

MINUTE RECORD

FRIEND CITY COUNCIL MINUTES-REGULAR MEETING JUNE 4, 2019, 7:00 p.m.

Mayor Knoke called the regular meeting of the City Council to order at the City Hall. Advanced notice of the meeting was given by publication in The Sentinel, the appointed method for giving advanced notice. All proceedings shown were taken while the meeting was open to the attendance of the public.

Mayor Judith Knoke presided, and City Clerk Debbie Gilmer recorded the proceedings. The following Councilmembers were present: Phyllis Ryan, Shane Stutzman, Stan Krause, and Harlan Schrock. A quorum being present, and the meeting duly convened, the following proceedings were had and done.

As required by the Nebraska Open Meetings Act, Mayor Knoke announced that a copy of the Nebraska Open Meetings Act has been posted on the south door of the City Hall meeting room for all in attendance to review.

Mayor Knoke announced that public comments would be accepted. No comments were offered at this time.

Motioned by Krause, seconded by Schrock, to approve the Minutes of the April 30, 2019 regular meeting, the May 17, 2019 special meeting, and the May 2019 Treasurer's Report as presented and file same. On roll call voting aye to approve the April 30, 2019 regular meeting minutes, the May 17, 2019 special meeting, and the May 2019 Treasurer's Report, Stutzman, Ryan, Schrock, Krause. Nays none. Motion carried.

Motion was made by Schrock, seconded by Stutzman, to approve the Friend Community Healthcare System financial statements submitted for the month of April 2019. On roll call voting aye, Krause, Ryan, Stutzman, Schrock. Nays none. Motion carried.

A motion was made by Schrock, seconded by Krause, that claims, and payroll be approved by the claims committee, and be allowed, and the Clerk instructed to issue warrants on the respective funds to pay same. On roll call voting aye, Stutzman, Ryan, Schrock, Krause. Nays none. Motion carried.

The claims approved were as follows: May Payroll, 42,193.26; ACCO, su 1213.50; Ameritas, 6030.25 & 380.00; EFTPS, 15,316.74; Baker & Taylor, su 82.55; Barco, su 66.36; Beaver Hardware, su 564.89; Black Hills Energy, fe 259.48; BC/BS, fe 7502.41; Blue Valley Door, se 11,775.00; Brandenburgh Hauling, fe 205.71; Brite Comp, su 8146.00 & 934.40; Brothers, su 26.50; Bruning Law, fe 2223.00; Center Point, su 88.68; Central States, su 10,603.73; Keith Clouse, fe 250.00; Coast to Coast Sol, su 510.11; CRA, fe 1045.23 & 52,514.50; Core & Main, su 639.00; Consolidated Mgmt, fe 173.55 & 97.36; Creative Prod, su 471.72; Crete Ace Hardware, su 825.63; Danko, su 567.12; Nathan Derr, re 5.40; Diode, se 46.45; Discover, su 1855.24; Dollar General, su 29.29; Don's Pioneer, su 44.99; Exeter Lumber, su 216.80; Farmers Coop, su 1574.88; First Wireless, su 130.00; FVFD, 342.65; Gale, su 44.98; Galls, su 90.29; Kim Goossen, re 26.62; Great Plains Uniforms, su 452.45; Paul & Gail Gropp, fe 225.00; Johnsons, su 88.00; Kirkham Michael, fe 945.00; Lincoln Winnelson, su 1381.01; Menards, su 1082.86 & 235.78; Metro Chem, su 14,083.97; Midwest Labs, se 174.03; Midwest Unlimited, su 272.65; NDEQ, fe 6972.73; NE Dept of Rev, SWH 2524.90 & ST 6117.17; NE Public Health, se 269.00; NE Public Power, fe 51,116.26; NE Statewide EMS, fe 1400.00; Nick's Farm Store, su 109.15; Norris Power, se 8106.32; Diane Odoski, re 550.73; One Call, se 10.36; Orkin, se 116.17; Kevin Paulsen, re 790.00; Postmaster, su 264.84; Principal Mutual, fe 119.33; Ray Rohrig, re 211.33; Roman, Wiemer, & Assoc, fe 5260.00; Sandry Fire, su 955.00; Seward Independent, fe 194.18; Sid Dillon, se 214.36; Marvin Slepicka, fe 1250.00; SCC, fe 2021.00; Kathy Spicka, re 174.47; Taylor Lawn, se 127.80; The Freckled Door, su 42.60; Verizon Wireless, se 349.90 & 490.72; Visa, su 1473.63; Vyhnalek Ins, fe 9284.00; Waste Connections, se 310.16; Windstream, se 1013.43;. Total Claims Approved \$289,894.56.

