

Broken Bow City Council
Meeting Minutes August 27th, 2024

The Broken Bow City Council met in regular session on Tuesday, August 27th, 2024, in the Broken Bow Municipal Auditorium. Notice of the meeting was given in advance thereof by publication in the Custer County Chief, the designated method for giving notice. Advance notice of the meeting, a copy of the agenda, and related council materials was given to the Mayor and all members of the City 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 6:00 pm, with the following Councilmembers present: Russ Smith, Luke Wassom, and Paul Holland. Absent: Chris Myers. Mayor Sonnichsen announced the availability of the Open Meetings Act, followed by reciting the Pledge of Allegiance.

Moved by Smith, seconded by Holland to approve the consent agenda for August 27, 2024. Said motion includes approval of the Minutes of the August 13, 2024, Council Meeting, and Bills to Date. Roll call vote: Voting aye: Smith, Wassom, and Holland. Nays: None. Motion carried.

911Custom \$1,022.58, Aflac \$458.39, \$157.00, Andy Holland \$17.12, BEN LOVELL \$56,000.00, Black Hills Energy \$188.41, Bound Tree Medical \$6,506.72, Bow Locksmith\$ \$80.00, Carquest of Broken Bow \$218.33, \$57.93, Central Nebraska Bobcat \$13,332.09, City Flex Benefit Plan \$225.00, City of Broken Bow -Health Insurance \$3,661.81, City of Broken Bow Pension Fund \$2,324.80, \$9,340.50, \$1,120.97, Colonial Insurance \$423.92, \$329.52, Custer County Chief \$45.00, Custer County Chief \$521.82, Demco \$168.13, Deterdings \$7,004.28, Discover \$38.47, EFTPS Online Payment \$3,296.02, \$8,335.10, \$14,093.40, EZ IT Solutions \$10.00, \$2,814.18, Eakes Office Solutions \$328.09, Family Heritage \$25.50, General Traffic Controls \$153.00, Great Plains Communications \$185.00, Hometown Leasing \$291.12, \$291.12, \$116.65, IRS \$9,460.00, Ingram Library Services \$1,990.41, JEO \$13,155.00, Kirkpatrick Cleaning Solutions \$151.09, Mead Lumber \$31.38, Nebraska Child Support Payment Center \$899.09, Platte Valley Communications \$41.50, \$678.95, Power Solutions \$449.19, Presto X Company \$72.49, Prevention \$48.00, RT Ace, LLC \$1,998.99, RT Ace, LLC \$46.94, Rolling Stone \$29.95, Site One Landscape Supply \$847.69, South Loup Community Pharmacy \$58.34, Southeast Library System \$270.00, State Income Tax WH NE Online Payment \$4,066.57, Statewide Collection LLC \$15.95, Steve Scott \$63.99, TX Child Support SDU \$410.23, Taste of Home \$19.36, The Olson Group \$1,266.00, Trotter Service \$676.56, Trotter Service \$3,186.06, Trotter Service \$543.14, Trotter Service \$57.43, Trotter Service \$25.00, Trotter Whoa & Go West BB \$687.42, Trotter's Whoa & Go West BB \$73.68, V-Bar Sales &

Service \$3,275.00, Verizon Wireless \$248.97, \$129.59, Wade Kleeb \$85.59, Wardyn Electric \$264.87, Bi-Weekly Payroll (8/14/24) \$82,632.04, Total \$261,138.43.

Under new business, moved by Smith, seconded by Wassom to approve setting the date of the Budget Hearing for Tuesday, September 24, 2024, at 5:00 pm. Roll Call Vote: Voting aye: Smith, Wassom, and Holland. Nays: None. Motion carried.

Moved by Wassom, seconded by Holland to approve the re-appointment of Rick Maas to the Broken Bow Housing Authority Board for a term ending August 2029. Roll Call Vote: Voting aye: Smith, Wassom, and Holland. Nays: None. Motion carried.

