

# MINUTE RECORD

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## FRIEND CITY COUNCIL MINUTES-REGULAR MEETING APRIL 6, 2021

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: Kristen Milton, Jeremy Collier, David Sladek, and Shane Stutzman. 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. Shirley and Bob Milton voiced concerns/questions relating to Ordinance No. 21-771 and how it would be enforced. Mayor Knoke stated it was more to address issues in residential areas than the downtown business district. No other public comments offered.

Motioned by Stutzman, seconded by Sladek, to approve the Minutes of the March 2, 2021 Regular Meeting and the March 2021 Treasurer's Report as presented and file same. On roll call voting aye to approve minutes of the March 2, 2021 Regular Meeting and the March 2021 Treasurer's Report, Collier, Milton, Sladek, Stutzman. Nays none. Motion carried.

Motioned by Collier, seconded by Milton, to approve the Friend Community Healthcare Systems Financial Reports for February 2021. On roll call voting aye, Sladek, Stutzman, Milton, Collier. Nays none. Motion carried.

A motion was made by Sladek, seconded by Stutzman, 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, Collier, Milton, Stutzman, Sladek. Nays none. Motion carried.

The claims approved were as follows: March Payroll, 43,920.10; Ameritas, 5,542.29; EFTPS, 13,568.44; NE Dept of Rev SWH, 1,547.48; American Legion, su 100.00; Baker & Taylor Books, su 66.19; Beatrice Concrete, su 3026.36; Beaver Hardware, su 116.91; Black Hills Energy, fe 623.24; Blue Blossom, su 48.00; BCBS of NE, fe 9,520.95; Border States, su 792.18; Brothers Equip, se 19.71; Bruning Law, fe 5752.50; Carrothers Construction, fe 216,900.01; Center Point Large Print, su 88.68; Central NE Bobcat, su 107.51; Jacob & Johnathan Clouse, fe 450.00; Collaborative Summer Lib Prog, su 213.06; Comfort Inn, se 314.85; Creative Product Source, su 83.88; Culligan, se 229.50; Danko, su 994.17; Diode, fe 46.45; Eakes, se & su 694.53; Eric Riley Elec, se 60.00; Farmers Co-op, su 623.58; Farmer's Cooperative, se 103.00; Gale, su 45.73; General Fire, se 818.30; KBK Designs, su 112.00; Lamp Rynearson, fe 15,600.00;

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Rosemarie Markus, se 50.00; Matheson Tri-Gas, se 1051.72; Chris Michl, se 436.80; Midwest Labs, fe 191.10; NMPP, fe 767.83; NE Public Health Environ Lab, se 1692.00; NE Public Power, se 47,208.12; NeRWA, fe 395.00; NMC, su 384.75; Natl Law Enfrc Firearms, fe 350.00; Norris Public Power, se 6283.20 & 113.00; Diane Odoski, re 172.02; One Call Concepts, se 12.68; Paper Tiger Shredding, se 30.00; Principal Mutual Life, fe 65.82; Quick Med Claims, se 681.88; Qwik 6, se 1267.68; Recycling Enterprises, se 440.00; Reminisce, su 15.00; Mindy Rohrig, re 190.26; Seward County Independent, fe 737.23; Marvin Slepicka, fe 2000.00; SE Comm Clg, fe 994.00; Stryker Sales Corp, su 5465.04; Phyllis Svehla, fe 336.00; Verizon, se 303.86; Vyhnalek Ins, fe 2921.00; Waste Connections, se 338.84; Darla Welch, fe 450.00. Total Claims Approved \$397,474.43.

Proposed Ordinance No. 21-774 was read by title, by Mayor Knoke. Councilman Collier moved that the statutory rule requiring reading on three different days be suspended. Councilman Sladek seconded the motion to suspend the rules and upon roll call, voting on the motion was as follows: Members voting aye, Stutzman, Milton, Sladek, Collier. Members voting nay, none. The motion to suspend the rules was adopted by at least three-fourths of the Council and the statutory rule was declared suspended for consideration of the ordinance.

## **ORDINANCE NO. 21-774**

AN ORDINANCE TO AMEND CHAPTER 99: SOLID WASTE DISPOSAL OF THE MUNICIPAL CODE OF THE CITY OF FRIEND, NEBRASKA TO REGULATE SOLID WASTE COLLECTION, 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. *(A complete copy is available for review at City Hall during regular office hours.)*

Councilman Collier moved for final passage of Ordinance No. 21-774, which motion was seconded by Councilman Stutzman. On roll call voting aye, Milton, Sladek, Stutzman, Collier. Voting nay, none. The passage and adoption of said ordinance, having been concurred and by a majority of all Members of the City Council, Ordinance No. 21-774 was adopted this 6th day of April 2021.

Proposed Ordinance No. 21-773 was read by title, by Mayor Knoke.

## **ORDINANCE NO. 21-773**

AN ORDINANCE TO AMEND CHAPTER 98: NUISANCES OF THE MUNICIPAL CODE OF THE CITY OF FRIEND, NEBRASKA TO REGULATE THE REGISTRATION OF VACANT PROPERTY; TO COLLECT FEES FOR VACANT PROPERTIES; TO PLAN FOR REHABILITATION OF VACANT PROPERTIES; TO ENCOURAGE OCCUPANCY OF VACANT PROPERTIES; 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. *(A complete copy is available for review at City Hall during regular office hours.)*

Proposed Ordinance No. 21-771 was read by title, by Mayor Knoke.