Tyson Osborn attended the meeting requesting Council consider supporting the K-9 Unit for Saline County. Motion was made by Schrock, seconded by Ryan, to contribute \$1000 toward

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the Saline County Sheriff's Office K-9 Unit. On roll call voting aye, Krause, Stutzman, Ryan, Schrock. Nays none. Motion carried.

Discussion was had relating to additional lighting of the brick Friend city sign located along Highway 6. Dave McCracken called inquiring about the Friend Rotary pursuing this project, as they feel the sign is in need of additional lighting. Council had no objections.

Resolution No. 19-03 approving the City purchase property located on 1st Street, between Maple and Chestnut, from Gail Gropp, was read by Mayor Knoke. Resolution No. 19-03 is as follows:

RESOLUTION NO. 19 -03

WHEREAS, Gail Gropp is the owner of the following described real estate:

Part of Lot Number One Hundred Thirty-Nine (139) in the Original Town, now City of Friend, Saline County, Nebraska, and described as follows: Beginning at a point on the South Line of said Lot Number One Hundred Thirty-Nine (139) Forty (40) feet East from the Southwest Corner of said Lot, thence East Eighty-Two and One Half (82 1/2) feet, thence running North to the North Line of said Lot Number One Hundred Thirty-Nine (139) thence running West on the North Line of said Lot to a point due North of the place of beginning, thence South to the place of beginning.

AND, WHEREAS, the City of Friend, Nebraska has agreed to purchase the above real estate, in exchange for payment to Gail Gropp of the sum of Five Thousand Dollars (\$5,000.00) and payment of Fifty Percent (50%) of the applicable closing costs, and such purchase price is fair and reasonable.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the City Council of the City of Friend, Nebraska that the above described property shall be conveyed to the City of Friend, Nebraska, as authorized by NEB. REV. STAT. § 18-1755 (Reissue 2012), subject to all conditions and restrictions of record, and the Mayor is authorized to execute a Warranty Deed to transfer such real estate to the City of Friend, Nebraska.

BE IT FURTHER RESOLVED that the conveyance shall subsequently be confirmed by the passage of an Ordinance.

Motion to approve Resolution No. 19-03 was made by Schrock, seconded by Krause. On roll call voting aye, Stutzman, Ryan, Krause, Schrock. Nays none. Resolution No. 19-03 was passed and approved by the City Council of the City of Friend, Nebraska on this 4th day of June 2019.

Brad Slaughter from Ameritas attended the meeting to discuss with the Mayor and Council the savings potential that could be realized by calling for redemption and reissuing the city's Highway Allocation Fund Pledge Bonds, Series 2013, and the District Improvement Bonds of Street Improvement District Nos. 2013-1 to 2013-6 Inclusive, dated June 13, 2014. After discussion, Council Member Stutzman introduced Resolution No. 19-04 and moved its adoption. Council Member Ryan seconded the foregoing motion and upon roll call on the passage and adoption of Resolution No. 19-04, the following Council Members voted aye: Schrock, Krause, Ryan, Stutzman. The following voted nay: none. The passage and adoption of said resolution having been concurred in by a majority of all members elected to the Council, the Mayor declared said resolution passed and adopted. A true, correct and complete copy of said resolution is as follows:

RESOLUTION NO. 19-04

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF FRIEND, NEBRASKA, AS FOLLOWS:

Section 1. That the following bonds issued by the City of Friend, Nebraska are hereby called for redemption at par plus accrued interest to the extent and on such date as set forth in the Designation of Call Date (as defined below):

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Highway Allocation Fund Pledge Bonds, Series 2013, dated June 12, 2013, in the outstanding principal amount of \$460,000, numbered as they are shown on the books and records of the Paying Agent and Registrar, maturing in the principal amount and bearing CUSIP numbers as follows:

<u>Principal Amount</u>	<u>Maturity Date</u>	<u>CUSIP No.</u>
\$85,000	July 15, 2029	358442 FT3
\$90,000	July 15, 2030	358442 FU0
\$90,000	July 15, 2031	358442 FV8
\$95,000	July 15, 2032	358442 FW6
\$100,000	July 15, 2033	358442 FX4

Section 2. Said bonds are payable at the office of the Treasurer of the City of Friend, Nebraska, as Paying Agent and Registrar, in Friend, Nebraska.

Section 3. The Mayor or the City Clerk of the City (each, an “Authorized Officer”) are hereby authorized at any time on or after the date of this resolution to determine the call date for said bonds on behalf of the City and to designate which maturities of said bonds will be called, and such determination, when made in writing (the “Designation of Call Date”), shall constitute the action of the City without further action of the Mayor and Council. The Call Date shall be set for any time on or after June 5, 2019, provided, however, that on and after January 31, 2020, the Authorized Officers shall have no authority to make any such determination hereunder without further action of the Mayor and Council of the City and this resolution shall be of no further force and effect.

Section 4. A copy of this resolution shall be filed with the Treasurer of the City of Friend, in Friend, Nebraska, as Paying Agent and Registrar and said Paying Agent and Registrar is hereby instructed to give notice of redemption in the manner provided for in the ordinance authorizing said bond and in accordance with the Designation of Call Date. (PASSED AND APPROVED this 4th day of June, 2019.)

Council Member Schrock introduced Ordinance No. 19-754 entitled:

AN ORDINANCE PROVIDING FOR THE ISSUANCE OF HIGHWAY ALLOCATION FUND PLEDGE REFUNDING BONDS, SERIES 2019, IN THE AMOUNT OF NOT TO EXCEED FOUR HUNDRED SEVENTY THOUSAND DOLLARS (\$470,000) FOR THE PURPOSE OF REFUNDING CERTAIN OUTSTANDING BONDS OF THE CITY; PRESCRIBING THE FORM OF SAID BONDS; PLEDGING FUNDS TO BE RECEIVED BY THE CITY FROM THE STATE OF NEBRASKA HIGHWAY ALLOCATION FUND; AGREEING TO LEVY TAXES; PROVIDING FOR THE SALE OF THE BONDS; AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER; PROVIDING FOR THE DISPOSITION OF THE BOND PROCEEDS AND ORDERING THE PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM

and moved that the statutory rule requiring reading on three different days be suspended. Council Member Krause seconded the motion to suspend the rule and upon roll call vote on the motion the following Council Members voted aye: Stutzman, Ryan, Krause, Schrock. The following voted nay: none. The motion to suspend the rule was adopted by three-fourths of the Council and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter Council Member Krause moved for final passage of the ordinance, which motion was seconded by Council Member Schrock. The Mayor then stated the question “Shall Ordinance No. 19-754 be passed and adopted?” Upon roll call vote, the following Council Members voted aye: Ryan, Stutzman, Schrock, Krause. The following voted nay: none. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor in the presence of the Council signed and approved the ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto and ordered the Ordinance to be published in pamphlet form as provided therein. A true, correct and complete copy of said ordinance is published in pamphlet and is available for review at City Hall.