Bid opening for Resolution 2024-06, Sale of Surplus Real Property valued at over \$5,000. The city did not receive any bids for the property. Administrator Dave Schmidt explained that due to not receiving any bids, the administration plans to reevaluate plans for the property.

Moved by Holland, seconded by Smith to approve the Interlocal Agreement between the City of Broken Bow and the Broken Bow Airport Authority for the 2024-2025 Budget Year. Roll Call Vote: Voting aye: Smith, Wassom, and Holland. Nays: None. Motion carried.

Moved by Smith, seconded by Wassom to approve the temporary closing parking spaces on the northwest corner and south side of the square on September 12, 2024, from approximately 8:00 am - 5:00 pm for Healthcare on the Square. Roll Call Vote: Voting aye: Smith, Wassom, and Holland. Nays: None. Motion carried.

Moved by Wassom, seconded by Smith to approve temporarily eliminating parking on C Street between North 7th Avenue and North 9th Avenue for the 2024-2025 school year to protect the public from construction hazards and facilitate the BBPS construction project. Roll Call Vote: Voting aye: Smith, Wassom, and Holland. Nays: None. Motion carried.

Moved by Holland, seconded by Wassom to open a public hearing at 6:09 pm regarding Ordinance 1287, removing ten parking stalls, four parking spaces located in the first four parking stalls on the east side of North 9th Ave, north of the intersection of North C Street and North 9th Ave, and the first six parking stalls on the north side of North C Street, east of the intersection of North C Street and North 9th Ave. Roll Call vote: Voting aye: Smith, Wassom, and Holland. Nays: None. Motion carried. Discussion was held. Administrator Schmidt stated that the recommendation comes from the Board of Adjustments for the school to be able to meet zoning requirements for setbacks and that sight triangles are part of that. He stated that to meet that condition, these parking stalls would have to be removed because of where the new building will come out to and if cars were parked there, the sight lines would not be correct per the Zoning Ordinance. He also said that the approval to recommend was granted by the Planning Commission under the condition that the City Council sees fit to remove these parking stalls and upon the successful removal of the stalls the Board of Adjustment would recommend moving forward. Without that, they would have to decline.

Zoning Administrator and Planning Commission member Jacob Holcomb further stated that the Board of Adjustment identified the parking at that intersection as being a safety concern. He said that the school has requested more stalls to be removed to also address two handicapped accessible stalls that will take up more space and that they will be addressed in ordinance 1288 in a few minutes. Moved by Wassom, seconded by Holland to close public hearing at 6:13 pm. Roll Call vote: Voting aye: Smith, Wassom, and Holland. Nays: None. Motion carried.

After discussing the matter, Councilmember Smith introduced Ordinance No. 1287 entitled "AN ORDINANCE PROVIDING FOR THE REMOVAL OF TEN PARKING STALLS, IN THE CITY OF BROKEN BOW, CUSTER COUNTY, NEBRASKA, PROVIDING FOR PUBLICATION AND EFFECTIVE DATE AND REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE" 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, 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 Holland. Upon roll call vote, the vote was as follows: Ayes: Smith, Wassom, 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 open a public hearing at 6:15 pm regarding Ordinance 1288, placing two designated handicap parking stalls in the first two parking spaces on the east side of North 9th Ave, north of the intersection of North C Street and North 9th Ave. Roll Call vote: Voting aye: Smith, Wassom, and Holland. Nays: None. Motion carried. Discussion was held. Jacob Holcomb explained to council that the two stalls would be directly north of the sight triangle previously shown in Ordinance 1287, west of the new addition on 9th Avenue, and north of C Street. He also explained that the BBPS architect was making the recommendation. Darren Tobey, Superintendent of BBPS, stated that the addition of the two ADA stalls is helpful because there will be an elevator on the south side of the middle school, and more than likely handicapped individuals will be using that elevator when entering the school. He also explained that for the 2024-25 school year, the handicapped accessible entry will be located on the south side of the school as well. Moved by Wassom, seconded by Smith to close public hearing at 6:17 pm. Roll Call vote: Voting aye: Smith, Wassom, and Holland. Nays: None. Motion carried.

