

City Council Meeting Minutes
July 18, 2023

The Mayor and City Council of the City of Schuyler, Nebraska, met in regular session at the Schuyler Municipal Building on July 18, 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.

Administrator DeRoos reported that the Asphalt Overlay preconstruction meeting was on July 21st. The contractors will be starting 6 weeks later than they originally agreed upon. They stated this is due to not receiving the contract soon enough. DeRoos stated that it was only delayed by a couple days. They have stated that the work will be completed by mid-September so we can still pay them in this fiscal year. The police station is progressing they have pushed construction end date to January of 2024 and final walkthroughs in February. Next Tuesday at 3:30 they will be doing a walkthrough and tour. He has heard back from Bierman and the wainscot will be completely replaced by November, he has not heard the cost break down yet. The Bostelman visit is Wednesday at the Municipal Building and Council is invited to come. The Veteran's group would like to be on the second meeting in August to get approval for the location of the memorial. Mayor Lindberg asked how the Veteran's fundraising is going. Administrator DeRoos stated the last time he heard it was at \$80,000. Mayor Lindberg then asked if we have seen any final plans yet. Administrator DeRoos stated he had not, JEO has till the end of August to get them the plans. Attorney Seckman stated they need to provide project drawings, location and estimated cost that would need to be approved by the City.

Clerk Johnson shared the Spring Fling Revenue was \$9,761.00 and the Expenses were \$12,027.22 making the City's Cost \$2,266.22. Johnson announced there will be a Transportation Summit all day on August 23rd in Kearney. There is free registration until August 9th. She will sign up anyone interested. Council member Holmberg stated he would attend.

Mayor Lindberg asked Emergency Manager Evert if the hospital was notified about the change in siren testing this month. She stated she did not let them know but would let them know of changes in the future.

Police Chief Farber reported both new recruits were accepted into the Police Academy starting August 27th.

Library Foundation member Bywater reported that the Bands in the Backyard will be at the Library again this summer running from August 4th thru September 1st on Friday nights starting at 7:00 PM. These events are free and open to the public.

Ballroom Manager Rodriguez reported along with Administrator DeRoos proposed that keg beer be eliminated from the Ballroom since they have raised the price of a keg to \$660. They have had a few customers upset that the price is higher than when they reserved the Ballroom. Mayor Lindberg would like to see kegs stopped at the Ballroom due to the risk of handling them. Attorney Seckman stated he feels \$480 should be offered to the customers who are upset and if they don't like the amount, they can hear from him.

Deb Poehling DED Business Development Consultant was present to recognize the City of Schuyler with Economic Development Certified Community certification in the program. Schuyler is the 41st community to earn EDCC certification. She highlighted Schuyler's successes and growth.

Housing Specialist Bywater reported the Blight Study is nearing completion. The Blight Study will be going to the Planning Commission in August for approval before it becomes before council in September. He was visiting with Roger Nadrchal with NeighborWorks about the Trust Fund Applications; this funding was used to build Kracl Meadows. They have received over 70 applications with requests of \$40,000,000 and only \$11,000,000 to disperse. He is considering submitting an application in the next cycle. He was also informed by Nadrchal about a grant they received for affordable housing in the amount of \$500,000. They will build between 2 and 4 units with a sale price between \$120,000 and \$170,000. They will require \$60,000 to \$90,000 in subsidy to build. This is the challenges they are

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facing with trying to build affordable housing. He recently attended the Columbus Housing monthly meeting and learned that developers with plans to build up to a 1,000 units in apartments and townhouses have pulled out of the project due to increased interest rates on land and labor costs. We currently have six new housing construction permits compared to Columbus has only had four new housing construction permits. Lot prices are around \$80,000 a lot in Columbus.

Council member Baumert moved to approve the June 20, 2023 council meeting minutes and dispense with its reading. Council member Kasik seconded the motion. Voting for: Baumert, Holmberg, Kasik, Kretz, Rodriguez and Wolfe. Voting against: no one. Motion carried.

