

City Council Meeting Minutes  
March 5, 2024

The Mayor and City Council of the City of Schuyler, Nebraska, met in regular session at the Schuyler Municipal Building on March 5, 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 expressed condolences on the passing of Council Member Kretz. He explained one of the last requests he spoke to Mr. Kretz about was having the Pledge of Allegiance at the beginning of the meetings. Mayor Lindberg led the meeting in the Pledge of Allegiance.

Mayor Lindberg reported he attended the league meetings pertaining to the ATV/UTV snow removal bill that will not be passed this year but will come back before the legislature next session.

Council member Baumert reported that he attended the League of Municipalities Conference. He said it was interesting and the two most interesting were the sessions on fraud and EPIC tax.

Attorney Seckman reported he released three liens in the Water Tower Subdivision. He is working on a MOU with Veteran's Memorial Committee and has sent it on to the Veteran's. He is also working on a MOU with the Colfax Foundation. The Colfax Foundation needs to decide a dollar amount for them to contribute and sign the MOU before it will come to the council for approval.

Administrator DeRoos reported JEO is working on the 2024 Street Improvement Projects and will be going out for bid by end of April. The Police Station is being delayed to March 22<sup>nd</sup>. Move in date will be 2<sup>nd</sup> week in April, the current landlord is willing to do a month-to-month basis for the temporary police station. He spoke to Bierman Construction and they will be doing repairs in late March at the Library. The Ballroom A/C will be installed on Wednesday. He spoke with Dr. Schroder about the Middle School traffic study and he will be talking to them about sharing the cost of the study. The plan for the Top Notch is to sell and advertise the sale. The advertisement will ask for a proposal of renovation, a business plan, a timeline for renovation and how the project will be financed. He feels it should be reviewed by Schuyler Community Development and approved by Council. Potential monetary incentivization needs to be decided for the purchaser. He would also like to have an ordinance on the next meeting to approve Micro TIF as a possibility.

Emergency Manager Evert reported that the severe weather awareness week is the last week of March and that is when siren testing will begin.

Interim Utility Superintendent Sobota reported that water chlorination started and will last for 30 days from the time chlorination reaches through the whole system. There will be extra hydrant flushing with the chlorination. A coliform bacteria in a test came back positive. They are uncertain the cause as one test will test positive and the next will not. They do not have any answers to why this is happening they will continue to look for answers. The water is safe to use.

Police Chief Farber reported that he has nominated two officers for the MADD Hero Awards. In 2022 there were 23 DUI and in 2023 there were 53 DUI arrests a significant increase.

Parks and Street Manager Colvin reported that they started to clean the pool out and found a hole in the bottom of the baby pool. They will have repairs done in the next few weeks. He met with JEO about the Veteran's Memorial excavating. He was approached by two business owners that would like to donate materials and labor for a handicap fishing area. A location just will need to be decided on. The campground now has 48 camping spots.

Library Director White reported that they received a \$10,000 grant from the American Library Association for small rural libraries. The grant will help library work with residents with disabilities to provide bilingual arts education to children with special needs and their families. Mayor Lindberg thanked White for her work on obtaining this grant.

City Council Meeting Minutes  
March 5, 2024

Interim Schuyler Community Development Coordinator and Housing Specialist Bywater reported that March 14<sup>th</sup> is the tree care seminar at the Ballroom from 9 to 3. If interested there is a \$20 fee to attend. He is working with JEO on the preliminary plat for the former Mares Property. He is hoping to have the preliminary plat on the March 26<sup>th</sup> Planning Commission meeting and the April 16<sup>th</sup> City Council meeting. He has shown the Top Notch to two different parties and feels that one will be bringing a plan.

