

City Council Meeting Minutes
May 16, 2023

The Mayor and City Council of the City of Schuyler, Nebraska, met in regular session at the Schuyler Municipal Building on May 16, 2023 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, Kretz, Rodriguez and Wolfe. Absent: no one.

Mayor Art Lindberg acknowledged the Chamber on a successful Cinco de Mayo event. He wished Congratulations to the Boys Soccer team for making it to State Semi Finals.

Administrator DeRoos reported that Police Station work is ramping up. He met with Dr. Hoelsing and the school system is committed to South Park bathroom project. The Oak Ballroom has been awarded a Rural Nebraska Historic Preservation grant to repair the Ballroom roof in the amount of \$60,000. Insurance claim will also be paid out on the Ballroom A/C to have it replaced.

Mayor Lindberg asked if he has heard back from Bierman on the Library construction problems. DeRoos stated he has not heard anything more from them. He has asked for a timeline and has had no response. He has also put out feelers on the Oak Ballroom Manager position to see what applicants we can receive.

Utility Superintendent Hajek reported their office would be closed on Wednesday for in house Team Work and Leadership Development training all day long.

Police Chief Farber reported that Officer Hilger has submitted his resignation with the department effective May 26. They have seen a increase in driving while intoxicated arrest from last year. Call volume is increasing steadily over time. A lot of activity with graduation and people in town. They are serving a lot of code on mowing.

Parks and Street Manager Colvin thanked the Utilities for the help in the campground with adding 12 more water sites and updating the electrical. Merchant Park will have the first home Legion game tonight in a couple years. Cinco de Mayo was a great success. They had problems with the trash removal and that will be something they will improve for the next big event in town. Spring Fling was a success and just one complaint in the increase of fees. The bikes will be going to Bike Rescue out of Omaha. They plan to work with the Chamber to give bikes to kids that need bikes along with a bike repair shop. They also got awarded money from the Colfax County Tourism Board to replace signs in the campground.

Library Director reminded everyone that Thursday they will be having a Red Cross Blood Drive at the Library. She also reported that on Thursday the 18th Tosca Lee will be having an author event at 6:00 PM.

Economic Development Director Ringenberg reported on a challenge Schuyler has of space for businesses to build or occupy an existing building. There are many vacant buildings owners in the downtown that are not willing to sell or discuss their building. She has discussed with other cities who are dealing with the same issue. Bill LB 256 gives the municipality the power to address the vacant building issues. She provided the state statue along with Randolph and Central City's ordinance on vacant buildings. The SCD would like to work on something similar for Schuyler. Attorney Seckman stated that it doesn't address storage in these buildings. The ordinance would need to address storage. Administrator DeRoos stated that Randolph's ordinance does address that storage is not allowed unless it is allowed by the zoning ordinance. Ringenberg stated she is approached twice a week by groups wanting to start businesses in town.

Housing Specialist Bywater reported the lot sales on the agenda should close in about 60 days for three single family homes. A rental four plex will begin in the near future with completion around the end of the year. There have been six permits pulled for townhouse units in the Water Tower Subdivision.

City Council Meeting Minutes
May 16, 2023

Council member Baumert moved to approve the May 2, 2023 council meeting minutes and dispense with its reading. Council member Holmberg seconded the motion. Voting for: Baumert, Holmberg, Kasik, Kretz, Rodriguez and Wolfe. Voting against: no one. Motion carried.

Council member Holmberg moved to approve payment of claims for the period from April 29, 2023 through May 12, 2023, in the amount of \$278,750.96 and the following exceeding \$1,000: Colfax County Food Pantry, Reimburse, CDBG Grant, \$2,330.00; NE Dept. of Transportation, Maintenance Agreement, Street, \$3,255.00; Karel & Seckman, Legal Fees, LB840/Admin, \$1,199.00; Schuyler Coop, Fuel, Parks/Streets/Police, \$4,427.99; At-Scene LLC, iCrimeFighter, Police, \$4,150.00; Prochaska Tire, Tires/Maintenance, Street/Police, \$1,889.21; PMAM Corporation, Software, Police, \$2,250.00; Schuyler Community Schools, License Fee, Admin, \$4,200.00; 402 Electric, Scoreboard Install, Parks, \$2,360.17. All claims under \$1,000 listed on (Attachment 1). Council member Kasik seconded the motion. Voting for: Baumert, Holmberg, Kasik, Kretz, Rodriguez and Wolfe. Voting against: no one. Motion carried.

Council member Holmberg moved to accept the 2023 April Treasurer's Report. Clerk Johnson stated we are 58.33% through the current budget. Council member Baumert seconded the motion. Voting for: Baumert, Holmberg, Kasik, Kretz, Rodriguez and Wolfe. Voting against: no one. Motion carried.

