

**Broken Bow City Council**  
**Meeting Minutes February 27th, 2024**

The Broken Bow City Council met in regular session on Tuesday, February 27th, 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, and Paul Holland. Absent: Luke Wassom, and Chris Myers. 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 Smith, seconded by Holland to approve the consent agenda for February 27th, 2024. Said motion includes approval of the Minutes of the February 13th, 2024, Council Meeting, and bills to date. Roll call vote: Voting aye: Smith, and Holland. Nays: None. Motion carried.

Moved by Holland, seconded by Smith to excuse Luke Wassom, and Chris Myers from the February 27<sup>th</sup>, 2024, City Council meeting.

Aflac \$477.41, \$157.00, Black Hills Energy \$1,521.73, Bloomberg Businessweek \$116.64, Broken Bow Airport Authority \$1,083.33, Broken Bow Ambulance Service \$1,350.00, Capital One \$94.68, Card Services \$3,240.89, \$212.98, \$599.00, Central Nebraska Bobcat \$64.92, \$534.21, Century Link \$133.20, City Flex Benefit Plan \$225.00, City of Broken Bow \$7,811.00, City of Broken Bow Health Insurance \$4,124.71, City of Broken Bow Pension Fund \$2,278.07, \$9,423.16, \$1,051.78, Colonial Insurance \$389.90, \$323.28, Consolidated Management Co. \$220.15, Credit Management Services \$300.29, Custer County Treasurer \$17,822.97, Dana F. Cole & Company, \$3,950.00, Dave Dunkel \$113.41, EFTPS \$2,642.58, \$6,622.66, \$11,299.26, Eakes Office Products \$55.00, Eakes Office Solutions \$10.58, Family Heritage \$25.50, Hometown Leasing \$220.71, \$116.65, Ingram Library Services \$1,240.39, JEO \$3,980.00, Kirkpatrick Cleaning Solutions \$27.65, Kully Pipe & Steel \$661.27, \$1,171.27, League of NE Municipalities \$65.00, Matheson Tri-Gas Inc \$40.16, Midwest Living \$15.00, NMC Inc \$1,140.39, Nebraska Child Support Payment Center \$899.09, Nebraska Law Enforcement Training Center \$175.00, Nebraska Library Association \$195.00, Nebraska Pasture Door \$110.96, \$32.00, Nebraska State Patrol \$598.50, Presto X Company \$65.90, RT Ace \$8.12, \$15.98, \$17.57, Ranchland Ford \$64.66, Safety-Kleen Systems Inc \$203.08, State Income Tax WH NE Online Payment \$3,365.84, Statewide Collection LLC \$ 2.77, Stryker \$1,876.00, TX Child Support \$161.54, Trotter Service \$1,294.34, \$5,382.22, Trotter Service \$148.24, Tyler Edwards \$850.33, Universal Insurance \$1,071.84, Vacanti Municipal Consulting Services \$5,500.00, Verizon Wireless \$248.91, Bi-Weekly Payroll \$64,278.26 Total - \$173,519.93

Under new business, discussion was held on potentially approving the 2023 Electrical Distribution Improvement Project bid from General Excavating. Administrator Dave Schmidt stated Broken Bow received four bids and the lowest bid was General Excavating. Administrator Dave Schmidt also said JEO recommends the city accept the lowest responsible bid of General Excavating. At the end of discussion, moved by Holland, seconded by Smith to approve the 2023 Electrical Distribution Bid from General Excavating. Roll Call vote: Voting aye: Holland, and Smith. Nays: None. Motion carried.

Moved by Smith, seconded by Holland to open a public hearing at 6:06 PM regarding issuing a conditional use permit to Angela and Randy Bumgarner allowing them to operate a dog grooming business in a residential district at 515 N 5<sup>th</sup> Ave, Broken Bow, Nebraska. Roll Call vote: Voting aye:

Smith, and Holland. Nays: None. Motion carried. Zoning Administrator and Planning Commission member Jacob Holcomb stated the conditional use permit came with a recommendation of approval from the planning commission. There was one neighbor concerned about the potential for noise, but the business owners made assurances they were taking steps in their renovations to include noise dampening building materials. Moved by Smith, seconded by Holland to exit public hearing at 6:08 PM. Roll Call vote: Voting aye: Smith, and Holland. Nays: None. Motion carried.

Moved by Holland, seconded by Smith to approve the conditional use permit for Angela and Randy Bumgarner at 515 N 5<sup>th</sup> Ave, Broken Bow, Nebraska. Roll Call Vote: Voting aye: Smith, and Holland. Nays: None. Motion carried.

