

City Council Meeting Minutes  
March 19, 2024

The Mayor and City Council of the City of Schuyler, Nebraska, met in regular session at the Schuyler Municipal Building on March 19, 2024 at 6:00 o'clock PM in a publicly convened session, the same being open to the public and having been preceded by posting a copy of the notice in three public places in the city, as evidenced by Attachment A hereto, said form of notice being the designated method for giving notice. The Mayor and City Council received advance notice of the meeting. A copy of their acknowledgment of receipt of such notice is attached to these minutes. All proceedings hereafter shown were taken while the meeting was open to the attendance of the public. Mayor Lindberg convened the meeting and Clerk Lora Johnson recorded the proceedings. The following council members were present: Baumert, Holmberg, Kasik, Rodriguez and Wolfe. Absent: no one.

Mayor Lindberg led the meeting in the Pledge of Allegiance.

Council member Holmberg moved to accept the resignation of City Attorney Richard T. Seckman. Council member Baumert seconded the motion. Voting for: Baumert, Holmberg, Kasik, Rodriguez and Wolfe. Voting against: no one. Motion carried.

Council member Holmberg moved appointments of City Attorney Drew Graham with Svehla Law Offices, Deputy Attorney Richard T Seckman with Karel and Seckman Law Offices, Utility Superintendent Matthew Sobota and Non-Certified Conditional Officer Joseph Beeson. Council member Kasik seconded the motion. Voting for: Baumert, Holmberg, Kasik, Rodriguez and Wolfe. Voting against: no one. Motion carried.

Mayor Lindberg administered the oath of office to Non-Certified Conditional Officer Joseph Beeson.

Mayor Lindberg thanked the participants and supporters at the Cuffs vs Hoses charity basketball game.

Administrator DeRoos reported that JEO is currently accepting bids for the 24 Street Improvement Project. The Police Station is nearing completion and will have a final punch list walk through on Monday at 10 AM. They plan to move into the police station in mid-April. The Ballroom roof replacement contract is that they will adhere to the requirements of the grant. The A/C at the Ballroom has been replaced. JEO performed staking for the Veteran's Memorial last week and Alber's All Around will begin excavation at the site. There is a MOU in the works for the Colfax's Foundation to get a amount of what they will be donating to the project. The middle school traffic study will be discussed in April at the School Board Meeting to discuss sharing the costs.

Clerk Johnson reported that Deputy Clerk Mejstrik and Office Clerk Juarez have been attending training. They both attended the Planning Conference and are currently at Clerk School. Clerk Johnson will be joining them for the rest of the week on Wednesday.

Emergency Manager Evert reported the next week is Weather Awareness Week and the sirens will be tested on Wednesday at 10 AM and Facebook will have posts with educational materials.

Mayor Lindberg gave report for Library Director White that she is attending Nebraska Library Association Advocacy Day at the Capital. She is also reading at the Storytime at the Capital. The 6<sup>th</sup> Anniversary of the Library Building is April 5<sup>th</sup>. There will also be a special Eclipse viewing at the library with special glasses.

Building Inspector Glodowski asked about possible buildable lots. There are several locations that the streets are platted but have no streets leading to them. He is wondering if the city would do some grading and put in gravel streets. At this time, they have told the property owner it is their responsibility to build the street to the property and he feels that is unfair. He would also like to make changes to the ordinances about shipping containers in commercial areas. He feels this should be allowed in commercial areas.

Interim Schuyler Community Development Coordinator and Housing Specialist Bywater reported the Tree Trimming Workshop with the Nebraska State Forest Service and Statewide Arboretum at the Oak Ballroom had about 50 attendees. He would like to have Micro TIF to pass across their desk for consideration. It can be used for a single building. It can be used for public cost associated with private development. The lifespan of a TIF project is normally 15 years. Examples of TIF projects are the Cobblestone Hotel and Love's Travel Stop. Micro TIF can only be use on a

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single building. Another tool will be the Workforce Housing TIF which can be used for the construction of housing. The City's of Norfolk and Columbus recently passed this type of TIF. He will be submitting a Preliminary Plat for review with the Planning Commission on April 23<sup>rd</sup> and City Council on May 21<sup>st</sup>. Last the increasing cost of insurance premium for home owners with higher deductibles causing problems with low-income housing prices. Mayor Lindberg asked if the Micro TIF could be used in the downtown area. Bywater stated as long as the area is blighted it could be used.

