

**Broken Bow City Council**  
**Meeting Minutes June 11th, 2024**

The Broken Bow City Council met in regular session on Tuesday, June 11th, 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 Smith, seconded by Holland to approve the consent agenda for June 11, 2024. Said motion includes approval of the Minutes of the May 28, 2024, Council Meeting and Bills to Date. Roll call vote: Voting aye: Smith, Wassom, Myers, and Holland. Nays: None. Motion carried.

AKRS EQUIPMENT \$1,551.69, Aflac \$67.02, \$458.39, \$157.00, Broken Bow Chamber of Commerce \$2,660.00, Broken Bow Municipal Utilities \$3,606.01, Broken Bow Rural Fire Board \$1,974.67, Capital One \$837.41, Card Services 4834 \$2,476.12, Carquest of Broken Bow \$150.19, \$7.19, City Flex Benefit Plan -\$225.00, City of Broken Bow - Health Insurance \$3,970.41, City of Broken Bow Pension Fund \$2,278.07, \$9,340.88, \$1,080.17, Century Link \$305.71, Cole Electric Company \$1,005.07, Colonial Insurance \$389.90, \$323.28, Deterdings \$6,105.00, EFTPS Online Payment \$2,875.62, \$7,393.68, \$1,2295.80, EZ IT Solutions \$1,286.15, Eakes Office Products \$8.02, Family Heritage \$25.50, Go Law Enforcement LLC \$120.00, Great Plains Communications \$155.51, Grocery Kart \$265.19, Heritage Landscape Supply Group \$198.00, Hilti Inc \$1,306.95, Hometown Leasing \$73.57, Island Supply Welding Co. \$50.65, JEO \$10,400.00, Kirkpatrick Cleaning Solutions \$67.45, \$285.00, \$2,559.00, \$670.59, Lexipol, LLC \$992.75, Marten Heating & Air \$701.51, Nebraska Child Support Payment Center \$899.09, Pentair Aquatic Eco Systems \$1,289.27, Platte Valley Communications \$1,743.50, RT Ace, LLC \$1.79, RT Ace, LLC \$85.94, Ryan Jackson \$40.00, Sara J. Hulinsky \$837.00, South Loup Community Pharmacy \$14.00, State Income Tax WH NE Online Payment \$3,578.87, Statewide Collection LLC \$2.77, Steve Scott \$96.96, TSYS Merchant Solutions \$517.76, TX Child Support SDU \$161.54, Tamara Johnson \$51.43, Van Diest Supply Co \$13,023.49, Verizon Wireless \$320.08, Wenquist Inc. \$107.80, Wenquist, Inc. \$33.20, Bi-Weekly Payroll (6/5/24) \$71,028.37, Total \$174,532.98

Under new business, discussion was held on potentially approving the bid for the Highway 2 Sewer Extension Project. Administrator Dave Schmidt stated that one bid was opened on 5/22/24 from Myers Construction for \$153,097.19. He stated that JEO has reviewed the bid and recommends that the council approves the bid because all necessary requirements are met, and they feel that the bid is fair and competitive. Moved by Smith, seconded by Wassom, to accept the Highway 2 sewer bid from Myers Construction for \$153,097.19. Roll Call Vote: Voting aye: Smith, Wassom, and Holland. Abstain: Myers. Nays: None. Motion carried.

Moved by Wassom, seconded by Holland to open a public hearing at 6:04 pm regarding

Ordinance 1284, Confirming the Sale of Surplus Property to Custer County Construction Inc. Roll Call vote: Voting aye: Smith, Wassom, Myers and Holland. Nays: None. Motion carried. Discussion was held. Administrator Schmidt stated that this Ordinance is the final step in transferring the property to Custer County Construction, Inc. They previously submitted the only bid for \$8,200 and if the Ordinance passes, the municipal deed will be signed transferring ownership of the property. Mona Weatherly also asked for clarification regarding the municipal deed. Moved by Holland, seconded by Myers to close public hearing at 6:06 pm. Roll Call vote: Voting aye: Smith, Wassom, Myers and Holland. Nays: None. Motion carried.

