

Broken Bow City Council
Meeting Minutes February 13th, 2024

The Broken Bow City Council met in regular session on Tuesday, February 13th, 2024, in the Broken Bow Municipal Auditorium. Notice of the meeting was given in advance as required by Nebraska statutes. 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 pm, with the following Councilmembers present: Russ Smith, Luke Wassom, Chris Myers, and Paul Holland. Absent: None. Mayor Sonnichsen announced the availability of the open meetings law, followed by reciting the Pledge of Allegiance.

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

Moved by Myers, seconded by Holland to approve the consent agenda for February 13th, 2024. Said motion includes approval of the Minutes of the January 23rd, 2024, Council Meeting, and bills to date. Roll call vote: Voting aye: Myers, Holland, Wassom, and Smith. Nays: None. Motion carried.

AKRS EQUIPMENT \$853.09, Aflac \$477.41, \$113.82, \$100.53, BNSF Railway Company \$401.17, Barco Products \$2,580.32, Baxter Welding \$653.87, Bound Tree Medical \$940.34, Bow Locksmith \$10.00, Broken Bow Chamber of Commerce \$1,945.00, Broken Bow Municipal Utilities \$9,382.26, Broken Bow Rural Fire Board \$1,624.63, Capital One \$148.72 Carquest of Broken Bow \$230.70, \$33.21, Central Nebraska Bobcat \$169.82, Century Link \$319.32, Cheris Cadwell \$1,800.00, \$239.86, City Flex Benefit Plan \$225.00, City of Broken Bow - Health Insurance \$4,124.71, City of Broken Bow Pension Fund \$2,278.07, \$9,497.18, \$845.82, Colonial Insurance \$389.90, \$323.28, \$808.08, Consolidated Management Co. \$273.10, Custer County Chief \$324.07, Custer County Economic Development \$3,000.00, Custer County Treasurer \$305.52, \$996.67, Custer Public Power \$54.30, DAS State Acctg-Central \$675.00, EFTPS \$2,690.10, \$6,867.53, \$11,502.46, EZ IT Solutions \$2,765.00, \$3,687.47, \$674.00, Eakes Office Products \$185.35, \$321.50, Family Heritage \$25.50, Farritor Auto Parts \$110.00, Gateway Motors Inc \$179.37, Great Plains Communications \$70.95, Grocery Kart \$45.39, Hire Right Solutions \$52.95, Hometown Leasing \$122.48, Insurance Aid Services \$1,619.96, Island Supply Welding Co. \$65.10, JEO \$3,621.25, Jacob Holcomb \$170.18, Kirkpatrick Cleaning Solutions \$500.00, \$853.00, \$461.17, Lyne's \$440.00, Matheson Tri-Gas Inc \$92.10, Matt Friend \$1,996.34, Mead Lumber \$31.04, Melham Medical Center \$59.00, Myers Construction Co \$2,477.50, NMC Exchange LLC \$3,442.13, NSG Logistics, LLC \$5,723.95, Nebraska Child Support Payment Center \$899.09, OBrien's Hardware \$1.78, \$8.78, Power Solutions \$248.50, Powermanager \$582.50, Presto X Company \$142.33, Quill Corporation \$41.58, RT Ace \$14.95, \$419.96, \$335.76, Ranchland Ford \$58.07, S&L Sanitary Service \$108.60, Sandhills Custom Creations \$60.00, Sara J. Hulinsky \$837.00, Schaper and White Law Firm \$3,000.00, Scott Ripp Construction \$301.70, State Income Tax \$3,476.49, Steve Scott \$91.52, TX Child Support SDU \$161.54, Tracker Systems \$16.99, Trotter Service \$809.59, Trotter's Whoa & Go \$369.11, \$609.37, \$160.40, Universal Insurance \$8,989.00, Vacanti Municipal Consulting Services \$12,500.00, Verizon Wireless \$640.16, \$75.79, Bi-Weekly Payroll \$65,951.33 Total - \$197,909.43

In other communications, Janelle Custer stated she is one of seven residents who live in Callie Court that would like to request no parking along Callie Drive. Janelle said there is limited access to Callie Court and raised concerns about the ability of emergency services to enter Callie Court. Janelle also said Callie Drive was not able to be cleared during the snow removal this winter because of cars parked on the side of the road. City Administrator Dave Schmidt stated he received a letter that was signed by all residents requesting the council look at adding no parking. Councilman Paul Holland stated it would be very hard for emergency services to enter Callie Court and recommends adding no parking to the north and south side of Callie Drive.

Chief of Police Steve Scott promoted Chris Henderson to Police Sergeant. Chief Scott congratulated Chris and stated his commitment and leadership skills make him a great fit for the position.

Under new business, moved by Myers, seconded by Smith to approve partnering with the Olson Group as a Health Insurance Broker for the City of Broken Bow. The Olson Group will help negotiate and manage employee benefits. Roll Call vote: Voting aye: Myers, Smith, Wassom, and Holland. Nays: None. Motion carried.