Council member Baumert moved to approve the March 5, 2024 council meetings minutes and dispense with its reading. Council member Rodriguez seconded the motion. Voting for: Baumert, Holmberg, Kasik, Rodriguez and Wolfe. Voting against: no one. Motion carried.

Council member Holmberg moved to approve payment of claims for the period from March 2, 2024 through March 15, 2024, in the amount of \$335,064.29 and the following exceeding \$1,000: Robert Farber, Reimburse TV's/Camera, Police/Special Projects, \$1,521.84; Karel & Seckman, Legal Fees, Admin/Police, \$1,276.00; Baker & Taylor, Books, Library, \$1,108.92; Schuyler Coop, Fuel, Police/Admin/Streets, \$1,453.09. All claims under \$1,000 listed on (Attachment 1). Council member Rodriguez seconded the motion. Voting for: Baumert, Holmberg, Kasik, Rodriguez and Wolfe. Voting against: no one. Motion carried.

Council member Kasik moved to approve February 2024 Treasurer's Report. Council member Baumert seconded the motion. Voting for: Baumert, Holmberg, Kasik, Rodriguez and Wolfe. Clerk Johnson stated we are 5 months in and should be at 41.66%. Voting against: no one. Motion carried.

Jill Clay with Regier Carr & Monroe, LLP, CPAs was present by phone and reviewed the Independent Auditor's Report and Financial Statements ending September 30, 2023 with the City Council. She praised the office staff on how good they are to work with and they are always responsive making her job easier. She reviewed the Adverse opinion stating that is due to the Utilities having their own financial statements. The Governmental Activities did receive an Unmodified opinion. She reviewed the financial highlights. She noted that \$11,765 was unused in the budget and she commended the City on their monitoring of the budget. She reviewed their findings and the only findings were Lack of Segregation of Duties and Recognition of Grant Revenues. She did not feel it is a big concern for a City of our size.

Council member Holmberg moved to accept the Fiscal Year 2022-2023 Fiscal Statements prepared by Regier Carr & Monroe, LLP, CPAs. Council member Baumert seconded the motion. Council member Kasik asked if they will have to approve again after staff provides a response to the finding. Clerk Johnson stated no. Council member Holmberg stated the lack of segregation is always a complaint and the staff has done a good job. Mayor Lindberg stated they did a good job of coming under budget. Voting for: Baumert, Holmberg, Kasik, Rodriguez and Wolfe. Voting against: no one. Motion carried.

Council member Baumert moved to close Merchant Parking Lot and Adam Street from Higgins Drive to North of 2<sup>nd</sup> Street for the Knights of Columbus Spring Festival on June 2, 2024 from 10:30 AM to 4:00 PM. Council member Kasik seconded the motion. Matt Bailey and Seth Mares were present to answer questions about the KC events. Mares stated as they expand the car show they are adding events. This year on Saturday night they plan to have a meet and greet at the KC hall. For the cruise they will not need any road closures. Bailey reviewed the area on Sunday for the car show and they would like to add a car expo. The expo would include two events of loud pipes and burnout competition. They have visited with Police and Rescue about the event. Chief Farber stated that residents of the apartments should be notified but he does not see any issues with the event. Mayor Lindberg asked how they would protect the streets. They said they might have Fire Department wet the streets down. Mares said they will have the area barricaded off to keep the spectators safe. Participants will be limited to the participants in the car show. Mayor Lindberg asked when they know how they will barricade off and what type of burnout they will be doing then we can finalize those plans. Council member Kasik asked about the liability. Bailey responded that they will have waivers signed by participants in the car show. Voting for: Baumert, Holmberg, Kasik, Rodriguez and Wolfe. Voting against: no one. Motion carried.