Mayor Lindberg opened a public hearing to receive citizen comments on an application for a Special Use Permit was filed by Mike Muhle for a Convenience Storage in "GC" General Commercial. The property is legally described as Lots 3 and 4, Block 16, Sumner and Wright's Addition, to the City of Schuyler, Colfax County, Nebraska, along with the East Half Vacated "G" Street adjacent thereto.

Attorney Seckman stated this has been approved by the Planning and Zoning Commission. Construction has begun on this project. He wants the building mainly for his own use, but if he would like to rent it out it is required to get a Special Use Permit for Convenience Storage in General Commercial.

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

Council member Kretz moved to approve an application for a Special Use Permit as filed by Mike Muhle for a Convenience Storage in General Commercial. The property is legally described as Lots 3 and 4, Block 16, Sumner and Wright's Addition, to the City of Schuyler, Colfax County, Nebraska, along with the East Half Vacated "G" Street adjacent thereto. Council member Rodriguez seconded the motion. Voting for: Baumert, Holmberg, Kasik, Kretz, Rodriguez and Wolfe. Voting against: no one. Motion carried.

Council member Kretz moved to approve change order 2 with Rogge General Contractors, Inc. for the Police Department Expansion and Renovation for an increase in the amount of \$48,833.25. Council member Rodriguez seconded the motion. Ryan Dorfmeier with JEO was present at the meeting and reviewed the need for the change order. There are three items that need to be addressed. The first item is to install a self-leveling cementitious underlayment in interview room #121. Second item is a discovery of an existing steel column during demolition will have them delete men's restroom #103 and increase women's restroom #104 and change to a public unisex restroom. They will also infill an existing masonry opening located in corridor #111 with masonry. Also, a steel beam will be added for support of the roof loads. The last item is to tuckpoint the interior brick wythe of the south wall in interview room #116 and south and east walls of interview room #121. Mayor Lindberg asked if a contingency was figured into this project. Dorfmeier stated they add a 10 to 15% contingency. Voting for: Baumert, Holmberg, Kasik, Kretz, Rodriguez and Wolfe. Voting against: no one. Motion carried.

Council member Rodriguez moved to approve amended agreement with JEO for the Additional Professional Design/Construction Services in the amount of \$21,150. Council member Holmberg seconded the motion. Council member Kasik asked what this is for. Ryan Dorfmeier with JEO stated it is for the unforeseen changes on the plans due to the discoveries during demolition. Voting for: Baumert, Holmberg, Kasik, Kretz, Rodriguez and Wolfe. Voting against: no one. Motion carried.

City Council Meeting Minutes
May 16, 2023

Council member Holmberg moved the first reading of Ordinance No. 2023-06, the title being; AN ORDINANCE OF THE CITY OF SCHUYLER, NEBRASKA, TO AUTHORIZE THE SALE OF REAL ESTATE OWNED BY THE CITY OF SCHUYLER, NEBRASKA, SCHUYLER DEPARTMENT OF UTILITIES, AND DESCRIBED AS LOT 8, BLOCK 3, WATER TOWER SUBDIVISION, SECOND ADDITION, TO THE CITY OF SCHUYLER, COLFAX COUNTY, NEBRASKA, TO SCHUYLER HOME BUILDERS GROUP, LLC, A NEBRASKA LIMITED LIABILITY COMPANY, FOR THE SUM OF \$25,000.00, WITH AUTHORIZATION MADE PURSUANT TO NEBRASKA REVISED STATUTE SECTION 16-202 (REISSUE 2012); PROVIDING BUYER TO BUILD A RESIDENCE COMPLETED AND SOLD WITHIN 24 MONTHS FOR DISCOUNT OF \$20,000.00 WITH PAYMENT WAIVED IN THAT EVENT; AUTHORIZING THE MAYOR TO SIGN THE REAL ESTATE PURCHASE AGREEMENT, WARRANTY DEED AND ANY REAL ESTATE SALE CLOSING DOCUMENTS; PROVIDING FOR NOTICE TO THE PUBLIC AND PROVIDING FOR AN EFFECTIVE DATE. Council member Kasik seconded the motion. Attorney Seckman stated there is a signed purchase agreement on the first one they did and now they would like to build another one. Voting for: Baumert, Holmberg, Kasik, Kretz, Rodriguez and Wolfe. Voting against: no one. Motion carried.

Council member Holmberg moved to waive the three-reading rule. Council member Rodriguez seconded the motion. Voting for: Baumert, Holmberg, Kasik, Kretz, Rodriguez and Wolfe. Voting against: no one. Motion carried.

