

MINUTE RECORD

FRIEND CITY COUNCIL MINUTES-REGULAR MEETING AUGUST 6, 2019

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 Acting City Clerk Kimberly Goossen recorded the proceedings. The following Councilmembers were present: Stanley Krause, Shane Stutzman, Harlan Schrock and Phyllis Ryan was unable to attend. 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 opened the public hearing to receive comments relating to the application for Retail Class D Liquor License for the Friend's Quick Shop LLC, dba Qwik 6. Motioned by Krause, seconded by Schrock, to open public hearing.

Mayor Knoke announced that public comments would be accepted at this time. Kristen Milton, representing the Swimming Pool Replacement/Renovation Committee, attended the meeting to report on the grant opportunities. After research and discussion with SENDD, we are not able to apply for grants at this time unless there is already a bond issue in place which indicates there is community support. Ms. Milton also reported there were approximately 38 people in attendance at the Town Hall Meeting on July 23, 2019.

Motioned by Stutzman, seconded by Krause, to approve the Minutes of the July 2, 2019 regular meeting, and the July 2019 Treasurer's Report as presented and file same. On roll call voting aye to approve the July 2, 2019 regular meeting minutes, and the July 2019 Treasurer's Report, Ryan, Schrock, Krause, Stutzman. Nays none. Motion carried.

Motion was made by Stutzman, seconded by Ryan, to approve the Friend Community Healthcare System's financial statements submitted for the month of June 2019. On roll call voting aye, Krause, Ryan, Stutzman. Nay, Schrock. 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 Acting Clerk instructed to issue warrants on the respective funds to pay same. On roll call voting aye, Stutzman, Ryan, Krause, Schrock. Nays none. Motion carried.

The claims approved were as follows: July Payroll 56,533.52; Ameritas 4211.92; EFTPS 12,828.81; ACCO, su 6361.20; Applied Concepts, su 2619.00; Baker and Taylor, su 48.60; Beaver Hardware, su 23.98; Better Homes & Garden, su 12.00; Black Hills Energy, fe 138.79; Bonsall, su 293.99; Brothers, su 34.37; Bruning Law, fe 4239.00; Center Point, su 88.68; Keith Clouse, fe 250.00; Coast to Coast Solutions, su 536.39; CRA, fe 2203.05; Consolidated Mgmt, fe 436.22; Core & Main, su 5524.78; Crete Ace Hardware, su 154.57; Demco, su 63.73; Diode, se 46.45; Feld Fire, se 375.00; First for Women, su 34.95; Gale, su 44.95; General Fire & Safety, se 156.00; Debbie Gilmer, re 32.05; Kimberly Goossen, re 43.45; Great Plains Uniforms, su 34.15; IIMC, fe 280.00; Jones Automotive, se 680.00; Kirkham Michael, se 1495.00; Rosemarie Markus, se 50.00; Midwest Labs, se 409.03; Municipal Supply, su 60.89; NE Dept of Rev, SWH 1964.22, ST 8639.49; Nebraska Life, su 24.00; Nicks Farm Store, su 129.53; Norris Public Power, se 5389.32 & 38.00; Diane Odoski, re 235.09; One Call, se 9.21; Orkin, se 60.32; Kelly Paulsen, re 59.64; Principal Mutual, fe 119.33; RR Donnelly, su 66.06; Reader's Digest, su 21.95; Sandry Fire, su 95,516.38; Sargent Drilling, se 1200.00; Schindler Elevator, se 167.94; Seward Independent, fe 315.00; Sid Dillon, se 39.46; Marvin Slepicka, fe 1250.00; Steve's Repair, se 268.58; Surgery Group of GI, se 35.00; Verizon, fe 267.21; Vyhnalek, fe 1705.20; Waste Connections, se 310.16; Windstream, se 1046.70; Woman's World, su 59.60. Total Claims Approved \$217,619.14

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Discussion was had regarding the status of getting new recycling bins in town. There would be four bins available with the cost reimbursed by the Saline/Seward County Solid Waste Management Agency.

Resolution #19-08 was introduced and read by Mayor Knoke.

