

# MINUTE RECORD

---

## FRIEND CITY COUNCIL MINUTES-REGULAR MEETING September 1, 2020

Mayor Knoke called the regular meeting of the City Council to order at 7:00 p.m. at the City Hall. Advanced notice of the meeting was given by publication in The Sentinel, the appointed method for giving advanced notice. All proceedings shown were taken while the meeting was open to the attendance of the public.

Mayor Judith Knoke presided, and City Clerk Kim Goossen recorded the proceedings. The following Councilmembers were present: Shane Stutzman, Harlan Schrock, Phyllis Ryan, and Stan Krause. A quorum being present, and the meeting duly convened, the following proceedings were had and done.

As required by the Nebraska Open Meetings Act, Mayor Knoke announced that a copy of the Nebraska Open Meetings Act has been posted on the south door of the City Hall meeting room for all in attendance to review.

Mayor Knoke announced that public comments would be received at this time. Kristen Milton attended the meeting on behalf of the Pool Project Committee and updated the Council on the Land & Water Conservation Grant they have been working on. This grant is different this year instead of funding just one project, it would allow bundling of projects as long as it is city owned property. This is a matching grant so the city would put up anywhere between \$40,000 and \$400,000 and the grant would match at \$80,000 to \$800,000. The timeline for this grant is very strict Ms. Milton explained that along with the pool project, ideas for other bundled items at the park could include new swings, turf, and picnic pavilion as well as possibility of upgraded lighting, batting cage, scoreboard at the ballfields. Kristen also reported that when demolition is complete, the excavating can begin and construction is scheduled to start at the end of September or first part of October. Ms. Milton said they are planning another Trunk-or-Treat event to be held the Saturday before Halloween.

Mr. Chris Wood attended the meeting to discuss nuisance violations around town including various unlicensed vehicles and appliances in yards. Chief Gray addressed Mr. Wood stating they are working at getting all these issues addressed.

Motioned by Krause, seconded by Stutzman, to approve the Minutes of the August 4, 2020 regular meeting and August 13, 2020 Special Meeting, and the August 2020 Treasurer's Report as presented and file same. On roll call voting aye to approve the August 4, 2020 regular meeting and August 13, 2020 special meeting minutes, and the August 2020 Treasurer's Report, Schrock, Stutzman, Krause. Ryan-abstain. Nays none. Motion carried.

Motioned by Schrock, seconded by Stutzman, to approve the Friend Community Healthcare Systems Financial Reports for August 2020. On roll call voting aye Krause, Stutzman, Schrock. Ryan – abstain. Nays none. Motion carried.

# MINUTE RECORD

---

A motion was made by Stutzman, seconded by Schrock, that payroll and claims be approved after review, by the claims committee, and be allowed, and the Clerk instructed to issue warrants on the respective funds to pay same. On roll call voting aye, Krause, Schrock, Stutzman. Ryan-abstain. Nays none. Motion carried.

The claims approved were as follows: August Payroll, 28,046.08; Ameritas, 2,286.31; EFTPS, 8,478.00; NE Dept of Rev SWH, 1,357.09; AKRS Equip, su 534.58; American Legal Publishing, su 65.00; Friend American Legion, su 318.29; Baker & Taylor Books, su 65.60; Bartels Body Shop, se 340.00; Black Hills Energy, se 159.98; BlueCross BlueShield of NE, se 8901.50; Border States, su 340.20; Brother's Equipment, su 45.36; Bruning Law, fe 6610.50; Center Point Large Print, su 88.68; Jacob & Johnathan Clouse, fe 450.00; CRA, 1535.49; Computer Concepts, su 3712.97; Creative Product, su 340.98; Culligan, se & su 107.25; Diode, fe 46.45; Dollar General, su 4.90; EMC Insurance, fe 82.00; Eakes, su 1225.58; EMP Inc., su 275.65; Exeter Lumber, su 198.54; Leta Foley, re 17.72; Fransyl Equip, se 3399.40; Friend Volunteer Fire Dept, se 3000.00; Gale, su 46.48; Paul and Gail Gropp, fe 450.00; Johnson Pharmacy, su 122.56; Johnson Service Co, se 16,596.05; Junior Library Guild, su 1348.16; KBK Creative Designs, su 705.00; Stanley Krause, re 55.96; League of NE Municipalities/Utilities Sect, fe 885.00; Dominic Lombardo, re 5.49; Menards, su 92.46; NE Law Enforcemt Train Ctr, fe 72.00; NE Public Health Environ Lab, se 456.00; Nicks Farm Store, su 53.82; Norris Public Power, se 5302.44; Diane Odoski, re 158.19; One Call Concepts, se 19.59; Orkin, se 60.32; Kelly Paulsen, re 385.00; Principal Mutual Life, fe 63.12; Rembolt/Ludtke, fe 6400.00; Ray Rohrig, re 169.00; Seward County Independent, fe 271.44; Marvin Slepicka, fe 1250.00; Scholl Enterprises/Steve's Repair, se 3157.99; Sudrla Water Svc, se 2100.00; Volzke Corp, su 142.40; Waste Connections, se 310.16. Total Claims Approved \$112,712.73.