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Council Member Stutzman introduced Resolution No. 19-05 and moved its adoption. Council Member Krause seconded the foregoing motion and upon roll call on the passage and adoption of Resolution No. 19-05, the following Council Members voted aye: Schrock, Ryan, Krause, Stutzman. The following voted nay: none. The passage and adoption of said resolution having been concurred in by a majority of all members elected to the Council, the Mayor declared said resolution passed and adopted. A true, correct and complete copy of said resolution is as follows:

RESOLUTION NO. 19-05

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF FRIEND, NEBRASKA, AS FOLLOWS:

Section 1. That the following bonds issued by the City of Friend, Nebraska are hereby called for redemption at par plus accrued interest to the extent and on such date as set forth in the Designation of Call Date (as defined below):

District Improvement Bonds of Street Improvement District Nos. 2013-1 to 2013-6 Inclusive, dated June 13, 2014, in the outstanding principal amount of \$900,000, numbered as they are shown on the books and records of the Paying Agent and Registrar, maturing in the principal amount and bearing CUSIP numbers as follows:

<u>Principal Amount</u>	<u>Maturity Date</u>	<u>CUSIP No.</u>
\$90,000	December 1, 2020	358442 GD7
\$90,000	December 1, 2021	358442 GE5
\$95,000	December 1, 2022	358442 GF2
\$95,000	December 1, 2023	358442 GG0
\$100,000	December 1, 2024	358442 GH8
\$100,000	December 1, 2025	358442 GJ4
\$105,000	December 1, 2026	358442 GK1
\$110,000	December 1, 2027	358442 GL9
\$115,000	December 1, 2028	358442 GM7

The District Improvement Bonds of Street Improvement District Nos. 2013-1 to 2013-6 Inclusive, dated June 13, 2014, and maturing on December 1, 2019 in the outstanding principal amount of \$85,000 are not being called for redemption and will be paid at maturity.

Section 2. Said bonds are payable at the office of the Treasurer of the City of Friend, Nebraska, as Paying Agent and Registrar, in Friend, Nebraska.

Section 3. The Mayor or the City Clerk of the City (each, an “Authorized Officer”) are hereby authorized at any time on or after the date of this resolution to determine the call date for said bonds on behalf of the City and to designate which maturities of said bonds will be called, and such determination, when made in writing (the “Designation of Call Date”), shall constitute the action of the City without further action of the Mayor and Council. The Call Date shall be set for any time on or after June 13, 2019, provided, however, that on and after January 31, 2020, the Authorized Officers shall have no authority to make any such determination hereunder without further action of the Mayor and Council of the City and this resolution shall be of no further force and effect.

Section 4. A copy of this resolution shall be filed with the Treasurer of the City of Friend, in Friend, Nebraska, as Paying Agent and Registrar and said Paying Agent and Registrar is hereby instructed to give notice of redemption in the manner provided for in the ordinance authorizing said bond and in accordance with the Designation of Call Date. (PASSED AND APPROVED this 4th day of June, 2019.)

Council Member Krause introduced Ordinance No. 19-755 entitled:

AN ORDINANCE PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2019, OF THE CITY OF FRIEND, NEBRASKA, IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED NINE HUNDRED TEN THOUSAND DOLLARS (\$910,000) TO REFUND CERTAIN OUTSTANDING BONDS OF THE CITY;

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PRESCRIBING THE FORM OF SAID BONDS; PROVIDING FOR A SINKING FUND AND FOR THE LEVY AND COLLECTION OF TAXES TO PAY SAID BONDS; PROVIDING FOR THE SALE OF THE BONDS AND AUTHORIZING THE CITY TO ENTER INTO A BOND PURCHASE AGREEMENT; AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER; PROVIDING FOR THE DISPOSITION OF THE BOND PROCEEDS AND ORDERING THE PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM

and moved that the statutory rule requiring reading on three different days be suspended. Council Member Schrock seconded the motion to suspend the rule and upon roll call vote on the motion the following Council Members voted aye: Stutzman, Ryan, Schrock, Krause. The following voted nay: none. The motion to suspend the rule was adopted by three-fourths of the Council and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter Council Member Schrock moved for final passage of the ordinance, which motion was seconded by Council Member Stutzman. The Mayor then stated the question "Shall Ordinance No. 19-755 be passed and adopted?" Upon roll call vote, the following Council Members voted aye: Ryan, Krause, Stutzman, Schrock. The following voted nay: none. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor in the presence of the Council signed and approved the ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto and ordered the Ordinance to be published in pamphlet form as provided therein. A true, correct and complete copy of said ordinance is published in pamphlet and is available for review at City Hall.

