Date _____

Payment received: mo. _____ day. _____ yr. _____

Cash _____ Check _____

DISCLAIMER: This map is not intended for conveyances, nor is it a legal survey. The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments.

--- Transition Zone
--- Operation zone

- - Turning zone; 3 Mile Visual Approach

BEING A PART OF THE EAST 1/2 OF THE NW1/4 OF SECTION 5, T16N, R20W, CUSTER COUNTY, NEBRASKA

ACKNOWLEDGEMENTS

The foregoing Administrative Lot Split being part of the East half of the Northwest Quarter of Section 5, Township 16 North, Range 20 West of the Sixth Principal Meridian, Cluster County, Nebraska as shown on the above plat is created with the free consent and in accordance with the desires of Charles Sargent Irrigation, Inc., Michael Whitezel, President, who is the sole owner and proprietor of the land included therein.

Dated this _____ day of _____, 2021.

Charles Sargent Irrigation, Inc.
Michael Whitesel, President

State of Nebraska
County of Custer

The foregoing instrument was acknowledged before me this ____ day of _____, 2021, by Michael Whitesel, President, Charles Sargent Irrigation, Inc.

(SEAL)

Notary Public
My commission expires

APPROVAL OF THE BROKEN BOW, NEBRASKA, PLANNING COMMISSION

The undersigned Chairperson or Member of the Broken Bow, Nebraska, Planning Commission does hereby certify that the foregoing Administrative Lot Split was submitted to the Broken Bow Planning Commission on the _____ day of _____, 2021, and was approved on that date by a majority vote of the members of said planning commission.

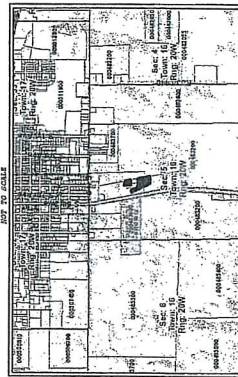
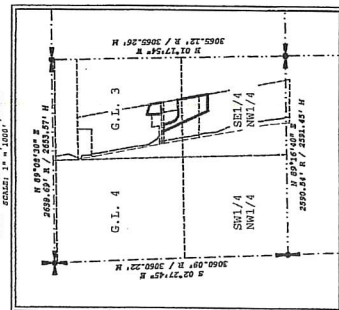
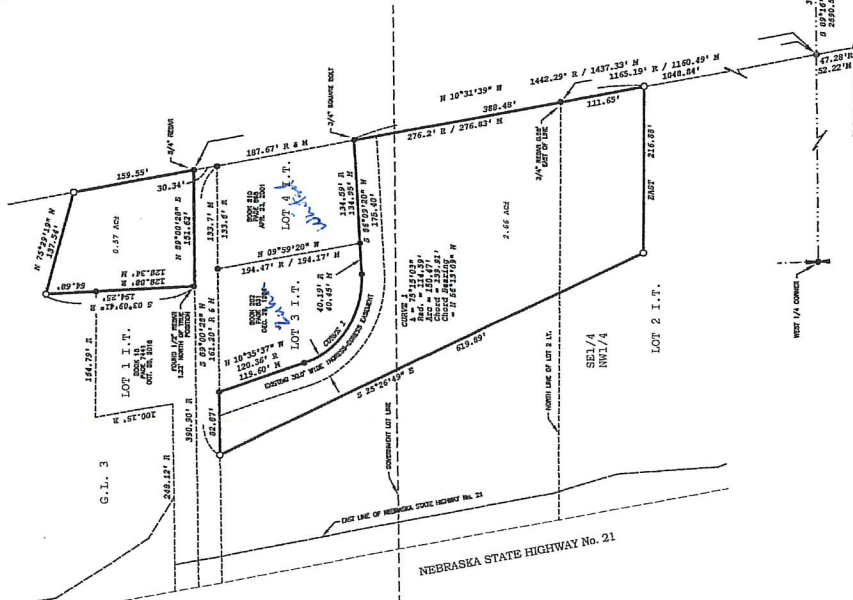
Chairperson or Member

Printed Name and Title

CUSTER COUNTY, NEBRASKA. REGISTER OF DEEDS

This is to certify that the foregoing Administrative Lot Split has been accepted and filed for record in the Office of the Custer County Register of Deeds this ____ day of _____, 2021, in Book _____ on page _____. (Slide No. _____)