Police Chief Shawn Gray reported on behalf of Police Department. Chief Gray reports the data collection tool is up and running and has been used at three (3) different locations. Gray also stated they continue to issue notices for nuisance properties/issues around town.

City Attorney Spohn reported that the City will be submitting grants on the state and federal level for reimbursements of \$29,112.75 for law enforcement expenses and \$18,282.00 for legal guidance as to how to respond to COVID-19 during the months of March, April, and May 2020

Mayor Knoke presented for the second of three readings, Ordinance #20-765.

## **ORDINANCE NO. 20-765**

AN ORDINANCE TO AMEND CHAPTER 91: ANIMALS OF THE MUNICIPAL CODE OF THE CITY OF FRIEND, NEBRASKA TO REGULATE CATS IN THE SAME WAY AS DOGS AND TO INCREASE THE ANNUAL PET LICENSING FEE, TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH, TO PROVIDE FOR THE POSTING OR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM; AND TO PROVIDE FOR A TIME WHEN THIS ORDINANCE SHALL TAKE EFFECT.

# MINUTE RECORD

---

Mayor Knoke read proposed Resolution #20-08

## **RESOLUTION NO. 20-08**

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF FRIEND, NEBRASKA, APPROVING A GENERAL REDEVELOPMENT PLAN FOR REDEVELOPMENT OF THE CITY PURSUANT TO THE COMMUNITY DEVELOPMENT LAW, CHAPTER 18, ARTICLE 21, REISSUE REVISED STATUTES OF NEBRASKA, AS AMENDED.

**WHEREAS**, it is necessary, desirable, advisable, and in the best interests of the City of Friend, Nebraska (the “City”), for the City to undertake and carry out redevelopment projects in certain areas of the City that are determined to be substandard and blighted and in need of redevelopment;

**WHEREAS**, the Community Development Law, Chapter 18, Article 21, Reissue Revised Statutes of Nebraska, as amended (the “Act”), prescribes requirements and procedures for the planning and implementation of redevelopment projects;

**WHEREAS**, the City has previously declared the area legally described in Attachment 1 attached hereto (“Redevelopment Area”) to be blighted and substandard and in need of redevelopment pursuant to the Act;

**WHEREAS**, the Community Redevelopment Authority of the City of Friend, Nebraska (“Authority”) has prepared or caused to be prepared a General Redevelopment Plan for the Redevelopment Area in the form attached hereto as Attachment 2 (“Redevelopment Plan”) and recommended it approval by the Mayor and City Council;

**WHEREAS**, the Planning Commission of the City has also reviewed the Redevelopment Plan and recommended its approval by the Mayor and City Council;

**WHEREAS**, on Tuesday, September 1, 2020, at 7:00 p.m., the Mayor and Council of the City held a public hearing (the “Public Hearing”) at the Friend City Hall, 235 Maple Street in the City, to determine whether to approve the Redevelopment Plan as required by the Act;

**WHEREAS**, notice of the Public Hearing was published in *The Friend Sentinel*, a legal newspaper of general circulation in the City, on August 12, 2020 and August 19, 2020, which notice described the date, time, place, and purpose of the Public Hearing and the legal description of the Redevelopment Areas; the last publication of such notice being at least ten days prior to the time of the Public Hearing;

**WHEREAS**, on or before June 18, 2020, such date being at least ten days prior to the time of the Public Hearing, the City mailed notice of the Public Hearing by United States Certified Mail, return receipt requested, sufficient postage affixed, to all registered neighborhood associations whose area of representation is located in whole or in part within a one-mile radius of the Redevelopment Areas and to the president or chairperson of the governing body of each county, school district, community college, educational service unit, and natural resources district with

# MINUTE RECORD

---

real property in the Redevelopment Areas, which notice included the time, date, place, and purpose of the Public Hearing and a map of sufficient size to show the Redevelopment Area;

**WHEREAS**, the Public Hearing was conducted and all interested parties were afforded a reasonable opportunity to express their views respecting the Redevelopment Plan; and

