

City Council Meeting Minutes  
June 20, 2023

The Mayor and City Council of the City of Schuyler, Nebraska, met in regular session at the Schuyler Municipal Building on June 20, 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 and Wolfe. Absent: Rodriguez.

Mayor Lindberg read proclamation of Corazones Azules week June 26<sup>th</sup> thru June 30<sup>th</sup>.

Council member Baumert moved to appoint Mel Baumert to the Library Board term 2023-2027. Council member Holmberg seconded the motion. Voting for: Baumert, Holmberg, Kasik, Kretz and Wolfe. Voting against: no one. Motion carried.

Mayor Lindberg thanked everyone who participated in the Touch A Truck Event last Friday.

Attorney Seckman reported the real estate sale transactions where a promissory note is taken back for \$20,000 as long as the property is sold for residence it will be waived. There will be two in the next month to month and half, this will not need Council approval. It will be done at the closing of the house and a lien will be released at that time.

Administrator DeRoos reported that there will be a construction meeting at 3:30 on Tuesday at the Police Station. There is also a preconstruction meeting on Wednesday for the Asphalt Overlay Project. He is meeting with Steve Parr to go over projects for the next budget year since there will be a Finance Meeting on July 11<sup>th</sup>. First part of the meeting will be going over the Colfax Foundation project at the corner of 12<sup>th</sup> and B Street. The second half of the meeting will be needs and wants of the department for fiscal year 2023-2024.

Clerk Johnson announced that the Finance Meeting on July 11<sup>th</sup> at 6:00 PM will be here at the Municipal Building.

Emergency Manager Evert reported that the first Tuesday in July is the 4<sup>th</sup> of July and that is the day they normally test the tornado sirens. It was decided by all to sound the tornado sirens on July 3<sup>rd</sup> at 10:00 AM instead for the month of July.

Utility Superintendent Hajek reported that both wells have been dug and the pump is being tested and testing for nitrates. There was a significant power outage on the north end of town due to a cat in a substation.

Police Chief Farber reported calls to service are up. He reported the Durango is back in service after repairs. The two new hires have started their training and hope to have that completed in the next two to three weeks to be able to go out and about.

Street and Parks Manager Colvin reported the campground is full with 52 campers. The Country Music Festival is Wednesday at the Ballroom, Thursday, Friday, Saturday they will be at South Park. He reported that he worked the Ballroom this past Saturday and the new Manager Rodriguez handled everything well. He said there is more work at the campground on the south side, then they plan to get 100 trees planted all over town. He plans to be in contact with the Arbor Day Foundation to supply the trees.

Library Director White reported that the air is on at the Library. The Library hours are changing and they will not be open on Saturdays. She gave a reminder of all the activities at the Library this summer. Family Yoga at 6:00 PM on Wednesday, Thursday at 9:00 AM World's Largest Swimming Lesson, the 29<sup>th</sup> the Corazones Azules will have a sensory activity, the Summer Reading Program will start in July and in August they will have VR Game Trailer in the parking lot. All events are free and on their website.

Building Inspector Glodowski reported he has been working with KGI Wireless on the special use permit for a co-location on an existing tower. The townhouse project on W 22<sup>nd</sup> Street will begin soon. The apartment complex on 15<sup>th</sup>

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and Adam has footings being poured. He contacted four different contractors to let them know their permits are about to expire or have expired.

Council member Kasik moved to approve the June 6, 2023 council meeting and June 12, 2023 special council meeting minutes and dispense with its reading. Council member Baumert seconded the motion. Voting for: Baumert, Holmberg, Kasik, Kretz and Wolfe. Voting against: no one. Motion carried.

Council member Baumert moved to approve payment of claims for the period from June 3, 2023 through June 16, 2023, in the amount of \$475,644.23 and the following exceeding \$1,000: Midwest Service & Sales, Snow Removal Contract/Street Sign Post, Streets, \$2,993.75; Baker & Taylor, Books, Library, \$1,377.50; JEO, Eng. Fees, Admin/Special Project-Police, \$30,466.00; Pinnacle Bank, TIF-Schuyler Hotel, Admin, \$1,396.28; Parkview One Stop, Fuel, Police, \$1,036.29; State of NE, User License Fee, Police, \$6,258.00; Schuyler Coop Assoc., Fuel, Parks/Police/Streets, \$1,329.85; Karel & Seckman, Legal Fees, Admin/Police/Ballroom, \$1,793.00; Aqua-Chem, Inc., Chemicals, Pool, \$1,946.75. All claims under \$1,000 listed on (Attachment 1). Council member Holmberg seconded the motion. Voting for: Baumert, Holmberg, Kasik, Kretz, and Wolfe. Voting against: no one. Motion carried.