RESOLUTION NO. 19-08

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF FRIEND, NEBRASKA, PURSUANT TO THE NEBRASKA LOCAL OPTION REVENUE ACT, PROPOSING AND SUBMITTING TO VOTERS AT A SPECIAL ELECTION AN INCREASE OF THE LOCAL SALES AND USE TAX RATE OF AN ADDITIONAL ONE-HALF OF ONE PERCENT (½%) FROM ONE PERCENT (1%) TO ONE AND ONE-HALF PERCENT (1½%)

WHEREAS, the current local sales and use tax rate of the City of Friend, Nebraska (the “City”) is one percent (1%) pursuant to Neb. Rev. Stat. §77-27,142; and

WHEREAS, pursuant to Neb. Rev. Stat. §77-27,142, the City shall submit to the voters a proposal to increase the City sales and use tax at a primary or general or special election held within the City; and

WHEREAS, the City desires to propose to qualified electors of the City at a special election to increase the City’s sales and use tax rate by an additional one-half of one percent (½%) from one percent (1%) to one and one-half percent (1½%); and

WHEREAS, a proposed ballot question for such purpose is submitted with this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City that all of the following actions are hereby adopted and approved:

Section 1. The Mayor and City Council hereby propose to increase the City sales and use tax rate by an additional one-half of one percent (½%) from one percent (1%) to one and one-half percent (1½%).

Section 2. Said proposal to increase the City sales and use tax rate by an additional one-half of one percent (½%) from one percent (1%) to one and one-half percent (1½%) shall be submitted to a vote of qualified electors of the City at a special election to be held in the City in the month of November.

Section 3. In accordance with Neb. Rev. Stat. §32-405, the special election shall be held on November 12, 2019, which is the first Tuesday following the second Monday in the month of November 2019. The election shall be held in such manner as shall be determined by the Saline County Clerk pursuant to Neb. Rev. Stat. §32-405.

Section 4. The question, in form and content presented with this Resolution as Exhibit A--OFFICIAL BALLOT - CITY OF FRIEND - PROPOSAL TO INCREASE LOCAL SALES AND USE TAX RATE and incorporated herein by this reference, is hereby approved and shall appear on the ballot for qualified electors of the City, subject to any modifications the Mayor determines necessary or advisable.

Section 5. The City Clerk is authorized, directed, and ordered to submit said question by attesting to and submitting a certified copy of this Resolution to the Saline County Clerk in accordance with applicable law.

Section 6. The Mayor and City Clerk are hereby authorized and directed to take any other actions as necessary or appropriate to carry out the actions approved in this Resolution, including, without limitation, providing any notice required of the governing body or otherwise by applicable law.

Motion to approve Resolution No. 19-08 was made by Krause, seconded by Ryan. On roll call voting aye, Schrock, Stutzman, Ryan, Krause. Nays none. Resolution No. 19-08 was passed and approved by the City Council of the City of Friend, Nebraska on this 6th day of August 2019.

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Resolution #19-09 was introduced and read by Mayor Knoke.

RESOLUTION NO. 19-09

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF FRIEND, NEBRASKA, PURSUANT TO SECTION 17-950 OF THE NEBRASKA REVISED STATUTES, PROPOSING AND SUBMITTING TO VOTERS AT A SPECIAL ELECTION A PROPOSITION TO ISSUE BONDED INDEBTEDNESS OF THE CITY IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED THREE MILLION DOLLARS (\$3,000,000) FOR THE PURPOSE OF CONSTRUCTING A SWIMMING POOL AND RELATED IMPROVEMENTS IN AND FOR THE CITY.

WHEREAS, the City of Friend, Nebraska (the "City"), is a city of the second class in the State of Nebraska; and

WHEREAS, pursuant to Neb. Rev. Stat. §§ 17-948 to 17-949, the City is authorized to acquire land and construct a swimming pool and related improvements in and for the City; and

WHEREAS, pursuant to Neb. Rev. Stat. § 17-950, the City is authorized to issue indebtedness in connection with the same upon approval of the qualified electors of the City; and

WHEREAS, the City desires to propose to the qualified electors of the City at a special election the issuance of indebtedness of the City of up to Three Million Dollars (\$3,000,000) for purposes of constructing a new swimming pool and related improvements in and for the City; and

WHEREAS, a proposed ballot question for such purpose is submitted with this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Friend, Nebraska, that all of the following actions are hereby adopted and approved:

Section 1. The Mayor and City Council hereby propose to construct a swimming pool in and for the City and to issue indebtedness of the City in a principal amount of up to Three Million Dollars (\$3,000,000).