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Council member Rodriguez moved to allow the Knights of Columbus to host a cruise night on June 1, 2024 from 7 to 9 PM and reserve five parking stalls in front of the movie theater. Council member Holmberg seconded the motion. Voting for: Baumert, Holmberg, Kasik, Rodriguez and Wolfe. Voting against: no one. Motion carried.

Council member Kasik moved to close C Street from 11<sup>th</sup> Street South to alley for the Knights of Columbus Meet and Greet on June 1, 2024 from 7 to 9 PM. Council member Baumert seconded the motion. Voting for: Baumert, Holmberg, Kasik, Rodriguez and Wolfe. Voting against: no one. Motion carried.

Council member Holmberg moved to approve Memorandum of Understanding with the “VFW” and “Legion” on the Colfax County Veterans Memorial. Council member Rodriguez seconded the motion. Voting for: Baumert, Holmberg, Kasik, Rodriguez and Wolfe. Voting against: no one. Motion carried.

Council member Rodriguez moved to approve Memorandum of Understanding with Schuyler Community Development on the Adopt the Pot Program. Council member Wolfe seconded the motion. Council member Kasik asked the placement and size. Clerk Johnson stated that they are working with the SCD on the placement to keep them from being an issue of blocking the view and will continue to work with them. Voting for: Baumert, Holmberg, Kasik, Rodriguez and Wolfe. Voting against: no one. Motion carried.

Council member Baumert moved to approve payment of Keno Funds in the amount of \$50 to SES Field Day. Council member Holmberg seconded the motion. Voting for: Baumert, Holmberg, Kasik, Rodriguez and Wolfe. Voting against: no one. Motion carried.

Council member Holmberg moved to approve the Schuyler Community Schools Summer Program usage of the Schuyler Swimming Pool Monday – Thursday, June 3<sup>rd</sup> through June 21<sup>st</sup> for a fee of \$400. Council member Baumert seconded the motion. Voting for: Baumert, Holmberg, Kasik, Rodriguez and Wolfe. Voting against: no one. Motion carried.

Council member Wolfe moved to approve the pool rates for 2024 swim season and a \$5 an hour extra for lifeguards and managers working pool parties. Council member Rodriguez seconded the motion. Voting for: Baumert, Holmberg, Kasik, Rodriguez and Wolfe. Voting against: no one. Motion carried.

Council member Holmberg moved to approve contract with McCurdy Roofing on replacement of the Ballroom roof. Council member Baumert seconded the motion. Voting for: Baumert, Holmberg, Kasik, Rodriguez and Wolfe. Voting against: no one. Motion carried.

Council member Baumert moved to approve fee of \$5 for public waste disposal at the Campground. Council member Kasik seconded the motion. Mayor Lindberg asked how this will be monitored. Administrator DeRoos stated if they are not a camper in the campground they will have to pay it. The hosts will identify them and they will install a camera to monitor it again. Voting for: Baumert, Holmberg, Kasik, Rodriguez and Wolfe. Voting against: no one. Motion carried.

Council member Holmberg moved to approve Employment Agreement with William DeRoos City Administrator. Council member Baumert seconded the motion. Council member Kasik told DeRoos his evaluations have been good and when they have asked him to do something he has been doing it. She has had a good number of people contact her about issues with groups and boards meeting together. Her concern is it appears to be the group and boards are having a struggle with communication and conflict. Administrator DeRoos stated he could address two of them that are present. First the SCD he had asked the board to go over the laws in which they are to abide by but that was an issue for them. He asked if the Colfax Foundation is here in opposition. Fran Sobota replied she is here to observe. DeRoos asked if anyone else is here with contention. Larry Karel with SCD was present and addressed the board. He stated since 1985 the SCD has worked with the City and accomplished good things together. The Development Company is all volunteers. They look forward to moving forward with the City and the Department of Utilities. There is a major issue coming up where the City and Development Company to work hand in hand for a vote on Sales Tax in 2026. The Development Company has led that movement and been successful. Generally, they have a good working condition with the city for the last 40 years. They have replaced their coordinator 4 or 5 times. Recently they replaced the