Council member Baumert moved to approve the February 20, 2024 council meetings minutes and dispense with its reading. Council member Kasik 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 February 17, 2024 through March 1, 2024, in the amount of \$217,440.65 and the following exceeding \$1,000: Agri City Insurance, Insurance, Street/Parks/Police, \$1,658.00; NENEDD, Admin Fees, CDBG Grants, \$7,671.25; Corral Auto Repair, Repairs/Towing, Police, \$3,733.66; Mid-State Eng. & Testing, Material Testing, Park-Memorial, \$2,065.00; JEO, Eng. Fees, Streets, \$17,325.00; MacQueen Equipment, Sweeper Repairs, Streets, \$2,934.51. All claims under \$1,000 listed on (Attachment 1). 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 table the motion to accept the Fiscal Year 2022-2023 Fiscal Statements prepared by Regier Carr & Monroe, LLP, CPAs. Council member Baumert seconded the motion. Voting for: Baumert, Holmberg, Kasik, Rodriguez and Wolfe. Voting against: no one. Motion carried.

Mayor Lindberg opened a public hearing to hear citizen comments pertaining to a resolution for "No Parking" on Denver Street from 16<sup>th</sup> Street to 20<sup>th</sup> Street.

Mayor Lindberg read the letter he received from Joel Cerny concerning the no parking signs. He feels the property owners should be contacted before they mark and install signs. If the reason for the installing of the no parking signs are due to traffic to the school, he feels it would be better to have no parking during school time hours like on 22<sup>nd</sup> Street would be a better choice. With the blocks being double long they have a concern of where their guest will be able to park during evenings and holidays. The third concern is the placement of the signs and why they are not posted in the first fifty feet of an intersection not  $\frac{3}{4}$  of the way down the block.

Clerk Johnson gave a little background that there was a public hearing in 2021 about no parking on Denver Street north of 16<sup>th</sup> Street. Many issues were discussed that this section has double blocks with no alleys for access or parking. It was discussed of one side no parking or no parking during certain times of day. It was left to do more research on what the best solution is. There were no parking signs installed on Denver Street a few weeks ago. She called Street Manager Colvin and instructed him to take them down since no Resolution approving no parking was passed and a Resolution would need to be passed before signs can be installed. She stated that the police had requested it to the street department.

Police Chief Farber stated during school drop off and pick up there is a lot of traffic. He sees a few options of no parking during school time, leave it the way it is now and hope no accidents accrue, or make it no parking like the south of 16<sup>th</sup> and Denver is. Attorney Seckman asked if the no parking signs on 22<sup>nd</sup> Street during school hours are successful. Farber stated they are and they don't have any issues.

Attorney Seckman stated he lived on Denver Street for 31 years. He agrees with comments by the Cerny's of double blocks with no alleys. They need to be able to have some area to park. He feels at most to do is limit the hours of parking.

Council member Holmberg questioned the placement of the no parking signs. Housing Specialist Bywater thought there was a concern in the past about not having sidewalks in the area as well. Council member Holmberg would like someone to check a couple times a week to see how many cars are parked on the street and report back at a later meeting. Police Chief Farber said they could take video of the area to watch for pedestrian and cars.

City Council Meeting Minutes  
March 5, 2024

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

Council member Baumert moved to authorize pay application #14 for Schuyler Police Station Renovation in the amount of \$204,535.95 to Rogge General Contractors. Council member Kasik seconded the motion. Voting for: Baumert, Holmberg, Kasik, Rodriguez and Wolfe. Voting against: no one. Motion carried.

Council member Kasik moved to authorize Spring Fling Cleanup activity and approve fees for May 10<sup>th</sup> and 11<sup>th</sup>, 2024 for 8:00 AM until 4:00 PM. Council member Holmberg seconded the motion. Voting for: Baumert, Holmberg, Kasik, Rodriguez and Wolfe. Voting against: no one. Motion carried.

Council member Baumert moved to adopt the 2023 RDG Housing Study and include the study as an exhibit within the Schuyler Workforce Housing Plan mandated by LB1059, an update to LB840, signed by Governor on March 30, 2016. Council member Holmberg seconded the motion. Housing Specialist Bywater stated last year the housing study was updated and now they are updating it in the Workforce Housing Plan. Voting for: Baumert, Holmberg, Kasik, Rodriguez and Wolfe. Voting against: no one. Motion carried.

