

**Broken Bow City Council
Meeting Minutes
September 12, 2023**

The Broken Bow City Council met in regular session on Tuesday, September 12, 2023, 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 September 7, 2023. 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 5:21 pm, with the following Councilmembers present: Chris Myers, Russ Smith, and Paul Holland. Absent: David Baltz. 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 Myers, seconded by Smith to approve the consent agenda for September 12, 2023. Said motion includes approval of the Minutes of the August 22, 2023, Council Meeting, Minutes of the August 24, 2023, Budget Workshop Minutes, Bills to Date, approval of Broken Bow Volunteer Fire Department Roster, and approval of Broken Bow Volunteer Fire Department Officers. Roll call vote: Voting aye: Myers, Smith, and Holland. Nays: None. Motion carried.

AKRS EQUIPMENT, MOWER REPAIRS, \$719.56; AFLAC, PRE-TAX, \$297.08; AFLAC POST-TAX, \$38.52; BETTY WALTMAN, INSURANCE REFUND, \$303.80; BOUND TREE MEDICAL, EMS SUPPLIES, \$897.75; BROKEN BOW AIRPORT AUTHORITY, \$5,416.65; BROKEN BOW CHAMBER OF COMMERCE, AMBULANCE INCENTIVE, \$1,740.00; BROKEN BOW MUNICIPAL UTILITIES, UTILITY PAYMENTS, \$8,023.28; CAMILLA HARBOUR, POOL RENTAL REFUND, \$125.00; CAPITAL ONE, DRUG TEST KITS, UNIFORMS, REGISTRATIONS, \$748.83; CITY FLEX BENEFIT PLAN, SELECT FLEX UNREIMBURSED M/D/V, \$145.00; CITY OF BROKEN BOW, HEALTH INSURANCE, \$3,242.70; CITY OF BROKEN BOW PENSION FUND, LOAN PAYMENT, \$1,902.28; 414H RETIREMENT, \$7,874.96; 457 RETIREMENT, \$741.44; COLONIAL INSURANCE, PRE-TAX, \$428.67; POST-TAX, \$118.72; CUSTER COUNTY TREASURER, COMMUNICATIONS INTERLOCAL, \$29,310.26; CUSTER PUBLIC POWER, CD CELL POWER, \$51.02; DANA F. COLE & COMPANY, LLP, AUDIT EXPENSE, \$23,300.00; EFTPS ONLINE PAYMENT, MEDICARE, \$2,509.72; FEDERAL, \$6,364.95; FICA, \$10,730.88; EZ IT SOLUTIONS, IT SERVICES, \$9,056.80; EAKES OFFICE PRODUCTS, PAPER, LABELS, \$26.99; EGGLESTON OIL, FUEL & TIRE REPAIR DUMP TRUCK, \$131.97; FAMILY HERITAGE, FAMILY HERITAGE, \$25.50; GREAT PLAINS COMMUNICATIONS, INTERNET SERVICE, \$70.95; GROCERY KART, CANDY, CLEANING CLOTHS, FLY SWATERS, \$136.44; HOLMES PLUMBING & HEATING, TOOLS, \$159.43; INTERSTATE ALL BATTERY CENTER, CASE OF BATTERIES, \$140.25; JOHN DEERE FINANCIAL, MOWER PAYMENT, MOWER PARTS, \$15,281.90; KIRKPATRICK CLEANING SOLUTIONS, SEPT JANITORIAL, TRASH BAGS, \$739.52; MACQUEEN EQUIPMENT, REPAIRS TO TRUCK 53, \$5,927.89;