Christie Trumbull
Custer County Register of Deeds



LEGAL DESCRIPTION FOR THE SOUTH TRACT

A trace of land being part of the East Half of the Northwest Quarter (62 of 2 NW 1/4) of Section Five (5), Township Sixteen (16) North, Range Twenty (20) West of the Sixth Principal Meridian, Custer County, Nebraska, more particularly described as follows: Beginning at the Southeast corner of the Northwest Quarter of Section 5 and following the South line of the Northwest Quarter of Section 5 on bearing S 89°15'40" W and all bearings contained herein are relative thereto; thence S 89°15'40" W a distance of 320.05 feet to the Southeast corner of said Section 5, a distance of 320.05 feet to the Southeast corner of said Section 5, S 10°31'39" W a distance of 1048.44 feet to the ACTUAL PLACE OF BEGINNING, thence continuing N 10°31'39" W a distance of 388.48 feet to the Southeast corner of a tract of land as described in Warranty Deed filed for record April 23, 2001 in Deed Book 210 at page 898 in the Office of the Custer County Register of Deeds; thence S 89°09'20" W, on the South line of said tract of land recorded in Deed Book 210 at page 898 (if extended Westward), a distance of 175.33 feet to the Southeast corner of a tract of land as described in Warranty Deed filed for record December 29, 1994 in Deed Book 202 at page 631 in the Office of the Custer County Register of Deeds thru a central angle of 79°19'03" an are distance of 130.47 feet to the point of tangency; thence N 18°35'37" W a distance of 119.60 feet to the Northwest corner of said tract of land recorded in Deed Book 210 at page 898 (if extended Eastward), a distance of 62.17 feet thence S 85°26'09" E a distance of 161.69 feet to the point of tangency; thence E 85°26'09" E a distance of 2.66 feet across, more or less.

LEGAL DESCRIPTION FOR THE NORTH TRACT

A tract of land being part of Government Lot Three (3) located in the Northwest Quarter (NW¼) 4 of Section Five (5), Township Sixteen (16) North, Range Twenty-two (22) West of the Sixth Principal Meridian, Custer County, Nebraska, more particularly described as follows: Referring to the Southeast corner of the Northeast Quarter of Section 5 shown on the South line of the Northwest Quarter of Section 5 shown on S 89°16'40" W on the South line of the Northwest Quarter of said Section 5, a distance of 320.05 feet; thence leaving the Southwest corner of the Northwest Quarter and said Section 5, N U3°13'39" W a distance of 1437.33 feet to the intersection of the Northwest Quarter and said Section 5, S 89°16'40" W on the East line of the Northwest Quarter, a distance of 150.65 feet; thence continuing S 75°47'46" E on the East line of a tract of land as described in Survivorship Warranty Deed filed for record October-28, 2016 in Book 16 at page 7441 in the Office of the Custer County Register of Deeds (if extended Northw); thence S 03°09'41" E a distance of 150.65 feet to the intersection of the Northwest Quarter and said Section 5; thence S 89°16'40" W a distance of 151.62 feet to the place of beginning. Containing 0.57 acre, more or less.

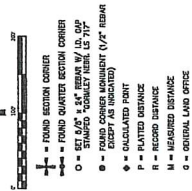
SURVEYOR'S CERTIFICATE

1. J. D. Cornsley, a duly Registered Land Surveyor in the State of Nebraska, do hereby swear that I have performed a survey of the land depicted on the accompanying plat; that said plat is a true delineation of said survey performed according to the laws of the State of Nebraska; and that said survey was made with reference to known and recorded monuments marked as shown; and to the best of my knowledge and belief is true, correct and in accordance with the Minimum Standards for Surveys in Nebraska in effect at the time of this survey. Survey completed on the 22nd day of January, 2021.