**WHEREAS**, the City has reviewed the Redevelopment Plan and determined that the proposed land uses and building requirements described in the Redevelopment Plan are designed with the general purpose of accomplishing a coordinated, adjusted, and harmonious development of the City and its environs which will, in accordance with present and future needs, promote health, safety, morals, order, convenience, prosperity, and the general welfare, as well as efficiency in economy in the process of development; including, among other things, adequate provision for traffic, vehicular parking, the promotion of safety from fire, panic, and other dangers, adequate provisions for light and air, the promotion of the healthful and convenient distribution of population, the provision of adequate transportation, water, sewage, and other public utilities, schools, parks, recreational and communitive facilities, and other public requirements, the promotion of sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the recurrence of unsanitary or unsafe dwelling accommodations, or conditions of blight;

**NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF FRIEND, NEBRASKA:**

THAT, the Redevelopment Plan is hereby approved.

Motion was made by Stutzman, seconded by Schrock to approve Resolution #20-08 approving the General Redevelopment Plan for Redevelopment Area #2. On roll call voting aye, Ryan, Krause, Schrock, Stutzman. Nays none. Resolution #20-08 was passed and approved this 1st day of September 2020.

Mayor Knoke presented for the first of three readings, Ordinance No. 20-766.

## **ORDINANCE NO. 20-766**

AN ORDINANCE TO GRANT A VARIANCE TO THE ZONING REGULATIONS WITH REGARD TO LOTS 29-30 PC LARSEN ADDITION, LOCATED ON THE SOUTHEAST CORNER OF 6<sup>TH</sup> AND STATE STREETS, IDENTIFIED AS PARCEL #76003331, IN THE CITY OF FRIEND, NEBRASKA; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

WHEREAS, The Municipal Code of the City of Friend currently regulates zoning for residential housing and prohibits the construction of an accessory building absent a primary building on a particular lot; and

WHEREAS, the Mayor and City Council find a variance to allow construction of an accessory building on Lots 29-30 PC Larsen Addition, is in the public interest and does not nullify the intent and purpose of the comprehensive plan.

# MINUTE RECORD

---

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FRIEND, NEBRASKA, AS FOLLOWS:

Section 1. That variance of the City of Friend's zoning regulations is allowed for the construction of an accessory building on lots 29-30 Larsen Addition, located on the Southeast corner of 6<sup>th</sup> and State Streets, in Friend, Nebraska identified as Parcel #76003331. The accessory building shall be a 28'x40' framed construction garage with 9' side walls and siding and gutters matching that of the accessory building on the adjacent property. The accessory building shall maintain at least a minimum 30-foot setback on both 6<sup>th</sup> and State Streets so as not to impede vision on the corner of the street.

Section 2. That all ordinances and parts of ordinances in conflict herewith are hereby specifically repealed.

Section 3. Should any section, paragraph, sentence, or word of this Ordinance be declared for any reason to be invalid, it is the intent of the Mayor and Council of the City of Friend, Nebraska, that it would have passed all other portions of this Ordinance independent of the elimination hereof of any such portion as may be declared invalid.

Section 2. This ordinance shall take full force and effect beginning on the date of its passage, approval, and publication or posting as required by law.

Jeremy Collier attended the meeting to answer questions regarding Ordinance 20-766. Mr. Collier would like to purchase said lot and erect a garage on it. As it stands now, the City Ordinance states no garage can be built on an empty lot without a primary residence. Building Inspector, Mark Stutzman, stated he is not a fan of finding ways around code and would like to review Jeremy's proposal. After discussion, it was recommended that Collier present a set of plans to the Building Inspector and Council for the second reading.

Mayor Knoke presented for the first of three readings, Ordinance No. 20-767.

## **ORDINANCE NO. 20-767**

**AN ORDINANCE TO GRANT A SUBDIVISION OF LOT 8, BLOCK 2 JJ AINSWORTH'S ADDITION, IN THE CITY OF FRIEND, NEBRASKA; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.**

WHEREAS, The Municipal Code of the City of Friend permits the subdivision of lots in the M-1 Commercial District and there is currently no minimum size of lots for said District; and

WHEREAS, the Mayor and City Council find subdivision of Lot 8, Block 2 JJ Ainsworth's addition is in the public interest and does not nullify the intent and purpose of the comprehensive plan.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FRIEND, NEBRASKA, AS FOLLOWS:

Section 1. That subdivision of Lot 8, Block 2 JJ Ainsworth's addition consistent with the plans submitted to the Planning Commission at its August 18, 2020 meeting.

# MINUTE RECORD

---

Section 2. That all ordinances and parts of ordinances in conflict herewith are hereby specifically repealed.