MID PLAINS COMMUNITY COLLEGE, 2 STUDENT EMT CLASSES, \$1,230.00; MUNICIPAL EMERGENCY SERVICES, HALF OF SCBA FACE MASK, \$3,820.00; NATIONWIDE, BOND FOR JULIE'S NOTARY RENEWAL, \$50.00; NEBRASKA CHILD SUPPORT PAYMENT CENTER, CHILD SUPPORT, NE, \$433.39; NEBRASKA DEPT OF REVENUE, INTEREST ON ACCOUNT, \$4.97, NEBRASKA PASTURE DOOR, SHIRTS FOR OFFICERS, JACKET FOR JULIE, \$235.00; O'REILLY AUTO PARTS, WASH BRUSH FOR VEHICLES, \$29.99; PATRICIA DADY, INSURANCE REFUND, \$105.27; PLATTE VALLEY COMMUNICATIONS, RADIO FOR PATROL UNIT, \$1,252.95; RT ACE, DOOR LOCK, CONCRETE LEVELING LIQUID, TOOLS, PAINT ROLLERS, TRAYS, LIGHT BULBS, \$2,616.72; REAMS SPRINKLER SUPPLY, SPRINKLERS, \$1,020.56; S&L SANITARY SERVICE, TRASH REMOVAL, \$234.30; SAFETY KLEEN CORP, CHEMICALS FOR SOLVENT TANK, \$205.07; SARA J. HULINSKY, CLEANING SERVICE, \$837.00; SCHAPER AND WHITE LAW FIRM, LEGAL FEES, \$3,000.00; STATE INCOME TAX WH NE ONLINE PAYMENT, STATE, \$3,327.14; STEVE SCOTT, JULIE NOTARY STAMP RENEWAL & SUPPLIES, \$116.35; THE SHERWIN WILLIAMS CO., POWERLIN 6955, \$11,300.40; TX CHILD SUPPORT SDU, \$69.23; THE GARDEN CENTER, TREES & CHEMICAL, \$339.99; TROTTER SERVICE, MEGA FLOW OIL FOR TRUCK 53, \$640.00; VAN DIEST SUPPLY CO, HERBICIDE, \$934.50; VERIZON WIRELESS, WIFI PATROL UNITS, \$320.08; WENQUIST INC., FILTER, EQUIP REPAIRS, AIR COMPRESSOR, \$285.08; TOTAL: \$169,136.70.

Russ Smith represented the Diamond Youth Organization (DYO) and addressed the Council asking permission to work on Tyke Arnold Field. Last year the DYO made improvements to Paul Brown Baseball Field and would like to do the same for Tyke Arnold Softball Field. Smith stated that all materials and labor is donated so this would be no cost to the city.

Councilmember Baltz arrived at 5:26 pm.

Moved by Myers, seconded by Holland, to open a public hearing at 5:26 pm regarding the Nuisance Property located at 843 North 6th Avenue. Roll Call vote: Myers, Holland, Smith, and Baltz. Nays: None. Motion carried. Discussion was held. City Administrator David Schmidt explained that this property has been on the radar for several years and received multiple public complaints. Chief Steve Scott informed the Council that the first 60-day notice was sent May 26th, 2021, by certified letter, and was signed for on May 27th, 2021. The Police have been in contact with the property owner who is refusing to clean up the property. Chief Scott stated that the property owners told him they are not interested in cleaning or fixing up the property and would rather sign the property over to the City. He informed the Council that the second 60-day notice was sent out and signed for on June 25th, 2023. City Attorney Jason White stated that not only one, but two 60-day notices have been given with no results therefore the city can begin the course of action. Streets/Parks Overseer Darren Marten had explained that the City has been mowing the yard for a couple years now. Marten stated the garage is about to fall, the inside of the house is unsafe to enter with the floors and ceilings caving in, and the possibility of mold and asbestos. Mayor Sonnichsen explained that we cannot take it to the CD Cell if there is potential asbestos. Councilmember Myers explained that there will need to be testing for asbestos before we utilize the city employees. An option

would be to take everything to a sealed landfill like Lexington Landfill. Moved by Baltz, seconded by Smith, to close a public hearing at 5:45 pm regarding the Nuisance Property located at 843 North 6th Avenue. Roll Call vote: Baltz, Smith, Myers, and Holland. Nays: None. Motion carried.

Moved by Smith, seconded by Baltz to approve a course of action to be taken on the property located at 843 North 6th Avenue, Broken Bow, Nebraska. Mayor Sonnichsen stated that this will now be turned over to the Administration and Legal Department to get things started on the removal of this property. Roll Call vote: Voting aye: Smith, Baltz, Holland, and Myers. Nays: None. Motion carried.