Council member Holmberg moved for final passage. Council member Rodriguez seconded the motion. Voting for: Baumert, Holmberg, Kasik, Kretz, Rodriguez and Wolfe. Voting against: no one. Motion carried. Ordinance No. 2023-06 was passed and adopted.

Council member Rodriguez moved the first reading of Ordinance No. 2023-07, the title being; AN ORDINANCE OF THE CITY OF SCHUYLER, NEBRASKA, TO AUTHORIZE THE SALE OF REAL ESTATE OWNED BY THE CITY OF SCHUYLER, NEBRASKA, SCHUYLER DEPARTMENT OF UTILITIES, AND DESCRIBED AS LOTS 3 & 7 BLOCK 3, WATER TOWER SUBDIVISION, SECOND ADDITION, TO THE CITY OF SCHUYLER, COLFAX COUNTY, NEBRASKA, TO STEVE LLOYD'S RENTALS, LLC, A NEBRASKA LIMITED LIABILITY COMPANY, FOR THE SUM OF \$50,000.00, WITH AUTHORIZATION MADE PURSUANT TO NEBRASKA REVISED STATUTE SECTION 16-202 (REISSUE 2012); PROVIDING BUYER TO BUILD A RESIDENCE COMPLETED AND SOLD WITHIN 24 MONTHS FOR DISCOUNT OF \$40,000.00 WITH PAYMENT WAIVED IN THAT EVENT; AUTHORIZING THE MAYOR TO SIGN THE REAL ESTATE PURCHASE AGREEMENT, WARRANTY DEED AND ANY REAL ESTATE SALE CLOSING DOCUMENTS; PROVIDING FOR NOTICE TO THE PUBLIC AND PROVIDING FOR AN EFFECTIVE DATE. Council member Kasik seconded the motion. Attorney Seckman stated this is the same as the one they did with Steve Lloyd Rentals, LLC before. The Utilities has review and recommend moving forward. Voting for: Baumert, Holmberg, Kasik, Kretz, Rodriguez and Wolfe. Voting against: no one. Motion carried.

Council member Baumert moved to waive the three-reading rule. Council member Kasik seconded the motion. Voting for: Baumert, Holmberg, Kasik, Kretz, Rodriguez and Wolfe. Voting against: no one. Motion carried.

Council member Baumert moved for final passage. Council member Kasik seconded the motion. Voting for: Baumert, Holmberg, Kasik, Kretz, Rodriguez and Wolfe. Voting against: no one. Motion carried. Ordinance No. 2023-07 was passed and adopted.

Council member Rodriguez moved to reserve 6 parking stalls in front of the Colfax Theater on June 3rd from 6 PM to 9 PM for the Knights of Columbus Spring Festival. Council member Kasik seconded the motion. Matt Bailey and Seth Mares with the Knights of Columbus were present and said the six spots would be used for cars from the car show. They will be showing Smoky and the Bandit at the Colfax Theater. They are trying to rebuild the car show to what it used to be. Voting for: Baumert, Holmberg, Kasik, Kretz, Rodriguez and Wolfe. Voting against: no one. Motion carried.

Council member Kasik moved to close 11th Street from A to D Street, B Street from 11th to 12th Street and C Street from 10th Street to alley north of 11th Street for the Knights of Columbus Spring Festival on June 4, 2023 from 8 AM to 5:30 PM. Council member Baumert seconded the motion. Bailey and Mares stated the street closing will be for the car

City Council Meeting Minutes
May 16, 2023

show and kiddie tractor pull. Voting for: Baumert, Holmberg, Kasik, Kretz, Rodriguez and Wolfe. Voting against: no one. Motion carried.

Council member Baumert moved to stop traffic for a Knights of Columbus Spring Festival Parade on June 4th from 4:30 PM to the end of Parade on 11th Street from A Street to D Street, 12th Street from A Street to D Street, A Street from 11th to 12th Street and D Street from 11th Street to 12th Street. Council member Kasik seconded the motion. Bailey and Mares stated this is for the cars to travel around the on their way out when the car show is completed. Voting for: Baumert, Holmberg, Kasik, Kretz, Rodriguez and Wolfe. Voting against: no one. Motion carried.

Council member Holmberg moved to authorize the Mayor to sign agreement with Oldcastle Materials Midwest Co. dba Omi Engineering for the 2023 Asphalt Overlay Project. Council member Rodriguez seconded the motion. Voting for: Baumert, Holmberg, Kasik, Kretz, Rodriguez and Wolfe. Voting against: no one. Motion carried.

Council member Holmberg moved to approve new corporate manager application for the Eagles Frat Order 3568 Liquor License of Dale L Wolfe. Council member Kasik seconded the motion. Voting for: Baumert, Holmberg, Kasik and Rodriguez. Voting against: no one. Abstaining: Kretz and Wolfe. Motion carried.

