

Broken Bow City Council
Meeting Minutes May 28th, 2024

The Broken Bow City Council met in regular session on Tuesday, May 28th, 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 Luke Wassom. Absent: Chris Myers and Paul Holland. 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 Wassom to approve the consent agenda for May 28, 2024. Said motion includes approval of the Minutes of the May 14, 2024, Council Meeting, Bills to Date, Approval of Loud & Proud Fireworks Application, Approval of Troy's Hot Rocket Fireworks Application, and Broken Bow Ambulance Service Official Roster. Roll call vote: Voting aye: Smith and Wassom. Nays: None. Motion carried.

Absolute Plumbing \$2,335.75, Aflac \$458.39, \$157.00, \$458.39, \$157.00, Baxter Welding \$104.44, Black Hills Energy \$599.04, Broken Bow Airport Authority \$1,083.33, Card Services 0591 \$3,394.88, Card Services 0583 \$47.98, Card Services 0609 \$398.80, Carquest of Broken Bow \$40.31, Century Link \$625.82, Century Link \$262.30, City Flex Benefit Plan \$225.00, \$225.00, City of Broken Bow - Health Insurance \$3,970.41, \$3,970.41 City of Broken Bow Pension Fund \$2,278.07, \$9,385.30, \$1,089.27, \$2,278.07, \$9,290.38, \$1,068.45, City of Kearney Park & Recreation \$600.00, Colonial Insurance \$389.90, \$323.28, \$389.90, \$323.28, Consumer Reports \$35.00, David Schmidt \$127.67, Demco \$229.69, EFTPS Online Payment \$2,704.64, \$6,995.18, \$11,564.60, \$2,570.32, \$6,723.34, \$10,990.20, EZ IT Solutions \$2,573.54, Eakes Office Solutions \$227.58, Family Heritage \$25.50, \$25.50, Fixed Right Auto Body \$110.27, Fyr-Tek \$6,981.46, Great Plains Communications \$75.92, \$185.00, Holiday Inn \$499.80, Hometown Leasing \$116.65, \$291.12, Ingram Library Services \$2,103.60, Insurance Aid Services \$3,652.23, Kim Stoddard \$45.00, Kirkpatrick Cleaning Solutions \$1,381.66, \$27.65, Lyne's \$700.00, NMVCA \$115.00, Nebraska Child Support Payment Center \$899.09, \$899.09, Nebraska Pasture Door \$16.00, Peak Software System \$1,371.58, Power Solutions \$775.00, Presto X Company \$65.90, RT Ace, LLC \$26.99, Sandhills Custom Creations \$438.50, Schaper and White Law Firm \$3,010.00, Squier Septic Service \$210.00, State Glass, Inc \$470.00, State Income Tax WH NE Online Payment \$3,408.86, \$3,266.50, Statewide Collection LLC \$2.77, \$2.77 Steve Scott \$68.00, TX Child Support SDU \$161.54, \$161.54, The Olson Group \$1,266.00, Universal Insurance \$321.00, Verizon Wireless \$75.78, \$385.51, Weathercraft \$275.00, Bi-Weekly Payroll \$66,120.30 (5/22/24), Total – \$190,705.99

Moved by Smith, seconded by Wassom, to excuse the absence of councilmembers Myers and Holland. Roll call vote: Voting aye: Smith and Wassom. Nays: None. Motion carried.

Under new business, discussion was held on potentially approving Resolution 2024-04, sale of Surplus Real Property valued at over \$5,000 located at Lot Six (6), and the North Half (N½), of Lot Seven (7), in Block Twelve (12), of Jewett & Lilly's Addition to Broken Bow, Custer County, Nebraska. At the end of discussion, moved by Smith, seconded by Wassom to approve Resolution 2024-04 with a minimum bid of \$6,500 and the condition that the bidder will have a period of 60 days to remediate the nuisance status of the property, upon transfer of the deed. Sealed

bids must be submitted to the City Clerk by 12:00 pm July 3, 2024. The bids will be opened at the City Council meeting that will be held on Tuesday, July 9, 2024. Roll Call Vote: Voting aye: Smith and Wassom. Nays: None. Motion carried.

Moved by Wassom, seconded by Smith, to open a public hearing at 6:03 pm regarding the Arrow Seed Lot Split, located at parcel 01231800, Broken Bow, Custer County, Nebraska. Roll Call vote: Voting aye: Smith and Wassom. Nays: None. Motion carried. Zoning Administrator Holcomb addressed the Council. Discussion was held. Zoning Administrator Holcomb stated that this lot split was recommended by the Planning Commission. He further stated that they plan to split the lot down the middle and will keep the north half of the parcel and will be selling the south half. Moved by Smith, seconded by Wassom to close a public hearing at 6:06 pm regarding the Arrow Seed Lot Split, located at parcel 01231800, Broken Bow, Custer County, Nebraska. Roll Call vote: Voting aye: Smith and Wassom. Nays: None. Motion carried.

Moved by Wassom, seconded by Smith, to approve Resolution 2024-05, Arrow Seed Lot Split located at parcel 01231800, Broken Bow, Custer County, Nebraska. Roll Call Vote: Voting aye: Smith and Wassom. Nays: None. Motion carried.

