

**Broken Bow City Council
Meeting Minutes
October 26, 2021**

The Broken Bow City Council met in regular session on Tuesday, October 26, 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 October 21, 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, David Schmidt, and Larry Miller. Absent: Chris Myers. Mayor Sonnichsen announced the availability of the open meetings law, followed by reciting of the Pledge of Allegiance. Councilmember Myers arrived at 6:01 pm.

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

Moved by Miller, seconded by Schmidt to approve the consent agenda for October 26, 2021. Said motion includes approval of the Minutes of the October 12, 2021, Council Meeting, Bills to Date, and September Treasurers Report. Roll call vote: Voting aye: Miller, Myers, Holcomb, and Schmidt. Nays: None. Motion carried.

Aflac, \$398.06; \$111.96; Barco \$1,701.84; Beaver Bearing Co Albion, \$32.92; Black Hills Energy \$178.14; Bound Tree Medical, \$152.01; Carquest of Broken Bow, \$292.13; Cengage Learning, Gale, \$303.04; Central Community College, \$1,973.50; Century Link, \$725.28; City Flex Benefit Plan, \$135.00; City of Broken Bow-Health Insurance, \$2,163.85; City of Broken Bow Pension Fund, \$1,446.21; \$7,694.10; \$661.42; \$1,864.60; Colonial Insurance, \$385.95; \$118.72; Demco \$102.96; Dollar General, \$12.00; EFTPS Online Payment, \$2,118.90; \$6,263.65; \$9,060.32; EZ IT Solutions, \$261.99; Eakes Office Products, \$120.94; Family Heritage, \$25.50; Gary's Super Foods, \$24.82; Gateway Motors Inc, \$61.55, Great Plains Communications, \$900.00; Greg Krueger & Associates, \$825.73; Ingram Library Services, \$1,331.71; Island Supply Company, \$61.80; Kirkpatrick Cleaning Solutions, \$27.28; Matheson Tri-Gas Inc, \$101.60; Mead Lumber, \$586.33; Mid Plains Community College, \$3,192.00; Mother Earth News, \$37.00; Murphy Tractor & Equipment, \$333.67; Nebraska Library Commission, \$500.00; OCLC Inc, \$141.56; Presto X Company, \$54.00; Prevention, \$39.97; Pristine Cleaning, LLC \$375.00; Quill Corporation, \$48.48; Ryan Bowland, \$106.99; Sara J. Hulinsky, \$837.00; State Income Tax WH NE Online Payment, \$2,865.30; TX Child Support SDU, \$69.23; Taste of Home, \$18.00; The Grand Island Independent, \$104.00; Trotter Service, \$1,321.00; Universal Insurance, \$713.00; Vanity Fair, \$12.00; Verizon Wireless, \$267.31; Bi-Weekly Payroll, \$52,094.11; Total - \$105,355.43.

(City Administrator Dan Knoell presented the Council and Mayor with a Memorandum of Understanding to be signed by Mayor Sonnichsen and property owner Greg Barker. This document would serve to memorialize the terms by which the City of Broken Bow and Barker could resolve the nuisance and safety issues of the Lot and House located at 139 South 14th Avenue. Knoell said this understanding between the City and Barker would extend the current project deadline to June 1, 2022, for a full project completion. Barker stated he would not sign the document because he would like to add a bigger addition to the house that would take longer than June 1, 2022, to complete. Council President Holcomb said he would encourage Barker to sign this document. By declining to sign this MOU Barker's new deadline for full project completion would be December 9, 2021. Councilmember Myers addressed Barker explaining that this house was originally purchased at a public auction with a timeline. Myers told Barker the Council appreciates his hard work, but it needs fixed, no more extensions, with an addition or not. Myers said we're trying to be nice but there needs to be some accountability and we need to move on. Myers said too much time has been spent discussing this property. City Attorney Jason White told Barker he would encourage him to sign. Barker refused to sign the Memorandum of Understanding making the final deadline for full project completion December 9, 2021.

(Moved by Schmidt, seconded by Myers to open a public hearing regarding Ordinance 1248, Vacation of Washington Street at 6:17 pm. Roll Call vote: Voting aye: Schmidt, Myers, Holcomb, and Miller. Nays: None. Motion carried. City Administrator Dan Knoell informed the Council of the request for the Vacation of Washington Street from Clint and Lori Lambrecht for the purpose of an expansion on their house. Mayor Sonnichsen said this was a street that nobody knew existed but is holding property. Councilmember Miller questioned if there were any easements for power, water, or sewer. Knoell stated that Lambrecht owns the property on both sides and there are no utilities. City Attorney Jason White explained the Right of Remonstrance, which allows the public thirty days to petition against the vacation of the street. Mayor Sonnichsen highly recommended to the Council for the vacation of Washington Street. Moved by Holcomb, seconded by Myers to close the public hearing at 6:24 pm. Roll Call vote: Voting aye: Holcomb, Myers, Miller, and Schmidt. Nays: None. Motion carried.