Council member Holmberg moved to approve the Schuyler Chamber closure of the Oak Ballroom Parking Area from the South Entry of HWY 15 to Merchant Park, including the parking lot area rows and the space in between the Oak Ballroom and the Pool area on Friday, June 16th, 2023 from 3:30 to 7:30 for a Touch A Truck event. Council member Rodriguez seconded the motion. Chamber Director Jedlicka stated back on January 3rd she came and asked for approval for Oak Ballroom. The event has grown to be bigger to include music, food and more trucks. Voting for: Baumert, Holmberg, Kasik, Kretz, Rodriguez and Wolfe. Voting against: no one. Motion carried.

Council member Holmberg moved to table the motion to allow excavation of NW corner of 12th and B for historic preservation of bottles. Council member Kasik seconded the motion. Voting for: Baumert, Holmberg, Kasik, Kretz, Rodriguez and Wolfe. Voting against: no one. Motion carried.

Mayor opened a discussion on the 12th and B Street project contributions from the Colfax Foundation and City. Administrator DeRoos gave the history that two years prior Building Inspector Glodowski drew up a drawing for the property with some paving and it was estimated at \$25,000 to \$30,000 worth of work. It was decided it was not high enough in the councils' priorities to do that at that time. The Colfax Foundation has since taken the project and ran with it. He stated the City supplied the Foundation with the City's grant writer Kirk Brown who applied for the grant for \$309,000 which they have received.

Fran Svobota with the Colfax County Foundation spoke that their goal with the money is to help with the downtown appearance and opportunities for the Schuyler community. This will also help with getting the Foundation name out there to receive more endowments.

Mitch Heavican with the Colfax County Foundation spoke in support of the project. He feels the City for the last two years has solicited business proposals for the 12th and B lot. To his knowledge the City has never accepted a proposal or deemed a proposal acceptable. He has had loan applications come across his desk and as soon as he tells the applicant to go get a flood insurance policy for the property, they don't pursue the project further. The project proposed will cost \$394,800, the administrative part of the grant is \$33,000 making the total project cost \$427,800 minus the award amount of \$309,360 leaving \$118,440 to come up with. The Foundation is asking the City for \$77,000 to not totally deplete the Colfax Foundations funds, as there are other projects they would like to do in the future.

Audra Jedlicka with the Colfax County Foundation spoke about the benefits to the City and the events that could use the area. They know that this was not budgeted in this year for the City, they hope the City could give some funds this year as well as next year. With the City's help they will not have to deplete their funds so they can pursue other projects. Council member Kretz asked what is the time frame. Jedlicka stated they are hoping to start by August or September of this year. Council member Kretz asked if it is possible for them to complete the project and not need any money from the City. Jedlicka said it could be.

City Council Meeting Minutes
May 16, 2023

Council member Kasik asked if the grant money had to be used in a certain amount of time. Svobota said they needed to check into that. She thought a year to two years to use it. She stated the grant funds would not be released till late summer so the project could not start until then. Administrator DeRoos stated that the Foundation would like to have an item on the next agenda for the council to approve \$77,000 for the project. DeRoos has some reservations about that request from a fiscal point of view. The Foundation was given permission to move forward with this project as it would be the Colfax Foundations project and they had the money in hand. The City supplied the grant writer for the project, it wasn't high on the City's priority list. He did state the council could change the priority list and support this project. He asked what type of fundraising are they planning for this project and future projects? Jedlicka said they have a lot of fundraising ideas from burger feeds, smaller and bigger ideas. The projects are a splash pad they would like in the next two years.

Mayor Lindberg stated the Colfax Foundation runs mainly on endowments. He feels this is something the City should figure out how to make this work in the upcoming budget years. Council member Kasik asked if any of the other organizations or church groups that are wanting to use this are offering funds. Heavican stated initially they are waiting to see what the City will put toward our property to improve it.

Council member Holmberg stated this year's budget is well spent for this year. Jedlicka stated they have the money to do the project but would like the city's help in the next budget. Clerk Johnson stated that \$77,000 is a large amount to be asking for next year when we have not started talking about next year's budget when there is already a loss of \$400,000 in municipal equalization money in next year's budget. DeRoos asked if this is a capital improvement. Johnson stated the portion that the City pays. She also reviewed how reimbursement works with CDBG grants. Mayor Lindberg asked for the Foundation to get clarification from NENEDD on funding and timeline of grant.

Council member Rodriguez moved to adjourn. Council member Kasik seconded the motion. Voting for: Baumert, Holmberg, Kasik, Kretz, 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