Moved by Smith, seconded by Holland to open a public hearing at 6:09 PM regarding ordinance 1277, No Parking Portion of Callie Drive. Roll Call vote: Voting aye: Smith, and Holland. Nays: None. Motion carried. Howard Ballenger spoke and reiterated the need for no parking in this area to allow room for emergency vehicles to enter Callie Court. Moved by Smith, seconded by Holland to exit public hearing at 6:12 PM. Roll Call vote: Voting aye: Smith, and Holland. Nays: None. Motion carried.

Moved by Smith, seconded by Holland to waive the three readings of ordinance 1277 No Parking, Portion of Callie Drive. Roll Call Vote: Voting aye: Smith, and Holland. Nays: None. Motion carried.

Moved by Holland, seconded by Smith to approve Ordinance 1277 No Parking, Portion of Callie Drive. Roll Call Vote: Voting aye: Holland, and Smith. Nays: None. Motion carried.

Moved by Holland, seconded by Smith to open a public hearing at 6:17 PM regarding ordinance 1276, Mobile Food Vendors: Providing Regulations Governing Mobile Food Vendors. Voting aye: Holland, and Smith. Nays: None. Motion carried. Discussion was held. Public comments were heard from Raschelle Ross, John Sennet, RJ Thomas, Bill Butler, Mayor Rod Sonnichsen, and City Attorney Jason White. Comments and concerns from the public included: One public speaker mentioned the cost of utilities for her business in Broken Bow compared to the \$125 annual fee for mobile food vendors. Additionally, she stated mobile food vendors shouldn't be blocking the city square, and the mobile food vendors should pay a larger annual permit fee. Another speaker thanked the Mayor and Council for working towards a compromise. He also encouraged the council to pass the ordinance. Next, a public speaker stated he has yet to find a person who wants the vendors on the square seven days a week, 24 hours a day. The last public speaker stated the joy for citizens using the park is not contingent upon mobile food vendors being at the square. Mayor Sonnichsen stated there would be additional public hearings to protect the city, and to be fair to everyone involved. City Attorney White reviewed potential changes to the mobile food vendor application process that could be discussed in the additional public hearings. At the end of discussion, moved by Holland, seconded by Smith to exit public hearing at 6:31 PM. Roll Call vote: Voting aye: Holland, and Smith. Nays: None. Motion carried.

Moved by Holland, seconded by Smith to waive the final reading of ordinance 1276, Mobile Food Vendors: Providing Regulations Governing Mobile Food Vendors. Roll Call Vote: Voting aye: Holland, and Smith. Nays: None. Motion carried.

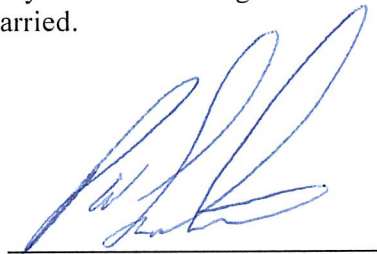
Moved by Holland, seconded by Smith to approve Ordinance 1276, Mobile Food Vendors: Providing Regulations Governing Mobile Food Vendors with the exception of including a start date of April 1<sup>st</sup>, 2024. Roll Call Vote: Voting aye: Holland, and Smith. Nays: None. Motion carried.

In the Mayor and Council comments, City Administrator Dave Schmidt presented an update for all city departments. Dave stated three employees and one councilmember attended the League of Nebraska Municipalities Winter Conference. The Water and Sewer Department had a watermain break at the end of



January. The Electric Department repaired an electric outage on the north side of town and is finishing trimming trees in the power lines. The Police Department responded to 213 calls, issued four citations, and 12 parking tickets. The Street and Parks department was busy with snow removal and street sweeping. The Library has multiple programs ongoing. They are working on fund raising, grants, and installing the Deep Freeze software to protect users personal information. The Broken Bow Ambulance service is now ALS certified and working to provide full paramedic services. Lastly, Mayor Sonnichsen reiterated there would be additional public hearing for mobile food vendors in the public to be fair to everyone. Councilmember Russ Smith said he appreciated the input from the public. Russ Smith said the mobile food vendor ordinance is not done and this is only a first step.

Moved by Holland, seconded by Smith, to adjourn the City Council meeting at 6:51 PM. Roll call vote: Voting aye: Holland, and Smith. Nays: None. Motion Carried.

  
Rodney W. Sonnichsen, Mayor

ATTEST:

  
Jacob Holcomb, Deputy City Clerk