Moved by Myers, seconded by Holland, to open a public hearing at 5:47 pm regarding Ordinance 1271, 2023-2024 Annual Appropriation Bill. Roll Call vote: Voting aye: Myers, Holland, Smith, and Baltz. Nays: None. Motion carried. Moved by Holland, seconded by Smith, to close the public hearing at 5:48 pm regarding Ordinance 1271, 2023-2024 Annual Appropriation Bill. Roll Call vote: Voting aye: Holland, Smith, Myers, and Baltz. Nays: None. Motion carried. After discussing the matter, Councilmember Smith introduced Ordinance No. 1271 entitled "AN ORDINANCE TO ADOPT THE BUDGET STATEMENT TO BE TERMED THE ANNUAL APPROPRIATION BILL; TO APPROPRIATE SUMS FOR NECESSARY EXPENSES AND LIABILITIES; TO PROVIDE FOR AN EFFECTIVE DATE" and moved that the statutory rule requiring reading on three different days be suspended. Councilmember Holland 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: Smith, Holland, Baltz, 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 Baltz moved for final passage of the Ordinance, which motion was seconded by Councilmember Holland. The Mayor stated the question, "Shall Ordinance No. 1271 be passed and adopted?" Upon roll call vote, the vote was as follows: Ayes: Baltz, Holland, Myers, and Smith. 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 Baltz, to approve Resolution 2023-12. Said Resolution approves the Additional 1% Increase to the Restricted Funds. Roll Call vote: Voting aye: Myers, Baltz, Holland, and Smith. Nays: None. Motion carried.

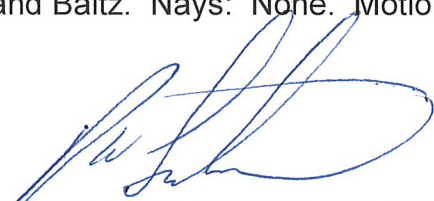
Moved by Smith, seconded by Holland, to open a public hearing at 5:50 pm regarding setting the Final Property Tax request for 2023-2024. Roll Call vote: Voting aye: Smith, Holland, Myers, and Baltz. Nays: None. Motion carried. There were no questions or comments. Moved by Holland, seconded by Smith, to close the public hearing at 5:51 pm regarding setting the Final Property Tax request for 2023-2024. Roll Call vote: Voting aye: Holland, Smith, Myers, and Baltz. Nays: None. Motion carried.

Moved by Holland, seconded by Smith, to approve Resolution 2023-13. Said Resolution sets the Final Property Tax for 2023-2024. Roll Call vote: Voting aye: Holland, Smith, Baltz, and Myers. Nays: None. Motion carried.

Moved by Baltz, seconded by Smith to open a public hearing at 5:52 pm regarding Ordinance 1272, 2023-2024 Wage Ordinance. Roll Call vote: Voting aye: Baltz, Smith, Holland, and Myers. Nays: None. Motion carried. Discussion was held. Moved by Myers, seconded by Smith, to close the public hearing at 5:53 pm regarding Ordinance 1272, 2023-2024 Wage Ordinance. Roll Call vote: Voting aye: Myers, Smith, Holland, and Baltz. Nays: None. Motion carried. After discussing the matter, Councilmember Smith introduced Ordinance No. 1272 entitled "AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF BROKEN BOW, NEBRASKA, REGARDING THE SALARIES OF OFFICERS AND EMPLOYEES; PAY PLAN FOR ALL CLASSIFICATIONS WITHIN THE CITY; AND MONTHLY SALARY OR HOURLY WAGE RANGES FOR EACH INDIVIDUAL CLASSIFICATION" and moved that the statutory rule requiring reading on three different days be suspended. Councilmember Holland 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: Smith, Holland, Myers, and Baltz. 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 Baltz moved for final passage of the Ordinance, which motion was seconded by Councilmember Myers. The mayor stated the question, "Shall Ordinance No. 1272 be passed and adopted?" Upon roll call vote, the vote was as follows: Ayes: Baltz, Myers, Baltz, and Smith. 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.

In the Mayor and Council Comments: Mayor Sonnichsen thanked the entire City staff for all their hard work during the preparation of the City Budget. Councilmember Holland thanked Chief Scott for his diligence on the nuisance property. City Administrator gave a special appreciation to Treasurer Jennifer Waterhouse and Jeff Oeltjen, CPA, for all their hard work on the Budget.

Moved by Myers, seconded by Holland, to adjourn the City Council Meeting at 5:56 pm. Roll call vote: Voting aye: Myers, Holland, Smith, and Baltz. Nays: None. Motion carried.



Rod Sonnichsen, Mayor

ATTEST:



Kandi K Peters, City Clerk