Section 3. Should any section, paragraph, sentence, or word of this Ordinance hereby adopted be declared for any reason to be invalid, it is the intent of the Mayor and Council of the City of Friend, Nebraska, that it would have passed all other portions of this Ordinance independent of the elimination hereof of any such portion as may be declared invalid.

Section 2. This ordinance shall take full force and effect beginning on, and continuing thereafter, the date of its passage, approval, and publication or posting as required by law.

Tyler Brandt attended the meeting to discuss plans for this subdivision. They will be adding an additional building to the east of the current shop that will run north and south. This will be used for additional storage.

Discussion was had on employee timekeeping and the proximity badge timeclock. Motion by Schrock, second by Stutzman, to approve the proximity clock and badges for city employees. On roll call voting aye, Krause, Ryan, Stutzman, Schrock. Nays none. Motion carried.

Ray Rohrig attended the meeting to discuss the purchase of new ambulance. Ray stated they would be opening sealed bids the evening of September 9. After the bids are open, they have two days to either accept or deny a bid. At the time of order, it will be anywhere from 9 to 12 months before it would be ready for delivery. It will be on a lease-purchase agreement. Motioned by Stutzman, second by Schrock to approve Friend Rescue to purchase new ambulance. On roll call voting aye, Ryan, Schrock, Stutzman. Krause-abstain. Nays none. Motion carried.

Mayor Knoke reported on behalf of the hospital. Mayor Knoke informed the Council some of the old manor rooms are being turned into self-pay suites and some other rooms will be used for on-site medical staff to stay in. Mayor states the hospital received the funds from COVID that are accountable for those specific expenses.

Stan Krause reported on behalf of the Friend Volunteer Fire Department. Krause reports they will be working on rules and procedures for fire pits.

Billy Baugh reported on behalf of the Public Works department. Items he reported on included the following:

- Culvert at Bill Bode's is completed;
- Poured back concrete at 2<sup>nd</sup> and Summer;
- Crosswalks were repainted at the school;
- Trees trimmed at park and pond and added mulch;
- Sewer treatment throughout town;
- Dennis put new roof on Blower Room at Sewer Plant;
- Provided cost estimate breakdown for 2<sup>nd</sup>, 5<sup>th</sup>, 6<sup>th</sup> Street Repair
- Two bids for concrete repair of curb at the Congregational Church;
- Memorial Tree planted at the pond for Judy Shutts' husband;
- Cleaning out creek area between 3<sup>rd</sup> and 4<sup>th</sup> Streets and Main and Pine

# MINUTE RECORD

---

Motion by Krause, second by Schrock to approve Troyer Concrete to complete work for curb repair at the Congregational Church. On roll call voting aye, Stutzman, Ryan, Schrock, Krause. Nays none. Motion carried.

Motion by Schrock, seconded by Krause, to approve the EnergyWise Incentive Refund of \$500 to Dollar General. On roll call voting aye, Ryan, Stutzman, Krause, Schrock. Nays none. Motion carried.

There was no Building Inspector report.

Discussion was had on City Hall office personnel going to four 10-hour days. Deputy Clerk Paulsen stated that the hours would remain the same (7:00 a.m. to 5:00 p.m.) the only difference being that one day a week there would only be one person in the office. No decision made at this time.

Mayor Knoke reported on a customer dispute with the late fee penalty. After reviewing the code book it was found nowhere stated there is a one-time late penalty waiver and any bills not paid by the 15<sup>th</sup> of the month will incur the additional fee.

No further business to come before the City Council, motion was made by Schrock, seconded by Krause, to adjourn the meeting. On roll call voting aye, Stutzman, Ryan, Krause, Schrock. Nays, none. Motion carried. Meeting adjourned at 8:17 p.m.

---

Judith K. Knoke, Mayor

ATTEST

---

Kimberly Goossen, City Clerk

I, the undersigned, City Clerk of the City of Friend, Nebraska, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Council on September 1, 2020; that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the office of the Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes from which the foregoing proceedings have been extracted and were in written form and available for public inspection within ten working days; that all news media requesting notification concerning meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

---

City Clerk

# MINUTE RECORD

---

## NOTICE OF MEETING CITY OF FRIEND, NEBRASKA

Notice is hereby given that the City Council of the City of Friend, Nebraska will meet at 7:00 p.m. on **Tuesday, October 6, 2020** at the City Hall which meeting will be open to the public. Agenda for said meeting is kept current and is available in the City Clerk's office during regular business hours. Request to be on the agenda must be in the City Clerk's office 24 hours prior to the start of the meeting.

Kimberly Goossen, City Clerk