Council member Holmberg moved to accept the May Treasurer's Report. Council member Kasik seconded the motion. Clerk Johnson stated that the City is 66.66% through the budget. Voting for: Baumert, Holmberg, Kasik, Kretz, and Wolfe. Voting against: no one. Motion carried.

Mayor Lindberg opened a public hearing on an application for a Special Use Permit was filed by Verizon Wireless for a new wireless facility that consists of adding a three sector antennas array at the 174' center line on an existing 346' tower in "AG", Agricultural. The property is a tract of land located in the Southeast 1/4 of the Southeast 1/4 of Section 11, Township 17 North, Range 3 East, Spies Subdivision Lot 1, Colfax County, Nebraska, physical address being 1165 Road E, Schuyler, NE.

Attorney Seckman stated they are doing what code asks them to do when adding to an existing tower. This will add additional equipment half way up the existing tower. Planning and Zoning recommended it to the council.

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

Council member Holmberg moved to approve an application for a Special Use Permit as filed by Verizon Wireless for a new wireless facility that consists of adding a three sector antennas array at the 174' center line on an existing 346' tower in "AG", Agricultural. The property is a tract of land located in the Southeast 1/4 of the Southeast 1/4 of Section 11, Township 17 North, Range 3 East, Spies Subdivision Lot 1, Colfax County, Nebraska, physical address being 1165 Road E, Schuyler, NE. Council member Baumert seconded the motion. Voting for: Baumert, Holmberg, Kasik, Kretz and Wolfe. Voting against: no one. Motion carried.

Council member Holmberg moved the Second Reading of Ordinance No. 2023-08, 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 1, BLOCK 3, WATER TOWER SUBDIVISION, SECOND ADDITION, TO THE CITY OF SCHUYLER, COLFAX COUNTY, NEBRASKA, ANTONIO AND CECILIA RODRIGUEZ, 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 AS A LIVABLE RESIDENCE 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. Voting for: Baumert, Holmberg, Kasik, Kretz and Wolfe. Voting against: no one. Motion carried.

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

Council member Holmberg moved for final passage. Council member Kretz seconded the motion. Voting for: Baumert, Holmberg, Kasik, Kretz and Wolfe. Voting against: no one. Motion carried. Ordinance No. 2023-08 was passed and adopted.

Council member Holmberg moved the First Reading of Ordinance No. 2023-12, 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 4 BLOCK 3, WATER TOWER SUBDIVISION, SECOND ADDITION, TO THE CITY OF SCHUYLER, COLFAX COUNTY, NEBRASKA, TO ERNEST SHORT d/b/a SHORT CONSTRUCTION THE SUM OF \$25,000.00, WITH AUTHORIZATION MADE PURSUANT TO NEBRASKA REVISED STATUTE SECTION 16-202 (REISSUE 2022); 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 that this contractor has done work in area. They are vetted with the Utilities. He did the new addition on the northside of Anytime Fitness and the Building Inspector recommended he would be a good risk. Voting for: Baumert, Holmberg, Kasik, Kretz and Wolfe. Voting against: no one. Motion carried.

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

Council member Holmberg moved for final passage. Council member Kasik seconded the motion. Voting for: Baumert, Holmberg, Kasik, Kretz and Wolfe. Voting against: no one. Motion carried. Ordinance No. 2023-12 was passed and adopted.

