

City Council Meeting Minutes  
August 20, 2024

The Mayor and City Council of the City of Schuyler, Nebraska, met in regular session at the Schuyler Municipal Building on August 20, 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 City Clerk Lora Johnson recorded the proceedings. The following council members were present: Baumert, Kasik, Marron, Rodriguez, Svoboda and Wolfe. Absent: no one.

Mayor Lindberg led the meeting in the Pledge of Allegiance.

Mayor Lindberg thanked everyone for coming to the Police Station open house and ribbon cutting.

Clerk Johnson reported that she attended manager training for the transit the previous week. There are a lot of changes coming from the state such as an auditor will now be coming with the reviewer each time they come to review the transit system. She is thankful to have Bertha Juarez in the office to help with all the requirements. She is doing such a good job they used her work as examples in the new handbook. She stated Bertha is doing a great job. She also learned about some new training she will have to be having coming up in the future.

Emergency Manager Evert reported that siren testing in September will be on the 9<sup>th</sup> instead of on Labor Day.

Utilities Superintendent Sobota reported that the Gold Street realignment project is nearing completion. Testing of the breaker at the Solar Field is done and waiting on the ok from the State Electrical Inspector. The new housing addition is coming along and are about 2/3 done with the dirt work. Then they will begin dewatering and start the water and sewer installation.

Police Chief Farber reported Training Officer Beeson will be starting at the academy on August 25<sup>th</sup> and that is a 16-week process. There is certified officer going through testing. The first week of school had the normal traffic issues.

Library Director White reported that the sensory adventures event this Wednesday will be a crunchy foam event at 10:30 am and 5:00 pm. Humanities Nebraska is sponsoring author Jeff Barnes on Tuesday, September 17 at 6:30 PM. The building has been wet with the rains. Forward progress is being made Bierman.

Community Development Coordinator and Housing Specialist Bywater reported he has been working with the Golf Course Board to arrange an agreement with a private individual and it will be discussed as an agenda item later on in the meeting. Jose Rocha has been working on a letter of intent for a Creative District in Schuyler Downtown. Last Friday they were to hear on a award for a low income housing tax credit project for the Skyhaven Subdivision it was postponed by NIFA until this coming Friday. Conversations with Attorney Mike Bacon to discuss Tax Increment Financing that is part of the Skyhaven Subdivision package. There will be some public hearing sessions for Planning Commission and the City Council to discuss this. Prices in the Watertower Subdivision with recent sales are \$428,000 to \$375,000 housing prices continue to increase.

Council member Kasik moved to approve the August 6, 2024 council meeting minutes and dispense with its reading. Council member Rodriguez seconded the motion. Voting for: Baumert, Kasik, Marron, Rodriguez, Svoboda and Wolfe. Voting against: no one. Motion carried.

Council member Baumert moved to approve payment of claims for the period from August 3, 2024 through August 16, 2024, in the amount of \$674,182.04 and the following exceeding \$1,000: Phillips 66, Fuel, Transit/Streets/Parks/Police, \$1,483.12; Zimco Supply, Chemicals, Golf Course, \$2,940.57; Svehla Law Office, Legal Fees, Admin/Police/LB840/Library, \$7301.00; Albers All Around, Clay, Streets, \$1,249.97; Aqua Chem, Inc., Chemicals, Pool, \$1,453.90; Visa-Pinnacle Bank, Misc., Admin/Pool/Ballroom/Police, \$1,905.82; JEO, Eng. Fees, Police Reno, \$39,000.00; CHI Health, ER, Police, \$1,408.00. Council member Kasik seconded the motion. Voting for: Baumert, Kasik, Marron, Rodriguez, Svoboda and Wolfe. Voting against: no one. Motion carried.

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Council member Rodriguez moved for consideration and approval of the July Treasurer's Report. Council member Baumert seconded the motion. Voting for: Baumert, Kasik, Marron, Rodriguez, Svoboda and Wolfe. Voting against: no one. Motion carried.

Council member Rodriguez moved to authorize the release of funds in the amount of \$3,000 to the library sinking fund for FY 23-24. Council member Marron seconded the motion. Council member Kasik asked if this is the same that we have done every year. Clerk Johnson stated it is. Voting for: Baumert, Kasik, Marron, Rodriguez, Svoboda and Wolfe. Voting against: no one. Motion carried.

Council member Kasik Introduced First Reading of Ordinance No. 2024-11, title being; AN ORDINANCE TO VACATE A PORTION OF 20TH STREET WEST OF FORT STREET, AS DESCRIBED IN SECTION 1 HEREOF; AND TO DECLARE AN EFFECTIVE DATE. Council member Rodriguez seconded the motion. Attorney Graham reviewed maps he provided. Right now, it is a used only for a driveway for one property. Voting for: Baumert, Kasik, Marron, Rodriguez, Svoboda 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, Kasik, Marron, Rodriguez, Svoboda and Wolfe. Voting against: no one. Motion carried.

Council member Baumert moved for final passage. Council member Rodriguez seconded the motion. Voting for: Baumert, Kasik, Marron, Rodriguez, Svoboda and Wolfe. Voting against: no one. Ordinance 2024-11 was passed and adopted.