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coordinator but that brought DeRoos to question the Development Company in a nonprofessional way. Administrator DeRoos asked in what way was he unprofessional. Karel stated it was in his opinion. He asked for the Development Company to be able to have more input and they ask the city to table the extension of DeRoos contract. It has come to their attention that there may be other concerns in the City about the ability to successfully work with DeRoos going forward. They would ask for a public hearing to address their concerns. DeRoos asked if he would clarify his concerns and how he was unprofessional with him. Karel responded his approach wasn't one of discussion. They are on open body and are happy to talk about anything they do with anyone. He stated DeRoos approach was accusatory, demanding of minutes of meetings. For that reason, they have doubts moving forward with DeRoos. DeRoos responded he sat down and went over the rules and one of the Board Members asked do you actual expect us to follow all these laws and he stated he responded yes. At that meeting he also pointed out that the most recent housing study showed they need to build 203 houses. Mayor Lindberg interrupted DeRoos and stated he is ending the rhetoric that this is a motion to approve an employment contract he will take all comments into consideration. Voting for: Baumert, Holmberg and Rodriguez. Voting against: Kasik. Abstaining: Wolfe. Motion carried.

Mayor Lindberg opened discussion on park improvements for 2024-2025. Administrator DeRoos stated that several items have been discussed such as a dog park, work out facility area, skate park, pickle ball, putt putt course and how to improve the parks going forward. He applied for a grant from the National Fitness Campaign for \$30,000 last year and was awarded it and thinks if he applies again, he would be able to receive the grant again. He showed a video of the National Fitness Campaign and the fitness system that they are offering to communities to have fitness outdoors. After grant award that feature would cost around \$130,000. Mayor Lindberg stated that years ago there use to be some fitness equipment in south park. He thinks it would be nice to have something back in that area. He would like to focus on our parks to attract people to Schuyler. Dog parks might be an easy one to start with. Council member Holmberg asked about a scaled down soccer court at the tennis courts. He thinks they just need to paint some lines and add some nets. Clerk Johnson stated there are goals but would need lines painted. Holmberg asked about getting all the trees cleaned out around the lake by the campground. Parks & Streets Manager Colvin stated they are on the last phase of cleaning trees up on the east end. Josh Faltys asked why they don't put some money into the lake that was filled in by the golf course, he feels it looks terrible. Mayor Lindberg asked why that was done in the first place. Council member Holmberg stated that was a wet land and they got in trouble for filling it in. Building Inspector Glodowski stated it started with a toxic algae problem but he doesn't know what the answer is now. Holmberg stated it would be possible to make it better but it will be costly since they would have to drain it and reseal it.

Administrator DeRoos stated that Council Member George Kretz requested a plaque as a memorial for Mary Hinline with Schuyler Hamburger Shop be placed on the bench behind the Schuyler Municipal Building. Mayor Lindberg added he thought it was a good idea.

Mayor Lindberg announced 1<sup>st</sup> Ward Council Member Vacancy for term remaining until December 2024.

Council member Holmberg moved to authorize Mayor to sign leasing contract with All Makes for Copier 3554 Color MFP 35 ppm, 208ci Color MFP 32 ppm and 5526 Color MFP 27 ppm in the amount of \$270 a month for 63 months. Council member Rodriguez seconded the motion. Voting for: Baumert, Holmberg, Kasik, Rodriguez and Wolfe. Voting against: no one. Motion carried.

Council member Rodriguez moved to adjourn. Council member Holmberg seconded the motion. Voting for: Baumert, Holmberg, Kasik, Rodriguez and Wolfe. Voting against: no one. Motion carried.

ATTEST:

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Mayor Art Lindberg

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City Clerk

STATE OF NEBRASKA)

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COUNTY OF COLFAX) SS  
CITY OF SCHUYLER)

I, Lora Johnson, City Clerk for the City of Schuyler, Nebraska, hereby certify that all of the subjects included in the foregoing proceedings were contained in the agenda for said meeting, kept continually current and available for public inspection at the office of the City Clerk; that such subjects were in said agenda for at least twenty-four hours prior to said meeting; that the minutes of the City Council of Schuyler, Nebraska, from which the foregoing proceedings have been extracted, were in written form and available for public inspection within ten working days and prior to the next council meeting.

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City Clerk Lora Johnson