Council member Baumert moved to approve a \$5,000 contribution to be paid from the Downtown Redevelopment Account to go toward the Schuyler Historical Society Museum and Annex Insurance Premiums. Council member Kretz seconded the motion. Lloyd Brichacek spoke on behalf of the Museum. He stated this money is very important to them as they only receive money through donations and fundraisers, they do not receive any tax dollars. They got a \$50,000 loan from the City a couple years back and have been making their \$10,000 loan payments every December. Their insurance bill last year was \$5,624 plus the utilities they pay. They would appreciate any help from the city since they have two buildings they are upkeeping. Last week they found out they have a broken pipe in the basement of the museum. The plumber stated they need to redo all the plumbing in the building. Council member Kretz asked what account or budget would it come out of. Clerk Johnson responded it would come out of the LB Downtown Account that has a balance of \$88,280.12. She stated the account is not receiving any income other than interest. Last year the city gave the museum \$2,500, in 2020 and 2021 \$5,000, 2018 and 2019 \$2,500. Voting for: Baumert, Holmberg, Kasik, Kretz and Wolfe. Voting against: no one. Motion carried.

Council member Kretz moved to authorize Mayor to sign agreement between State of Nebraska-History Nebraska and the City of Schuyler for grant funds in the amount of \$59,563.00. Council member Kasik seconded the motion. Council member Kretz asked for an explanation. Administrator DeRoos stated this is a grant applied for to do repairs to the Ballroom roof and any money left could be used as improvements at the Ballroom. Voting for: Baumert, Holmberg, Kasik, Kretz and Wolfe. Voting against: no one. Motion carried.

Council member Baumert moved to authorize pay application #5 for Schuyler Police Station Renovation in the amount of \$70,680.60 to Rogge General Contractors. Council member Holmberg seconded the motion. Voting for: Baumert, Holmberg, Kasik, Kretz and Wolfe. Voting against: no one. Motion carried.

Council member Holmberg moved to refuse the City to purchase the property located at 1123 A Street owned by Kroeger Management, LLC. Of \$400,000.00 for the "First Right of Refusal". Council member Kasik seconded the

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motion. Attorney Seckman stated this is for the old Library that Matt Kroeger acquired from the City. It came with requirements that he had to in the first 12 months come up with a business plan and make improvements or the City could buy it back for the sale price plus his costs. A second protector was the City has first right of refusal. The City has an option to buy it back for the same price as what he is able to sell it to someone else. The City now has the option to buy the building back for \$400,000. Administrator DeRoos stated that a yes vote is a no to the City purchasing it back. Voting for: Baumert, Holmberg, Kasik, Kretz and Wolfe. Voting against: no one. Motion carried.

Mayor Lindberg opened a discussion of differential pay for pool parties at the Schuyler Swimming Pool. Clerk Johnson stated it came to her attention that in the past lifeguards were paid \$10 an hour and \$12 an hour for managers which was higher than their regular pay in the past. She stated she did not know this was being done and that she has no record anywhere that this is a policy or procedure. The reason this came to light is the deputy was asking for direction of what she should do now that they all make over \$11 an hour for life guarding. She directed her to pay them their regular rate since there is no policies in place to do any different and since that is a higher rate than what was being given for pool parties. The pool manager requested that the council discuss this. She would like her lifeguards to receive a different pay for the parties. Clerk Johnson stated the City did not change the price of a pool party when doing rate changes. She stated this year there is 14 to 15 lifeguards employed. She does not feel it will be hard to fill the extra hours for a pool party. She stated with the new pay scale and increase the council gave this is the most lifeguards on the payroll in sometime and she contributed it to the \$2 increase on the pay scale. Council member Kretz stated that he feels that they should be paid \$2.00 hour more. Council member Holmberg see's no reason to give them additional pay. Council member Kasik asked if any lifeguards work over 40 hours a week at the pool. Clerk Johnson stated no. Mayor Lindberg feels it needs to be looked at next year's budget with an increase in rate to a pool party. Administrator DeRoos stated it could be a useful tool if we were in a staffing shortage but doesn't feel there is a need at this time. Council member Holmberg stated to look at it during the budget.

Council member Kasik moved to go into executive session to discuss a real estate transaction at 6:49 PM. Mayor Lindberg invited Don Glodowski, Keith Hajek, Brian Bywater, Lora Johnson and William DeRoos to stay for the closed meeting. Council member Holmberg seconded the motion. Voting for: Baumert, Holmberg, Kasik, Kretz and Wolfe. Voting against: no one. Motion carried.

Council member Holmberg moved to come out of executive session at 7:12 PM. Council member Baumert seconded the motion. Voting for: Baumert, Holmberg, Kasik, Kretz and Wolfe. Voting against: no one. Motion carried.

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