(SEAL)

Jay D. Gormley, Manager
Nebraska Registered Land Surveyor No. 717

Jay D. Gormley, Manager
Nebraska Registered Land Surveyor No. 717



OFFICE 605-872-6069 CELL 303-623-1990

**CITY OF BROKEN BOW
ORDINANCE NO. 1203**

AN ORDINANCE OF THE CITY OF BROKEN BOW, CUSTER COUNTY, NEBRASKA, ADDING SECTION 113.13: MOBILE FOOD VENDORS; PROVIDING RULES AND REGULATIONS GOVERNING MOBILE FOOD VENDORS; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING A TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BROKEN BOW, NEBRASKA:

Section 1. That Section 113.13 of the Municipal Code be added to read as follows:

Mobile food vendors shall comply with the following regulations:

- a. A mobile food vendor shall mean a person who by traveling from place to place upon the public ways sells or offers for sale food from public or private property to consumers for immediate delivery and consumption upon purchase, including but not limited to any such person engaged for the purposes of any public or private event occurring within the corporate limits of the City of Broken Bow, Nebraska. The following activities are excluded from such definition: (a) the sale or offer for sale of farm products produced or raised by such a vendor from land occupied and cultivated by him/her; (b) the sale or offer for sale of food by a caterer who is hired to transport ready-to-eat food to an event; (c) the sale or offer for sale of homemade items, such as bread, pies, etc. for a Farmers Market event; or (d) the sale or offer for sale of food by non-profit groups.
- b. A special event shall mean any occasion including but not limited to farmers market, fairs, shows, exhibitions, city-wide celebrations, and festivals taking place within a specifically defined area within the jurisdiction of the City of Broken Bow, for a specific period of time.
- ~~c. A mobile food vendor shall not sell nor offer to sell food from a location within 150 feet of the main entrance used by customers to enter or exit a permanent food establishment during the hours food is sold within such permanent food establishment, unless each such permanent food establishment within such area has provided written consent.~~
- d. A mobile food vendor shall not sell nor offer to sell food from a location which would involve customers to be waited on or served while standing in a portion of a street being traversed by motor vehicle traffic.
- e. Mobile food vendors may park in the same spot for not more than 24 hours at the City Square.

- f. It shall be unlawful for a mobile food vendor to sell or offer to sell alcoholic drinks.
- g. The mobile food unit and auxiliary equipment shall not be parked in a parking space adjacent to the corner of a street intersection.
- h. Mobile food vendors shall comply with all City ordinances.
- i. All Mobile Food Vendor Permits must be paid prior to parking the mobile food unit. Permit applications for vendors wishing to sell food on Saturday and Sunday must be submitted by 4:30 pm Friday prior to the date that the food will be sold.
- j. Mobile food vendors may park parallel to the curb on the south side of the City Square, unless there is a City event.
- k. A mobile food vendor may sell or offer to sell food seven (7) days a week from 7:00 am to 11:00 pm.
- l. Prior to leaving a location the mobile food vendor shall pickup and dispose of any trash.
- m. An application for a Mobile Food Vendor Permit under this article shall be accompanied by a nonrefundable processing fee of \$125.00 for a year permit or nonrefundable processing fee of \$25.00 per day for a day permit.
- n. A Mobile Food Vendor Permit application shall include a certificate from the State of Nebraska (Dept. of Agriculture) Health Department showing its approval of the applicant's sales of food, a copy of the State of Nebraska sales tax permit, or proof of an applicable sales tax exemption for the applicant, and a copy of the vehicle registration and proof of insurance, and a copy of photo ID.
- o. A Mobile Food Vendor Permit shall expire on December 31 of each year, unless renewed by the permit holder. The permit holder shall renew the license for the following year by filing with the City Clerk, on or before December 31, a registration updating or confirming the information provided in the immediately preceding permit application. The registration shall be on a form provided by the City Clerk. At the time of registration, the permit holder shall pay a renewal fee of \$125.00. Any application received after December 31 shall be processed as a new application.
- p. Violation of any of these items due to fraud or misrepresentation will be cause for revocation of the permit.
- q. Mobile food vendors that have current Peddlers Permits, at the time of passage of this ordinance, shall use their current permits until December 31, 2019. Beginning January 1, 2020, a Mobile Food Vendor permit is required to sell or

offer for sale food for these vendors. All new Mobile Food Vendors shall be required to obtain a Mobile Food Vendor permit.

Section 2. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 3. This ordinance shall take effect and be in full force and effect from and after its passage, approval and publication as provided by law.

Passed and approved this 9th day of July, 2019.

Jonathon Berghorst, Mayor

ATTEST:

Stephanie M. Wright, City Clerk