Council member Rodriguez Introduced First Reading of Ordinances No. 2024-12, title being; AN ORDINANCE TO VACATE A PORTION OF GOLD STREET BETWEEN 17TH STREET AND 20TH STREET, AND A PORTION OF 18TH STREET WEST OF GOLD STREET, AND A PORTION OF 18TH STREET BETWEEN GOLD STREET AND FORT STREET, AS DESCRIBED IN SECTIONS 1, 2 AND 3 HEREOF; AND TO DECLARE AN EFFECTIVE DATE. Council member Marron seconded the motion. Attorney Graham reviewed maps that all of these streets are in the trailer court. The streets once vacated would be vacated to the owner of the trailer court. Voting for: Baumert, Kasik, Marron, Rodriguez, Svoboda and Wolfe. Voting against: no one. Motion carried.

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

Council member Baumert moved for final passage. Council member Kasik seconded the motion. Voting for: Baumert, Kasik, Marron, Rodriguez, Svoboda and Wolfe. Voting against: no one. Ordinance 2024-11 was passed and adopted.

Council member Kasik moved to approve Amendment No. 1 to the Lease of Golf Course and Clubhouse between the City of Schuyler and Schuyler Golf Club, Inc. Council member Marron seconded the motion. Attorney Graham stated there is a lease between the city and golf course and there was a question about subleasing of the club. He drafted this amendment to be able to allow the Schuyler Golf Club to be able to sublease the clubhouse out. Josh Papa Vice President of the Golf Club spoke about the restaurant not doing as well as they hoped. They have been approached about subletting it out to another individual. Voting for: Baumert, Kasik, Marron, Rodriguez, Svoboda and Wolfe. Voting against: no one. Motion carried.

Council member Baumert moved to table motion to approve written consent of the City of Schuyler authorizing subletting by Schuyler Golf Club, Inc. Council member Marron seconded the motion. Attorney Graham stated this document would be approved after the Schuyler Golf Club and the City sign the Amendment to the lease. Richard Seckman Attorney representing the Golf Club spoke on their behalf that they don't know if it will be a sublease or a manager contract with the interested party. Voting for: Baumert, Kasik, Marron, Rodriguez, Svoboda and Wolfe. Voting against: no one. Motion carried.

Council member Rodriguez moved to waive the Mobile Food Vendor Ordinance 2020-10 for the Labor Day Events sponsored by the Chamber of Commerce on Saturday, August 31 to Monday, September 2, 2024 in the Central Business District. Council member Kasik seconded the motion. Chamber Director Jedlicka stated they have five food

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trucks and two food vendors coming all have been here before. Voting for: Baumert, Kasik, Marron, Rodriguez, Svoboda and Wolfe. Voting against: no one. Motion carried.

Council member Rodriguez moved Resolution 2024-0820 A Resolution to regulate parking within the City Limits of the City of Schuyler, Nebraska restricting parking on Denver Street from 22<sup>nd</sup> Street North through and including 24<sup>th</sup> Street with an amendment as drafted with additional restrictions to match the signage on the east side of Denver Street of times and during school time hours. Council member Kasik seconded the motion. Administrator DeRoos stated during school time there is issues with not enough room for vehicles to get through when cars are parked on the street. Voting for: Baumert, Kasik, Marron, Rodriguez, Svoboda and Wolfe. Voting against: no one. Motion carried.

Mayor Lindberg opened a discussion on vacant properties and Five Rule Rural Planning. Administrator DeRoos stated that this is a follow up to the presentation to the council some time back. He reviewed that it would involve outsourcing the work to go after vacant properties. It would start with fines to the vacant properties which forces them to comply with the requirements of filling the vacant property. Attorney Graham stated that Five Rule would create a vacant property registry. The purpose is to set indicators what qualifies as a vacant property. You are required to have an administrator who is responsible for making that determination and then sending a notice to the property owners. His firm Svehla Law is the attorneys that Five Rules works with the vacant property registries. After signing an agreement with Five Rule the council would pass an ordinance that outlines everything. By state statue the council can assess fees up to \$250 for a residential or a \$1,000 for a commercial property, then every six months you can assess a fee that is up to double the prior fee up to ten times the initial fee. The fees then are levied against the property as a lean so that the city is secured in the collection of the fee. The primary goal is to get the residential properties occupied or demolished. The property stays on registry until the occupancy is fixed. The same is with commercial property. It is an effective way to put pressure on the property owner to use the property as it was intended to be used. Council makes final decision on who is on the registry, who is assessed the fees and if they want to foreclose on a property where the fees have not been paid. Council member Baumert and Kasik agreed that the city needs to try something to get vacant buildings filled with businesses.

Mayor Lindberg recommended that the Council go into closed session for the protection of public interest, specifically for evaluation of the job performance of a person when necessary to prevent needless injury to the reputation of a person. Council member Rodriguez moved to go into closed session. Council member Baumert seconded the motion. Voting for: Baumert, Kasik, Marron, Rodriguez, Svoboda and Wolfe. Voting against: no one. Motion carried.

Mayor Lindberg stated they are going into closed session for the protection of public interest, specifically for evaluation of the job performance of a person when necessary to prevent needless injury to the reputation of a person. The time is 7:02 PM. He requested the City Attorney to stay in closed session.

Mayor Lindberg stated they are now ending the closed session and coming back into open session. The time is 7:36 PM.

Council member Rodriguez moved to adjourn. Council member Svoboda seconded the motion. Voting for: Baumert, Kasik, Marron, Rodriguez, Svoboda 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)

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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