Council member Kasik moved to approve payment of claims for the period from June 17, 2023 through July 13, 2023, in the amount of \$337,114.81 and the following exceeding \$1,000: OCLC, Inc., Cataloging Subscription, Library, \$2,152.96; Bizco Technologies, Body & Car Cameras, Police, \$59,495.31; Colfax County Senior Center, Reimburse, Admin-Grant, \$31,988.30; Great Plains Uniforms, Vest, Police, \$1,203.92; Schuyler Hotel Group, TIF, Admin, \$1,396.28; Visa-Pinnacle Bank, IT/Desk/Bar Supplies, Admin/Ballroom, \$1,635.93; Arps, Repairs, Streets, \$1,792.25; Pepsi-Cola, Bar Supplies, Ballroom, \$2,019.45; TimeClock Plus, Camera/IT, Pool/Admin, \$2,521.93; Bomgaars, Supplies, Police/Parks/Streets/Pool, \$1,158.09; KGI Wireless-Verizon, Tower Ord. Refund, Special Projects, \$7,500.00; Columbus Motor Co., Repairs, Police, \$2,423.46; Rose Equipment, Sweeper Parts, Streets, \$1,890.38; U & I, Spring Fling, Streets, \$11,891.97; JEO, Eng. Fees, LB840, Admin/Special Project-Police/Street, \$19,005.00; Schuyler Coop Assoc., Fuel, Parks/Police/Streets, \$3,106.17; Aqua-Chem, Inc., Chemicals, Pool, \$6,021.85; Karel & Seckman, Legal Fees, Admin, \$1,793.00. All claims under \$1,000 listed on (Attachment 1). Council member Rodriguez seconded the motion. Council member Kretz asked about the TimeClock Plus repairs. Administrator DeRoos stated that he is working with them to get the issues resolved. Voting for: Baumert, Holmberg, Kasik, Kretz, Rodriguez and Wolfe. Voting against: no one. Motion carried.

Council member Rodriguez moved to accept the June Treasurer's Report. 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 accept resignation of Kim Parsons from the Library Board. Council member Baumert seconded the motion. Voting for: Baumert, Holmberg, Kasik, Kretz, Rodriguez and Wolfe. Voting against: no one. Motion carried.

Council member Kasik moved to appoint Cathie Marking to the Library Board, term 2023-2027 and Liz Faltys to Board of Appeals, term 2023-2026. Council member Rodriguez 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 hear citizen comments pertaining to an application to amend the zoning map to rezone property from "GC" General Commercial, to "R2", Urban Family Residential was filed by Ada Tevalan Vicente. The property is located inside the city limits legal description is Lot 2, Mundil Addition, City of Schuyler, Colfax County, Nebraska. Address is H Street between 17th and 18th Street.

Attorney Seckman stated that they own property zoned GC and they would like to put up a duplex on the property. The Planning Commission did recommend it for approval by the Council. There is nothing on the property now and would be an improvement to the property. Council member Rodriguez asked about the buffer needed in between a GC and a R2. Attorney Seckman stated it is not as strict of requirements as if it was GC and an R1.

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

Council member Rodriguez moved the First Reading of Ordinance 2023-13, the title being; AN ORDINANCE OF THE CITY OF SCHUYLER, NEBRASKA, AMENDING THE ZONING MAP TO CHANGE PROPERTY ZONED GC, GENERAL COMMERCIAL, TO R-2, URBAN FAMILY RESIDENTIAL WAS FILED BY ADA TEVALAN VICENTE. THE PROPERTY IS LOCATED INSIDE THE CITY LIMITS AND LEGAL DESCRIPTION IS LOT 2, MUNDIL ADDITION,

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CITY OF SCHUYLER, COLFAX COUNTY, NEBRASKA. Council member Kasik seconded the motion. Voting for: Baumert, Holmberg, Kasik, Kretz, Rodriguez and Wolfe. Voting against: no one. Motion carried.

Council member Rodriguez 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 Rodriguez 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. 2023-13 was passed and adopted.

Council member Holmberg moved to amend covenants to eliminate residential requirements for Lots 4, 5 and 6 of the Water Tower Subdivision 1st Addition. Council member Rodriguez seconded the motion. Attorney Seckman stated he thought both the CDA and City should approve the changes. Voting for: Baumert, Holmberg, Kasik, Kretz, Rodriguez and Wolfe. Voting against: no one. Motion carried.

Mayor Lindberg read the following: This is to provide Notice of Sale to the Schuyler City Council the property owned by Schuyler Community Development Agency of the City of Schuyler, NE and describe as Lot 1, Water Tower Subdivision, Replat 1, A Replat of Lots 2 and 3, Water Tower Subdivision, A Subdivision of the City of Schuyler Colfax County, Nebraska to Tony and Tonya Labenz. Buyer shall pay to Seller and Seller shall receive from Buyer the sum of \$7,500 all paid at closing, plus \$37,500 contingent financing paid at closing.

Mayor Lindberg read the following: This is to provide Notice of Sale to the Schuyler City Council the property owned by Schuyler Community Development Agency of the City of Schuyler, NE and described as Lot 4, Water Tower Subdivision, A Subdivision of the City of Schuyler, Colfax County, Nebraska to James and Jane Kasik. Buyer shall pay to Seller and Seller shall receive from Buyer the sum of \$7,500 all paid at closing, plus \$37,500 contingent financing paid at closing.