Council member Kasik moved to close Downtown Streets on Friday, May 3, 2024 at 12 PM until Sunday May 5, 2024 at 7 PM for the following Streets: 12<sup>th</sup> Street from B Street to D Street; 11<sup>th</sup> Street from C Street to D Street; C Street from 10<sup>th</sup> Street to North of 12<sup>th</sup> Street to pavement end. Council member Holmberg seconded the motion. Chamber Director Jedlicka stated that she met with the Police Chief and he suggested to move it more that direction so B Street is not blocked off. Voting for: Baumert, Holmberg, Kasik, Rodriguez and Wolfe. Voting against: no one. Motion carried.

Mayor Lindberg opened a discussion of pool party rates and Warrior Academy pool rate. Clerk Johnson stated that last year we charged the Warrior Academy \$400 to use the pool during the month of June during our open hours. She also brought up that pool parties were discussed last year about raising the rates as those rates have not been changed in a very long time. Before the fee schedule is brought to them, she wanted to find out what they would like to charge for the Warrior Academy and pool parties.

Council member Holmberg stated that we need to raise the rate since costs have gone up and wages. Mayor Lindberg thought they once discussed having the person renting the pool pay for the lifeguard's wages. Pool Manager Nepper stated she would like to see the lifeguards paid more for a pool party, time and a half or incentive pay to get them to want to stay later after a long hot day. Discussion on how to bill the renters was discussed and the agreement was made to bill \$100 an hour for the pool and \$20 an hour for each lifeguard. Pool Manager Nepper asked if the manager would be paid the same as the lifeguard. The flat rate of \$20 an hour will be charged to patrons and differential pay will be paid to life guards and manager.

Clerk Johnson clarified that the council was still good with \$400 charge for the Warrior Academy since they raised the rate the previous year. Discussion was had that this was a good rate for this year and next year they could look at it again.

Mayor Lindberg opened a discussion on a traffic study at the middle school. Administrator DeRoos stated as in his report he talked to Dr. Schroder and will follow up with him after he meets with the school board and if they are in agreement he will have the agreement with JEO at the next council meeting.

Mayor Lindberg opened a discussion on speed bumps around South Park. Administrator DeRoos stated he has been contacted by residents on south park road that they don't enjoy the speed bumps. They feel they are hard to drive over and they are not decreasing the speeding on that road. The possible other solutions are a trail that is expensive, a one-way street with a walking lane, a speed trap camera or more speed bumps. Discussion was held about the one way and problems that would arise with that. All feel the speed bumps are helping and the good is out weighing the bad.

Mayor Lindberg opened a discussion on a new City Attorney. Administrator DeRoos stated that the City is planning on appointing a new City Attorney at the next council meeting. He has been in contact with several different attorneys and

City Council Meeting Minutes  
March 5, 2024

firms. Through interviews they have selected Drew Graham with Svehla Law Offices. He has experience with 26 other governments in Nebraska. They will be working on a smooth transition between current Attorney Seckman and Attorney Graham.

Attorney Seckman stated he had made this request to start looking for a new City Attorney in November as he would like to work a little less. He has proposed to continue to work with the Department of Utilities on the real estate transactions. He would ask he is still City Attorney for the Utilities or Deputy Attorney to continue to help with real estate transactions. If Svehla law does not agree to that he is ok with that. He would like to finish out some of the items he is currently working on. He would also be available to help with history of thing in the past.

Discussion on where they are located and if they will have office space in Schuyler was had. They will be billing one way trip charges from their closest office which is in Osceola.

Mayor Lindberg opened a discussion on squatting. Mayor Lindberg wanted to inform the council on what our ordinances are and how we handle squatters. Chief Farber stated someone on private property is a criminal act and there are laws to address that. Public places are a little more challenging. If someone is invited to stay at a home and then they change their mind that is more difficult to deal with. Discussion was had about different situations. Chief Farber stated to his knowledge Schuyler has not had any issues with squatters.

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

ATTEST:

\_\_\_\_\_  
Mayor Art Lindberg

\_\_\_\_\_  
City Clerk

STATE OF NEBRASKA)  
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.

\_\_\_\_\_  
City Clerk Lora Johnson