Police Chief, Shawn Gray, reported on behalf of the Friend Police Department. Chief Gray discussed the Department's need for more room, and requested Council's approval to rent additional space that is available in the building the Department is currently located in. The landlord has requested the City consider entering into a 3-year lease. Motion was made by Schrock, seconded by Ryan, to approve the City enter into a lease agreement with Paul and Gail Gropp for the use of the office space in the building located at 124 Maple Street with a three-year term at a rate of \$225 per suite, for a total of \$450 per month. On roll call voting aye, Krause, Stutzman, Ryan, Schrock. Nays, none. Motion carried.

Chief Gray reported that the radar units are starting to exhibit signs of malfunctioning. As the department has had these units nearly 10 years, Chief Gray requested Council consider approving the purchase of new units. Gray has applied for radar mini grants, which would be \$900 per unit, for a total of \$1800 from state funding. With this \$1800 award, the city's portion, or remaining balance for the two units would be \$2584. Motion was made by Krause, seconded by Schrock, approving the application of the radar mini grants and to authorize Shawn Gray to proceed with the purchase of two new radar units, for the Friend Police Department. On roll call voting aye, Ryan, Stutzman, Schrock, Krause. Nays none. Motion carried.

Chief Gray discussed with the Mayor and Council the need for internet access for the e-citation system in the police vehicles. Gray reported the dedicated wireless routers for the cars will cost \$1664 with a 1-year service contract of \$609 per car. These routers are reported to have a 98% connectivity rate. The cost to install equipment is \$338. Motion was made by Schrock, seconded by Stutzman, to approve proceeding with the purchase of dedicated wireless routers for the police vehicles at a cost of \$1664 with a 1-year service contract of \$609 per vehicle, and equipment installation cost of \$338, to enable internet access in the police vehicles for the e-citation system.

Building Inspector, Mark Stutzman attended the meeting. Discussion was had relating to a building permit application submitted by Tom and Gladys Weber. After brief discussion, council agreed that the approval of this building permit application was at* the discretion of Building Inspector, Mark Stutzman.

Stan Krause reported on behalf of the Friend Volunteer Fire Department. Krause reported that air packs have been ordered, and that the Department chose to not purchase them through a leasing company as previously discussed, but rather opted to finance the packs locally. Krause also reported that the fireworks will not be set off by the Department, as the Department has retained the individual that owns the electronic equipment used in the past for discharging the fireworks to discharge the display this year.

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Kristen Milton and Julie Ricenbaw attended the meeting on behalf of the swimming pool replacement/renovation committee and requested the Mayor and Council schedule a special meeting to consider entering into an agreement for professional services, and to determine a contractor for such services, to provide recommendations to capital improvements for the pool, including, but not limited to, design concepts, operational and staffing costs, and estimates for construction costs and schedules.

No further business to come before the City Council, motion was made by Schrock, seconded by Stutzman, to adjourn the meeting. On roll call voting aye, Ryan, Krause, Schrock, Stutzman. Nays none. Motion carried. Meeting adjourned at 8:30 p.m.

Judith K. Knoke, Mayor

ATTEST

Debbie Gilmer, City Clerk

I, the undersigned, City Clerk of the City of Friend, Nebraska, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Council on June 4, 2019; that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the office of the Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes from which the foregoing proceedings have been extracted and were in written form and available for public inspection within ten working days; that all news media requesting notification concerning meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

City Clerk

NOTICE OF MEETING CITY OF FRIEND, NEBRASKA

Notice is hereby given that the City Council of the City of Friend, Nebraska will meet at 7:00 p.m. on **Tuesday, July 2, 2019** at the City Hall which meeting will be open to the public. Agenda for said meeting is kept current and is available in the City Clerk's office during regular business hours. Request to be on the agenda must be in the City Clerk's office 24 hours prior to the start of the meeting.

Debbie Gilmer, City Clerk