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## ORDINANCE NO. 21-771

AN ORDINANCE TO AMEND CHAPTER 92: PUBLIC WAYS AND PROPERTY OF THE MUNICIPAL CODE OF THE CITY OF FRIEND, NEBRASKA TO REGULATE SNOW, ICE, AND REFUSE MATTER IN PUBLIC RIGHT-OF-WAY, 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. *(A complete copy is available for review at City Hall during regular office hours.)*

Councilman Stutzman moved for final passage of Ordinance No. 21-771, which motion was seconded by Councilman Collier. On roll call voting aye, Milton, Sladek, Collier, Stutzman. Voting nay, none. The passage and adoption of said ordinance, having been concurred and by a majority of all Members of the City Council, Ordinance No. 21-771 was adopted this 6th day of April 2021.

Motion made by Collier, second by Sladek to approve and allow Mayor Knoke to sign the City Dump Lease Agreement with Marvin Slepicka. On roll call voting aye, Stutzman, Milton, Sladek, Collier. Nays none. Motion carried.

Discussion was held on single source for garbage collection billed monthly on the city bill. John from Waste Connections attended the meeting and stated they would begin delivering the new garbage totes to residents toward the end of the month. The garbage pick-up will be early on Wednesday mornings with a start date of May 5<sup>th</sup>. Residents can expect to see this additional line item on their utility bill beginning with the June billing.

Motion was made by Collier, seconded by Sladek to approve and allow Mayor Knoke to sign a 10-year Contract with Waste Connections for Single Source Garbage Collection in the City of Friend. On roll call voting aye, Milton, Stutzman, Sladek, Collier. Nays none. Motion carried.

Mayor Knoke reported on behalf of Friend Community Healthcare System. They will be accepting bids for the new construction project.

Kristen Milton provided the Council with an update on the pool construction. The following were covered in her report:

- still on target to open Memorial Day weekend;
- asked for feedback on ideas for the pool grand opening;
- discussed the purchase of chairs, bike racks, picnic tables, lockers;
- Claire Allen is working on pool handbook;
- have lifeguards in uniform suits;
- reimburse lifeguard certification as long as they work 100 hours this summer and 100 hours next summer;
- hope to start filling pool on May 20

Motion was made by Collier, seconded by Stutzman, to approve and accept the six lifeguard applications submitted by Laura Casper, Cooper Girmus, Megan Rumery, Shelby Lawver, Mikayla Hausman, and Fred Hausman. On roll call voting aye, Milton, Sladek, Stutzman, Collier. Nays none. Motion carried.

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Motion made by Sladek, seconded by Stutzman to approve and allow the Pool Committee spend up to \$15,000 to purchase chairs, bike racks and lockers for the new pool. On roll call voting aye, Collier, Sladek, Stutzman. Milton-abstain. Nays none. Motion carried.

Motion was made by Collier, seconded by Sladek to approve a Change Order related to an increase in the cost of building supplies for trusses and roof of the bath house. On roll call voting aye, Sladek, Collier, Knoke. Abstain – Stutzman, Milton. Nays none. Motion carried.

Mark Stutzman, Building Inspector, reported on the following:

- Trevin Stutzman has applied for building permit;
- permit pending for Wayne Milton;
- one fence permit to review

Police Chief, Shawn Gray, reported they are still on pace for calls and has not seen much increase of late. Gray reported that the proposed agreement with Exeter has formally been withdrawn.

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

- discussed running electrical service in Palky addition to Trevin Stutzman's house;
- 15 locates;
- put new rock in the hospital parking lot;
- will build grate for culvert over at the creek bed on 5<sup>th</sup> Street;
- Troyer Concrete completed repair work on 10<sup>th</sup> & Cherry;
- bid for sewer cleaning with Johnson Control;
- to post a sign by the recycle bins

Motion made by Stutzman, second by Milton to approve entering a city team for the Warren Memorial Hospital Golf Tournament on May 28, 2021 with a registration fee of \$400. On roll call voting aye, Sladek, Collier, Milton, Stutzman. Nays none. Motion carried.

Motion was made by Sladek, seconded by Collier to approve Mayor Knoke's recommendation of Will Yokel and Paul Johansen to the Andrew Cemetery board. On roll call voting aye, Stutzman, Milton, Collier, Sladek. Nays none. Motion carried.

Motion made by Collier, second by Milton to approve the appointment of Claire Allen with Bruning Law Group as the Deputy City Attorney. On roll call voting aye, Sladek, Stutzman, Milton, Collier. Nays none. Motion carried.

Motion to enter into executive session at 8:17 p.m. for discussion of pending litigation was made by Sladek, seconded by Milton. On roll call voting aye, Stutzman, Collier, Milton, Sladek. Nays none. Motion carried.

Motion to reconvene regular session of the Friend City Council meeting was made by Stutzman, seconded by Collier. On roll call voting aye, Sladek, Milton, Collier, Stutzman. Nays none. Regular session resumed at 8:34 p.m.

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No further business to come before the City Council, motion was made by Sladek, seconded by Milton, to adjourn the meeting. On roll call voting aye, Stutzman, Collier, Milton, Sladek. Nays none. Motion carried. Meeting adjourned at 8:35 p.m.

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Judith K. Knoke, Mayor

ATTEST

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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 March 2, 2021; 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.

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City Clerk

## 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, May 4, 2021** 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