After discussing the matter, Councilmember Smith introduced Ordinance No. 1284 entitled "AN ORDINANCE OF THE CITY OF BROKEN BOW, CUSTER COUNTY, NEBRASKA, TO CONFIRM THE SALE OF SURPLUS PROPERTY, REAL ESTATE DESCRIBED BELOW TO CUSTER COUNTY CONSTRUCTION INC.; TO DIRECT THE MAYOR AND CLERK OF CITY OF BROKEN BOW, NEBRASKA TO EXECUTE AND DELIVER TO SAID CUSTER COUNTY CONSTRUCTION INC. A MUNICIPAL DEED ON THE TERMS AND CONDITIONS HEREINAFTER SET FORTH; AND TO PRESCRIBE THE TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT." and moved that the statutory rule requiring reading on three different days be suspended. Councilmember Wassom 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, Wassom, Myers and Holland. 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 the consideration of said Ordinance. Said Ordinance was then read by title and thereafter Councilmember Wassom moved for final passage and approval of the Ordinance, which motion was seconded by Councilmember Smith. Upon roll call vote, the vote was as follows: Ayes: Smith, Wassom, Myers and Holland. Nays: None. 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 Smith, seconded by Wassom to open a public hearing at 6:08 pm regarding Ordinance 1282, Amending Chapter 113 of the City of Broken Bow City Code. Roll Call vote: Voting aye: Smith, Wassom, Myers and Holland. Nays: None. Motion carried. Discussion was held. Moved by Holland, seconded by Smith to close public hearing at 6:09 pm. Roll Call vote: Voting aye: Smith, Wassom, Myers and Holland. Nays: None. Motion carried.

After discussing the matter, Councilmember Smith introduced Ordinance No. 1282 entitled "AN ORDINANCE TO ESTABLISH BUSINESS PERMITS AND REGULATIONS AS CHAPTER 113 OF THE BROKEN BOW CITY CODE; PROVIDE REGULATION OF ITINERANT MERCHANTS AND VENDORS; TO REPEAL ALL ORDINANCES OR SECTIONS OR ORDINANCES IN CONFLICT HERewith; AND TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM." and moved that the statutory rule requiring reading on three different days be suspended. Councilmember Wassom 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, Wassom, Myers and Holland. 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 the consideration of said Ordinance. Said Ordinance was then read by title and Councilmember Myers moved to NOT approve the final passage of the Ordinance, which motion was seconded by Councilmember Holland. Upon roll call vote, the vote was



as follows: Ayes: Smith, Wassom, Myers and Holland. Nays: None. Motion to NOT approve Ordinance 1282 approved.

Moved by Wassom, seconded by Smith to open a public hearing at 6:10 pm regarding Ordinance 1283, Amending the Vendor Permit Fees in the City of Broken Bow. Roll Call vote: Voting aye: Smith, Wassom, Myers and Holland. Nays: None. Motion carried. Discussion was held. Moved by Myers, seconded by Holland to close public hearing at 6:11 pm. Roll Call vote: Voting aye: Smith, Wassom, Myers and Holland. Nays: None. Motion carried.

After discussing the matter, Councilmember Holland introduced Ordinance No. 1283 entitled "AN ORDINANCE OF THE CITY OF BROKEN BOW, CUSTER COUNTY, NEBRASKA, AMENDING THE VENDOR PERMIT FEES IN THE CITY OF BROKEN BOW, REPEALING THE SECTIONS OF ALL PREVIOUS ORDINANCES IN CONFLICT WITH THIS ORDINANCE, AND PROVIDING FOR PUBLICATION AND EFFECTIVE DATE." and moved that the statutory rule requiring reading on three different days be suspended. Councilmember Wassom 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, Wassom, Myers and Holland. 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 the consideration of said Ordinance. Said Ordinance was then read by title and Councilmember Myers moved to NOT approve the final passage of the Ordinance, which motion was seconded by Councilmember Wassom. Upon roll call vote, the vote was as follows: Ayes: Smith, Wassom, Myers and Holland. Nays: None. Motion to NOT approve Ordinance 1283 approved.

Moved by Wassom, seconded by Holland to open a public hearing at 6:12 pm regarding Ordinance 1285, Amending Chapter 113 of the City of Broken Bow City Code. Roll Call vote: Voting aye: Smith, Wassom, Myers and Holland. Nays: None. Motion carried. Discussion was held. Administrator Schmidt stated that this Ordinance is the result of over 60 original manhours of work and that the numbers are actually higher because there was another committee meeting that resulted in around 20 more manhours of work as well. Administrator Schmidt pointed out that the tracked changes copy has been included that show the changes from the original 1282 Ordinance to the current Ordinance and that the main changes were in the following areas: allowances made for duplicate permits, area required to police for trash, and signage regulations. Mayor Sonnichsen stated that two of the council members were part of the final committee meeting and thanked them for their contribution. Councilmember Wassom thanked everyone for their input to help make this Ordinance fair for vendors and the citizens as well. Mona Weatherly also asked the council if the current version allows vendors to be able to park on the south side of the square 24/7. Administrator Schmidt confirmed that this Ordinance does not do that, and that Ordinance 1276 removed that back in February. He stated that the current Ordinance only addresses Market on the Square and Special Events. Timothy Freburg also thanked the council for all their work behind the scenes and for listening to the vendors concerns. Moved by Holland, seconded by Myers to close public hearing at 6:18 pm. Roll Call vote: Voting aye: Smith, Wassom, Myers and Holland. Nays: None. Motion carried.