(After discussing the matter, Councilmember Holcomb introduced Ordinance No. 1248 entitled "AN ORDINANCE PROVIDING FOR THE VACATION OF WASHINGTON STREET LOCATED SOUTH OF SOUTH N, BETWEEN PARCEL 480200 AND PARCEL 480300 IN THE CITY OF BROKEN BOW, CUSTER COUNTY, NEBRASKA; PROVIDING FOR THE MANNER OF ASCERTAINMENT OF DAMAGES SUSTAINED BY THE CITIZENS OF THE CITY OF BROKEN BOW, NEBRASKA, OR BY THE OWNERS OF PROPERTY THEREIN BY THE VACATION OF SAID STREET, PROVIDING FOR THE GIVING OF NOTICE TO SAID CITIZENS OR PROPERTY OWNERS OF THE TIME AND PLACE FOR HEARING ON ANY CLAIMS FOR DAMAGES BY REASON OF SAID VACATION, AND PRESCRIBING THE TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND TAKE EFFECT." and moved that the statutory rule requiring reading on three different days be suspended. Councilmember Schmidt 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: Holcomb, Schmidt, and Myers. Nays: Miller. 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 Schmidt. The Mayor stated the question, "Shall Ordinance No. 1248 be passed and adopted?" Upon roll call vote, the vote was as follows: Ayes: Holcomb, Schmidt, and Myers. Nays: Miller. Motion carried. The passage and adoption of said Ordinance having been concurred by a majority of all members of the Council, the Mayor declared the Ordinance adopted.

Moved by Holcomb, seconded by Schmidt to open a public hearing regarding the Jim and Kathy Varney Lot Split at 6:25 pm. Roll Call vote: Voting aye: Holcomb, Myers, Miller, and Schmidt. Nays: None. Motion carried. Discussion was held. Moved by Myers, seconded by Miller to close a public hearing regarding the Jim and Kathy Varney Lot Split at 6:27 pm. Roll Call vote: Voting aye: Myers, Miller, Holcomb, and Schmidt. Nays: None. Motion carried.

Moved by Schmidt, seconded by Miller to approve Resolution 2021-19, Jim and Kathy Varney Lot Split. Roll Call vote: Voting aye: Schmidt, Miller, Holcomb, and Miller. Nays: None. Motion carried.

(Moved by Holcomb, seconded by Myers to open a public hearing regarding the Dan and Terrie Scofield Lot Split at 6:28 pm. Roll Call vote: Voting aye: Holcomb, Miller, Myers, and Schmidt. Nays: None. Motion carried. Discussion was held. Moved by Schmidt, seconded by Myers to close a public hearing regarding the Dan and Terrie Scofield Lot Split at 6:29 pm. Roll Call vote: Voting aye: Schmidt, Myers, Holcomb, and Miller. Nays: None. Motion carried.

Moved by Holcomb, seconded by Myers to approve Resolution 2021-20, Dan and Terrie Scofield Lot Split. Roll Call vote: Voting aye: Holcomb, Myers, Schmidt, and Miller. Nays: None. Motion carried.

Moved by Holcomb, seconded by Myers to approve Resolution 2021-21, One and Six Year Plan. Roll Call vote: Voting aye: Holcomb, Myers, Schmidt, and Miller. Nays: None. Motion carried.


(Moved by Holcomb, seconded by Schmidt to approve Resolution 2021-11 TIF Contract with MW Real Estate Investment Group, LLC. City Administrator Dan Knoell informed the Council this project has been approved by the CRA Board and Planning Commission. They have met all the requirements for the TIF. MW Real Estate Investment Group, LLC, will be building six apartments, each with three bedrooms and two bathrooms. Roll Call vote: Voting aye: Holcomb, Schmidt, and Miller. Nays: None. Abstain: Myers. Motion carried.

Moved by Holcomb, seconded by Myers, to adjourn the City Council Meeting at 6:35 p.m. Roll call vote: Voting aye: Holcomb, Myers, Schmidt, and Miller. Nays: None. Motion carried.



Rod Sonnichsen, Mayor

ATTEST:



Kandi K Peters, City Clerk