Section 2. The indebtedness to be issued shall be paid from the proceeds of an increase in the City sales and use tax rate by an additional one-half of one percent (½%) from one percent (1%) to one and one-half percent (1½%) (if approved by the voters), and, to the extent not paid from such additional tax, from an ad valorem tax on all the taxable property in the City.

Section 3. In accordance with Neb. Rev. Stat. §32-405, the special election shall be held on November 12, 2019, which is the first Tuesday following the second Monday in the month of November 2019. The election shall be held in such manner as shall be determined by the Saline County Clerk pursuant to Neb. Rev. Stat. §32-405.

Section 4. The question, in form and content presented with this Resolution as Exhibit A--OFFICIAL BALLOT - CITY OF FRIEND, NEBRASKA - PROPOSAL TO ISSUE SWIMMING POOL BONDS and incorporated herein by this reference, is hereby approved and shall appear on the ballot for qualified electors of the City at the special election held on November 12, 2019, subject to any modifications the Mayor determines necessary or advisable.

Section 5. The City Clerk is authorized, directed, and ordered to submit said question by attesting to and submitting a certified copy of this Resolution to the Saline County Clerk in accordance with applicable law.

Section 6. The Mayor and City Clerk are hereby authorized and directed to take any other actions as necessary or appropriate to carry out the actions approved in this Resolution, including, without limitation, providing any notice required of the governing body or otherwise by applicable law.

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Motion to approve Resolution No. 19-09 was made by Stutzman, seconded by Schrock. On roll call voting aye, Ryan, Krause, Schrock, Stutzman. Nays none. Resolution No. 19-09 was passed and approved by the City Council of the City of Friend, Nebraska on this 6th day of August 2019.

Mayor Knoke presented for the first of three readings, Ordinance #19-756.

ORDINANCE NO. 19-756

AN ORDINANCE OF THE CITY OF FRIEND, NEBRASKA, TO ANNEX TERRITORY COMPRISING CONTIGUOUS AND ADJACENT LANDS, LOTS, STREETS, AND HIGHWAYS WHICH ARE URBAN OR SUBURBAN IN CHARACTER IN SUCH DIRECTIONS AS IS DEEMED PROPER TO THE CORPORATE LIMITS OF THE CITY, THE EXACT BOUNDARIES OF WHICH ARE DISPLAYED AND DESCRIBED IN ATTACHMENTS A AND B; TO PROVIDE FOR AN EFFECTIVE DATE OF SUCH ANNEXATION.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FRIEND, NEBRASKA:

Section 1. After complying with all procedures required by Nebraska Revised Statute § 17-405.01 and a majority of the members of the City Council having voted in favor of such annexation, the City Council hereby declares the annexation of the territory described in "Exhibit A" to be annexed to the corporate limits of the City of Friend, Nebraska, the limits of which are extended accordingly.

Section 2. This ordinance shall take full force and effect beginning on, and continuing thereafter, the date of its passage, approval, and publication or posting as required by law.

Krause motioned to close public hearing relating to application for Retail Class D Liquor License for the Friend's Quick Shop LLC, dba Qwik 6. Second by Stutzman On roll call voting aye, Ryan, Schrock, Stutzman, Krause. Nays none. Motion carried.

Motion was made by Schrock, seconded by Ryan, to approve the Retail Class D Liquor License for the Friend's Quick Shop LLC, dba Qwik 6. On roll call voting aye, Stutzman, Krause, Ryan, Schrock. Nays none. Motion carried.

Police Chief, Shawn Gray reported Dominic Lombardo is 17 days from graduation. Mr. Gray reported he has received another \$500 in revenue for the in-car video equipment leaving an outstanding balance of \$3000.

Building Inspector, Mark Stutzman gave his report.

Stan Krause reported on behalf of the Friend Volunteer Fire Department. Krause reported the new air packs are here and in service.

Discussion was had regarding the property at 213 Main Street. Joe Snyder requested his hearing be at the August Council Meeting. This property has been addressed at several Health Board and City Council meetings. It has been determined to be a nuisance property and is the recommendation of the Health Board that the property be condemned and tore down. Mr. Snyder stated the property is currently under contract and is scheduled to be closed by September 1st. Motion was made by Stutzman, seconded by Krause, that current or future owner of this property has the opportunity to comply with this notice or city shall contract to abate public nuisance effective October 1st and any costs shall be assessed to the real estate. On roll call voting aye, Schrock, Ryan, Krause, Stutzman. Nays none. Motion carried.