Moved by Smith, seconded by Wassom to open a public hearing at 6:07 pm regarding Ordinance 1282, Amending Chapter 113 of the City of Broken Bow City Code. Roll Call vote: Voting aye: Smith and Wassom. Nays: None. Motion carried. Discussion was held. During public comment Timmothy Freburg, co-owner and manager of Tropical Snow, stated that they operate three permanent trailers and are in dozens of communities throughout the region for special events. He felt that their business gives them valuable insight into mobile vending practices. The areas of concern he spoke about included: vendor fee increase, trash, overnight parking, electricity and signage. He also expressed concern regarding written permission from property owners and vehicle and trailer registration requirements.

City Attorney White stated that they took the towing vehicle requirements out of the current version and Administrator Schmidt said there is a provision in the current version that states that with the city's permission, overnight parking can be accommodated. He also stated that the sign dimensions can be left to council to determine but that the intent was to prevent large homemade signs from being used. Moved by Smith, seconded by Wassom to close public hearing at 6:22 pm. Roll Call vote: Voting aye: Smith and Wassom. Nays: None. Motion carried.

Moved by Smith, seconded by Wassom, to not waive the two readings of Ordinance 1282, Amending Chapter 113 of the City of Broken Bow City Code. Roll Call vote: Voting aye: Smith and Wassom. Nays: None. Motion Carried.

The second reading of Ordinance 1282 was performed by City Clerk Jennifer Waterhouse.

Moved by Wassom, seconded by Smith to open a public hearing at 6:25 pm regarding Ordinance 1283, Amending the Vendor Permit Fees in the City of Broken Bow. Roll Call vote: Voting aye: Smith and Wassom. Nays: None. Motion carried. Discussion was held. Mishayla Freburg, co-owner of Tropical Snow, stated that they just started their 24th year in Broken Bow. She feels like everyone has a shared goal of an ordinance that supports entrepreneurship but that the proposed fee increase is significant and out of line with the services provided by the city. The areas of concern she spoke about included: annual fee, electricity fee, proposed ordinance not supporting efforts of the chamber of commerce, and vendors moving outside of the city limits. She also offered to help explore these issues further in a small group setting.

Mayor Sonnichsen stated that one of the reasons that the electricity was addressed by the committee was because concerned citizens repeatedly brought up the use of electricity and the

associated fees during the public hearings earlier this year. He also noted that electricity has always been an issue in the square. Administrator Schmidt said that he met with the Electrical Superintendent, and it will take roughly \$20,000-\$30,000 to update the square to be able to handle the food truck type circuits. Councilmember Wassom asked Mrs. Freburg what other communities are charging for electricity, and she stated that she doesn't know of one charging a specific electricity fee but that most of them have a \$5-\$10 per day permit that includes power.

Craig Safranek seconded the Freburg's comments and spoke about the shared goal needing to be getting people to the square. He said that by making it an alive and fun activity in town, it will create tax dollars for the city. He also spoke about how previous City Administrator Clark brought in the 30-amp service to the square to get more food vendors to come to town.

Moved by Smith, seconded by Wassom to close public hearing at 6:35 pm. Roll Call vote: Voting aye: Smith and Wassom. Nays: None. Motion carried.

Moved by Wassom, seconded by Smith, to not waive the two readings of Ordinance 1283, Amending the Vendor Permit Fees in the City of Broken Bow. Roll Call vote: Voting aye: Smith and Wassom. Nays: None. Motion Carried.

The second reading of Ordinance 1283 was performed by City Clerk Jennifer Waterhouse.

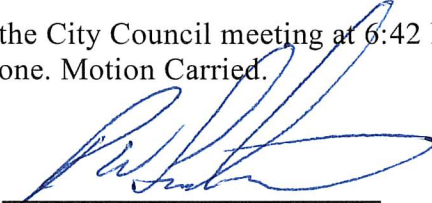
Moved by Smith, seconded by Wassom to approve the temporary closing of 8th, 9th and D Streets around the square on Saturday, July 13th, 2024, from 8:00 am to 4:00 pm. Administrator Schmidt said that the Custer County Historical Society has requested the street closings to facilitate a car show fundraiser for the Custer County Museum and there are no conflicts with Crazy Days events taking place that weekend. Roll Call Vote: Voting aye: Smith and Wassom. Nays: None. Motion carried.

Moved by Wassom, seconded by Smith to approve temporarily closing South A Street along the North side of Tyke Arnold Field during games starting approximately at the Tyke Arnold Field Visitors' Dugout and extending to about the scoreboard. Administrator Schmidt said that this temporary closing was recommended by the Park Board. Roll Call Vote: Voting aye: Smith and Wassom. Nays: None. Motion carried.

Moved by Wassom, seconded by Smith to approve the appointment of LeeAnn Taylor as the City Treasurer. Roll Call Vote: Voting aye: Smith and Wassom. Nays: None. Motion carried.

In the Mayor and Council Comments, Mayor Sonnichsen welcomed LeeAnn Taylor to the City and also asked the Councilmembers to get with City Administrator Schmidt with any suggestions that they have regarding Ordinances 1282 and 1283.

Moved by Smith, seconded by Wassom, to adjourn the City Council meeting at 6:42 PM. Roll Call vote: Voting aye: Smith and Wassom. Nays: None. Motion Carried.


Rodney W. Sonnichsen, Mayor

ATTEST:


Jennifer Waterhouse, City Clerk