After discussing the matter, Councilmember Holland introduced Ordinance No. 1288 entitled "AN ORDINANCE PROVIDING FOR THE PLACING OF TWO DESIGNATED

"HANDICAP PARKING" SPACES, IN THE CITY OF BROKEN BOW, CUSTER COUNTY, NEBRASKA, PROVIDING FOR PUBLICATION AND EFFECTIVE DATE AND REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE" 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, 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, 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.

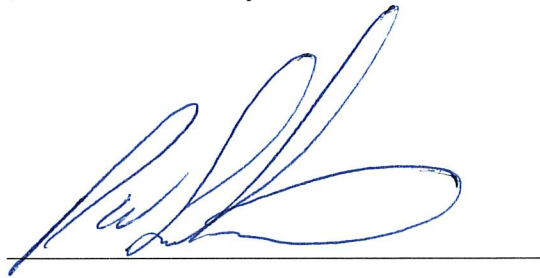
Moved by Wassom, seconded by Holland to open a public hearing at 6:19 pm regarding Ordinance 1289, allowing BBPS to reserve two stalls in the designated student drop-off and pick-up lanes at North Park Elementary. Roll Call vote: Voting aye: Smith, Wassom, and Holland. Nays: None. Motion carried. Discussion was held. Mayor Sonnichsen stated that there were many questions regarding this Ordinance. Jacob Holcomb explained that one spot is proposed on the north side of North Park, directly east of the main entrance, and then the other is on the south side directly west of the main entrance. Jessica Gibbons further explained that this request is part of a fundraiser raffle that they are doing to raise money for an all-inclusive playground and will only be valid for the 2024-25 school year. She said that the south spot will be approximately two car lengths in front of the carpool line, and the north spot will be about two car lengths in front of the bus zone. She said the situation has been coordinated and discussed with the North Park principal and the transportation specialist. Councilmember Wassom stated that his concern centers around liability and adopting something that could potentially harm someone. Councilmember Smith also stated that the City Attorney was brought into the discussion to make sure that it was even legal to buy a spot on a city street and asked Ms. Gibbons to explain how the spots would be monitored. She further stated that signage will be put up right away and that school staff will monitor the spaces during the day. Mayor Sonnichsen ended the discussion by going over the signage and markings, enforcement, liability insurance, and term of reservation sections of Ordinance 1289. Moved by Holland, seconded by Smith to close public hearing at 6:27 pm. Roll Call vote: Voting aye: Smith, Wassom, and Holland. Nays: None. Motion carried.

After discussing the matter, Councilmember Smith introduced Ordinance No. 1289 entitled "AN ORDINANCE ALLOWING BROKEN BOW PUBLIC SCHOOLS TO RESERVE TWO STALLS IN THE DESIGNATED STUDENT DROP-OFF AND PICK-UP LANES AT NORTH PARK ELEMENTARY IN THE CITY OF BROKEN BOW, CUSTER COUNTY, NEBRASKA,

PROVIDING FOR PUBLICATION AND EFFECTIVE DATE AND REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE” 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 and Holland. Nays: Wassom. 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 Holland. Upon roll call vote, the vote was as follows: Ayes: Smith and Holland. Nays: Wassom. 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.

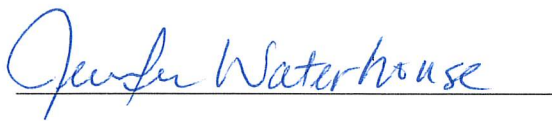
There were no Public, Mayor, or Council Comments.

Moved by Wassom, seconded by Smith, to adjourn the City Council meeting at 6:29 PM. Roll Call vote: Voting aye: Smith, Wassom, and Holland. Nays: None. Motion Carried.



Rodney W. Sonnichsen, Mayor

ATTEST:



Jennifer Waterhouse, City Clerk