Mayor Lindberg opened a public hearing to hear citizen comments pertaining to the City of Schuyler is requesting \$22,000 in CDBG Planning Funds of which \$20,000 will be used for a planning grant to assess the renovation/redevelopment of the downtown Schuyler six block square with priority given to the Top Notch building. The total budget for project cost and grant administration is \$28,000 with \$2,000 for grant administration. The City of Schuyler will provide \$6,000 in matching funds. All CDBG funds will benefit Low-to Moderate Income (LMI) persons. The City is 55.90% LMI. No person will be displaced as a result of CDBG activities.

Administrator DeRoos stated this is a planning grant that will fund the planning of what if anything wants to be done with the Top Notch along with the downtown. Then they will apply for a \$400,000 grant once the planning grant is used for the planning. Economic Development Director Ringenberg stated that there is six different studies for the downtown but they have timed out, thus the reason to have another study done.

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

Council member Holmberg moved Resolution to approve authorization of Chief Elected Official to sign a application for CDBG Planning Funds. Council member Baumert seconded the motion. Voting for: Baumert, Holmberg, Kasik, Kretz, Rodriguez and Wolfe. Voting against: no one. Motion carried.

Council member Rodriguez moved to authorize the Mayor to sign a service agreement with Motorola Solutions in the amount of \$1,354.80. Council member Kasik seconded the motion. Chief Farber stated that this is for the police radios in the car and on the officer. Voting for: Baumert, Holmberg, Kasik, Kretz, Rodriguez and Wolfe. Voting against: no one. Motion carried.

Council member Holmberg moved to authorize pay application #6 for Schuyler Police Station Renovations in the amount of \$316,409.40 to Rogge General Contractors. Council member Rodriguez seconded the motion. Voting for: Baumert, Holmberg, Kasik, Kretz, Rodriguez and Wolfe. Voting against: no one. Motion carried.

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Council member Baumert moved to approve sale of Schuyler Public Transits 2006 Ford Starcraft Allstar Bus on Big Iron Auction. Council member Kasik seconded the motion. Council member Kasik asked if we are getting rid of our bus. Clerk Johnson stated it's an old bus that no longer runs. Voting for: Baumert, Holmberg, Kasik, Kretz, Rodriguez and Wolfe. Voting against: no one. Motion carried.

Mayor Lindberg opened a discussion on Fireworks. Administrator DeRoos stated that he would like to talk about restrictions on when fireworks could be set off around the Fourth of July. Citizen Mike Albert was present and spoke to the council. He asked that restrictions be placed on days and time fireworks can be set off. He asked for July 2nd to July 4th and time restrains of 10 PM on when they are allowed to set them off. He feels more rules need to be set because he can't sleep at night, dogs are barking and people are not being responsible with the fireworks.

Administrator DeRoos stated we have ordinances on noise after a certain time. Council member Holmberg is in favor of having restrictions on how many days they can be set off. Attorney Seckman stated he would look at state statue and see what the state has for laws and then the council can decide if they would like stricter restrictions. Chief Farber stated it is sometime hard to catch who is setting off the fireworks late at night. Council member Kretz stated when coming up with restrictions both work shifts need to be considered when the restrictions are discussed. Mayor Lindberg stated we will give Attorney Seckman time to look into this and then it can be discussed at another City Council meeting.

Mayor Lindberg opened a discussion on Campground Fee Rates. Administrator DeRoos stated he would like discuss raising the rates and if there should be a flat rate for rental of any spot in the campground. The rate currently is \$20 for full hook up, \$15 for water and electricity, and \$10 for tent camping. DeRoos proposes next year rate be raised \$5. Parks and Street Manager Colvin has seen a problem with campers that are not hooked up to sewer but taking up a full hook up spot that want to just pay the \$15. He is having to explain to them that they have to pay the full rate whether they hook up or not, otherwise they need to move to a spot that is not full hook up. He feels raising the fee \$5 a site is fair. He stated the use of the showers has been down this year, so campers are showering in their units using water that way. He would even suggest getting rid of tent price and charging \$20 for electric and water and \$25 for the full hook up. He would also ask the council consider giving a long-term rate as well. Council member Kretz asked if they have thought about putting signage on each site with the rate. Colvin stated maybe they can get a map or color coat the post to identify the different type of sites. Attorney Seckman stated that Colvin and DeRoos should come up with a rate schedule, sites identified along with long term stay rate and bring the document back to the council at another meeting.

Council member Rodriguez left meeting at 7:20 PM.

Mayor Lindberg opened a South Park name change. Council member Kretz stated that at one time he had seen a picture that it had a sign located in the park called Oak Park. He asked council if they would like to go back to the old name or leave it as it is. He was not able to find anything historically about it. Building Inspector Glodowski did some research looking through old newspapers and only found letters to the editor about people stating it was not named Oak Park it was called Community Park. He did not find a definite answer. Council member Holmberg stated it could be a school project to name it. Mayor Lindberg stated it could be discussed more in the future.

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:

Mayor Art Lindberg

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.

City Clerk Lora Johnson