After discussing the matter, Councilmember Wassom introduced Ordinance No. 1285 entitled "AN ORDINANCE TO ESTABLISH BUSINESS PERMITS AND REGULATIONS AS CHAPTER 113 OF THE BROKEN BOW CITY CODE; PROVIDE REGULATION OF ITINERANT MERCHANTS AND VENDORS; TO REPEAL ALL ORDINANCES OR



SECTIONS OF ORDINANCES IN CONFLICT HEREWITH; AND TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM.” and moved that the statutory rule requiring reading on three different days be suspended. Councilmember Smith 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, Wassom, Myers and Holland. 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 the consideration of said Ordinance. Said Ordinance was then read by title and thereafter Councilmember Smith moved for final passage and approval of the Ordinance, which motion was seconded by Councilmember Wassom. Upon roll call vote, the vote was as follows: Ayes: Smith, Wassom, Myers and Holland. Nays: None. 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 Myers, seconded by Wassom to open a public hearing at 6:19 pm regarding Ordinance 1286, Amending the Vendor Permit Fees in the City of Broken Bow. Roll Call vote: Voting aye: Smith, Wassom, Myers and Holland. Nays: None. Motion carried. Discussion was held. Administrator Schmidt explained that the changes between Ordinance 1283 and 1286 are primarily removing the section specifically for Market on the Square and removing separate electrical cost fees. He pointed out that electrical fees are now included in the permit fee. Moved by Holland, seconded by Myers to close public hearing at 6:21 pm. Roll Call vote: Voting aye: Smith, Wassom, Myers and Holland. Nays: None. Motion carried.

After discussing the matter, Councilmember Smith introduced Ordinance No. 1286 entitled “AN ORDINANCE OF THE CITY OF BROKEN BOW, CUSTER COUNTY, NEBRASKA, AMENDING THE VENDOR PERMIT FEES IN THE CITY OF BROKEN BOW, REPEALING THE SECTIONS OF ALL PREVIOUS ORDINANCES IN CONFLICT WITH THIS ORDINANCE, AND PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.” and moved that the statutory rule requiring reading on three different days be suspended. Councilmember Wassom 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, Wassom, Myers and Holland. 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 the consideration of said Ordinance. Said Ordinance was then read by title and thereafter Councilmember Wassom moved for final passage and approval of the Ordinance, which motion was seconded by Councilmember Smith. Upon roll call vote, the vote was as follows: Ayes: Smith, Wassom, Myers and Holland. Nays: None. 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.

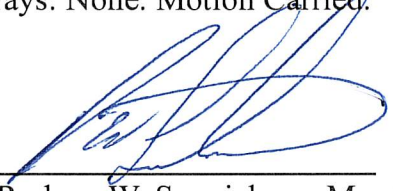
Moved by Holland, seconded by Smith to approve the granting of temporary authority, from now until August 31st, 2024, to Broken Bow Public Schools Superintendent Darren Tobey to close North C St. from N 7th to N 9th Avenue, on an "as needed" basis, to protect the public from construction hazards and to safely facilitate the school renovation project. Roll Call Vote: Voting aye: Smith, Wassom, Myers and Holland. Nays: None. Motion carried.

Moved by Smith, seconded by Myers to approve City Treasurer LeeAnn Taylor as an authorized signer for all City of Broken Bow bank accounts at Brunning Bank and Nebraska State Bank. Roll Call Vote: Voting aye: Smith, Wassom, Myers and Holland. Nays: None. Motion carried.

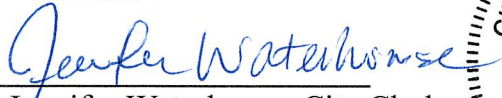
Moved by Holland, seconded by Myers to approve City Treasurer LeeAnn Taylor as an authorized name on the safety deposit box at First Interstate Bank in Broken Bow, Nebraska. Roll Call Vote: Voting aye: Smith, Wassom, Myers and Holland. Nays: None. Motion carried.

In the Mayor and Council Comments, Mayor Sonnichsen thanked everyone involved in helping make laws fair for the City of Broken Bow and gave a special thanks to those who participated over the last six months, especially the media sources. Councilmembers Myers also said that he applauded the community for their involvement in the process and Councilmember Smith added that he appreciated the time and thought that went into the process to get it right. Mona Weatherly ended the night by telling those in attendance that the Custer County Chief has been selected to take part in a national experiment to change the business model of local newspapers. She invited everyone to take part in the experiment by attending focus groups with the CEDC on Monday, June 17th, 2024, at the Chamber office at 5:00 pm.

Moved by Myers, seconded by Wassom, to adjourn the City Council meeting at 6:27 PM. Roll Call vote: Voting aye: Smith and Wassom. Nays: None. Motion Carried.

  
Rodney W. Sonnichsen, Mayor

ATTEST:

  
Jennifer Waterhouse, City Clerk