Jim Ryan presented to the Mayor and Council the Friend Community Redevelopment Authority mid-year financial report for cash received and disbursed from Tax Increment Financing. (See attached report/statement.) Motion was made by Schrock, seconded by Ryan, to accept and approve the mid-year financial reports and cash statements submitted by the Community Redevelopment Authority as presented for Tax Increment Financing. On roll call voting aye, Krause, Stutzman, Ryan, Schrock. Nays none. Motion carried.

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Jim Ryan presented to the Mayor and Council the mid-year financial report for cash received and disbursed for the Friend Community Redevelopment Authority Occupation Tax. (See attached report/statement.) Motion was made by Stutzman, seconded by Krause, to accept and approve the mid-year financial reports and cash statements submitted by the Community Redevelopment Authority as presented for the Occupation Tax from the Enhanced Employment Area. On roll call voting aye, Schrock, Ryan, Krause, Stutzman. Nays none. Motion carried.

Brian Himmelberg, President of the Friend Community Redevelopment Authority presented information for the Final Authorization of the Qwik 6 grant. Mr. Himmelberg stated at the last CRA meeting, it was discussed and recommended to borrow \$350,000 and use \$50,000 out of the CRA checking account to finish the Qwik 6 project. This \$400,000 would be borrowed from Citizens State Bank on a four-year note with semi-annual payments (February 1st, July 1st) and to allow David Bruntz as the authorized signature on behalf of CRA. Motion by Stutzman, seconded by Schrock, to approve the CRA borrowing \$350,000 and make a \$400,000 grant to the Qwik 6. On roll call voting aye, Krause, Ryan, Schrock, Stutzman. Nays none. Motion carried.

Motion was made by Schrock, seconded by Krause, to approve request from Saline County Aging Services to allocate \$2486.25 for financial support for their fiscal year 2019-2020. On roll call voting aye, Ryan, Stutzman, Krause, Schrock. Nays none. Motion carried.

Motion was made by Krause, seconded by Ryan, to approve a 1% increase in the 2018-2019 funds subject to limitation (as allowable by law) for fiscal year 2019-2020. On roll call voting aye, Schrock, Stutzman, Ryan, Krause. Nays none. Motion carried.

Motion to enter into executive session at 8:00 p.m. for discussion of personnel matters was made by Schrock, seconded by Stutzman. On roll call voting aye, Krause, Ryan, Stutzman, Schrock. Nays none. Motion carried.

Motion to reconvene regular session of the Friend City Council meeting was made by Schrock, seconded by Krause. On roll call voting aye, Ryan, Stutzman, Krause, Schrock. Nays none. Regular session resumed at 8:40 p.m.

Motion was made by Schrock, seconded by Stutzman, to continue and pay Part-Time Office Assistant at \$14 per hour. On roll call voting aye, Krause, Ryan, Stutzman, Schrock. Nays none. Motion carried.

Krause motioned to allow and authorize overtime hours for Deputy Clerk, seconded by Schrock. On roll call voting aye, Stutzman, Ryan, Schrock, Krause. Nays none. Motion carried.

Motion was made by Stutzman to authorize a \$1.50 per hour raise to Deputy Clerk effective immediately. Motion was seconded by Ryan. On roll call voting aye, Schrock, Krause, Ryan, Stutzman. Nays none. Motion carried.

Motion made by Krause, seconded by Schrock, to allow City Attorney Spohn to pursue looking into additional security measures. On roll call voting aye, Stutzman, Ryan, Schrock, Krause. Nays none. Motion carried.

No further business to come before the City Council, motion was made by Krause, seconded by Stutzman, to adjourn the meeting. On roll call voting aye, Ryan, Schrock, Stutzman, Krause. Nays none. Motion carried. Meeting adjourned at 9:15 p.m.

Judith K. Knoke, Mayor

ATTEST

Kimberly Goossen, Acting City Clerk

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I, the undersigned, Acting 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 August 6, 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.

Acting 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, September 3, 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.

Kimberly Goossen, Acting City Clerk