Discussion was held on potentially approving Resolution 2024-01. This resolution is an agreement that outlines the obligations for the City of Broken Bow and the Nebraska Department of Transportation during the Highway 2 project going through Broken Bow city limits. At the end of discussion, moved by Wassom, seconded by Smith to approve Resolution 2024-01. Roll Call vote: Voting aye: Wassom, Smith, Myers and Holland. Nays: None. Motion carried.

Moved by Wassom, seconded by Myers to open a public hearing at 6:31 PM regarding ordinance 1275, Mandatory Trash Removal Fees. Roll Call vote: Voting aye: Wassom, Myers, Holland, and Smith. Nays: None. Motion carried. There was no discussion. Moved by Holland, seconded by Wassom to exit public hearing at 6:33 PM. Roll Call vote: Voting aye: Holland, Wassom, Smith, and Myers. Nays: None. Motion carried.

Moved by Smith, seconded by Wassom to waive the three readings of ordinance 1275 Mandatory Trash Removal Fees. Roll Call Vote: Voting aye: Smith, Wassom, Holland, and Myers. Nays: None. Motion carried.

Moved by Smith, seconded by Wassom to approve Ordinance 1275 Mandatory Trash Removal Fees. The motion included an official notice to S&L Sanitation and Custer Transfer Station to renegotiate the contracts at the end of this current five-year term. Roll Call Vote: Voting aye: Smith, Wassom, and Holland. Abstain: Myers. Nays: None. Motion carried.

Moved by Myers, seconded by Holland to open a public hearing at 6:34 PM regarding ordinance 1276, Mobile Food Vendors: Providing Regulations Governing Mobile Food Vendors. Voting aye: Myers, Holland, Smith, and Wassom. Nays: None. Motion carried. Discussion was held. Public comments were heard from Jeremy Walton, Jeff Withrow, Taylor Conner, Kenna Goodwin, Christie Trumbull, Jarrod Conner, Dave Birnie, Susie Walker, Michaela Staab, Mayor Rod Sonnichsen, City Attorney Jason White, Anne Thomas, Councilmember Smith, and Councilmember Myers. Comments and concerns from the public included: Two public speakers mentioned the potential for a mobile food vendor park. They acknowledged there is a need for vendors in Broken Bow as it brings more food options to town, but the idea they need to be on the square to be successful was not valid. Others mentioned how they liked the convenience of the mobile food vendors being on the square. They enjoyed having the ability to let their kids play at the park without having to cross the street. Another comment noted the only reason a couple from California stopped in Broken Bow was because of the mobile food vendors being available. Additionally, other comments were heard from the public that included all vendors. One speaker noted the city should allow all vendors on the square or none to avoid unfortunate situations like we saw previously. Others mentioned they wanted regulations to be consistent and fair for all vendors. The last public speaker was proud of the Mayor, Council, and law enforcement. She stated she was proud of her community and listed all the great things Broken Bow has done when the community pulls together. After comments from the public, Mayor Sonnichsen stated he received nine complaints about a vendor being on the square and stated he was accused of not doing his job. Mayor Sonnichsen acknowledged there are two sides and only one decision to be made. Next, City Attorney Jason White spoke about the series of events that happened on Friday February 9th. Attorney White explained the application of section 113 of the Broken Bow code

and ordinance 1203 in relation to vendors and parking as well as the application process. Councilman Russ Smith stated there was a misconception of the city wanting to remove vendors from Broken Bow. Councilman Smith encouraged all vendors to come to Broken Bow. Councilman Chris Myers said they are working hard to make the ordinance right. He also stated the Council has always been a huge proponent of small businesses in the community and they would like to find common ground. At the end of discussion, moved by Holland, seconded by Wassom to exit public hearing at 7:21 PM. Roll Call vote: Voting aye: Holland, Wassom, Smith, and Myers. Nays: None. Motion carried.

Moved by Smith, seconded by Myers to not waive the two readings of Ordinance 1276, Mobile Food Vendors: Providing Rules and Regulations Governing Mobile Food Vendors. Roll Call vote: Voting aye: Smith, Myers, Wassom, and Holland. Nays: None. Motion carried.

The second reading of Ordinance 1276 was performed by Deputy Clerk Jacob Holcomb.

Moved by Smith, seconded by Holland, to enter closed session at 7:23 PM for the purpose of discussing potential litigation. The City representatives that shall remain present during the closed session include the Mayor, Council, City Attorney Jason White, Deputy Clerk Jacob Holcomb, and Treasurer Jennifer Waterhouse. Roll call vote: Voting aye: Smith, Holland, Myers, and Wassom. Nays: None. Motion carried.

Moved by Wassom, seconded by Holland to exit out of closed session at 7:37 PM for the purpose of discussing potential litigation. Roll call vote: Voting aye: Wassom, Holland, Smith, and Myers. Nays: None. Motion carried.

Moved by Myers, seconded by Holland, to adjourn the City Council meeting at 7:39 PM. Roll call vote: Voting aye: Myers, Holland, Smith, and Wassom. Nays: None. Motion Carried.



Rodney W. Sonnichsen, Mayor

ATTEST:


Jacob Holcomb, Deputy City Clerk