

MINUTE RECORD

FRIEND CITY COUNCIL REGULAR MEETING SEPTEMBER 3, 2019

Mayor Knoke called the regular meeting of the City Council to order at 7:00 p.m. 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: Harlan Schrock, Phyllis Ryan, Shane Stutzman, and Stan Krause. 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.

Motion was made by Krause, seconded by Schrock, to open the public hearing to receive comments relating to the property tax request for 2019-2020, and to receive comments relating to the proposed 2019-2020 budget. On roll call voting aye, Ryan, Stutzman, Schrock, Krause. Nays none. Motion carried. Public hearing opened at 7:03 p.m.

Mayor Knoke announced that public comments would be received at this time. Chris Wood commented about the condition of the street between 3rd and Main down past the school. Mr. Wood also wanted clarification on the proper procedure for reporting issues such as power poles and streetlight outages. No other comments were offered.

Motioned by Schrock, seconded by Ryan, to approve the minutes of the August 6, 2019 regular meeting and the August 2019 Treasurer's Report as presented and file same. On roll call voting aye to approve the August 6, 2019 regular meeting minutes and the August 2019 Treasurer's Report, Stutzman, Krause, Ryan, Schrock. Nays none. Motion carried.

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

A motion was made by Stutzman, seconded by Schrock, that payroll and claims 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, Krause, Ryan, Schrock, Stutzman. Nays none. Motion carried.

The claims approved were as follows: August Payroll, 32,238.70; Ameritas, 3882.59; EFTPS, 10,843.71; Aqua-Chem, Inc., su 2504.50; Baker & Taylor, su 99.57; Black Hills Energy, fe 145.61; BlueCross BlueShield NE, 7502.41; Center for Education & Employment Law, su 254.95; Center Point Print, su 88.68; CRA, 230.67; Consolidated Management, fe 300.21; Consumer Reports, su 21.30; Creative Product Source, su 500.00; Culligan, su 98.25; Diode, se 46.45; Eakes, su 70.27; FES, se 2000.00; Gale, su 44.98; Shawn Gray, re 200.00; ; Paul & Gail Gropp, fe 1125.00; Lamp

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Rynearson, se 3000.00; Menards, su 55.96; NE Dept of Rev, SWH 1656.67; NE Public Health, se 30.00; NE Public Power, se 75,338.52; Nick's, su 152.61; Norris Power, se 5459.16; Diane Odoski, re 177.06; Orkin, se 60.32; Potter Repair, se 252.84; Principal Mutual, fe 119.33; Saline County Area Transit, fe 2211.00; Sudrla Water Service, se 667.07; Phyllis Svehla, se 84.00; Young's, se 87.75. Total Claims Approved \$151,550.14.

Becky Haufle and Clay Peterson were in attendance to review the City's Insurance Summary Renewal. Discussion was held in regards to verifying addresses on several locations. Councilman Krause stated the 1992 Dodge Dakota listed on the Summary Renewal had been donated to the Friend Community Healthcare System (WMH) and is no longer owned by the City. Becky stated she will work with Acting City Clerk to determine next steps.

Kristen Milton, representing the Swimming Pool Replacement/Renovation Committee, attended the meeting to report the committee is working to post FACTS posters around the community to educate on the Pool Project. Ms. Milton also stated they will be doing a Krispy Kreme donut fundraiser as well as a Trunk or Treat for community outreach. They will also be trying to schedule public meetings in the future with an open house type format.

Motion was made by Schrock, seconded by Stutzman, to close the public hearing to receive comments relating to the property tax request for 2019-2020, and to receive comments relating to the proposed 2019-2020 budget. On roll call voting aye, Krause, Ryan, Stutzman, Schrock. Nays none. Motion carried. Public hearing closed at 7:38 p.m.

Resolution #19-11 was introduced and read by Mayor Knoke.

RESOLUTION NO. 19-11

WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the Governing Body of the City of Friend passes by a majority vote a resolution or ordinance setting the tax request; and

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request; and

NOW, THEREFORE, the Governing Body of the City of Friend, by a majority vote, resolves that:

1. The 2019-2020 property tax request be set at \$416,312.03 (\$291,218.28 General Fund and \$125,093.75 Bond Fund).
2. The total assessed value of property differs from last year's total assessed value by 5%.
3. The tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property, would be \$0.689318 per \$100 of assessed value.
4. The City of Friend proposes to adopt a property tax request that will cause its tax rate to be \$0.714777 per \$100 of assessed value.
5. Based on the proposed property tax request and changes in other revenue, the total operating budget of \$11,218,262.08 will exceed last year's by 2%.

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6. A copy of this resolution be certified and forwarded to the County Clerk on or before October 13, 2019.

Motion was made by Schrock, seconded by Stutzman to approve Resolution #19-11 relating to the 2019-2020 property tax request of \$416,312.03. On roll call voting aye, Ryan, Krause, Stutzman, Schrock. Nays none. Resolution #19-11 was passed and approved this 3rd day of September 2019.

Mayor Knoke presented for the first of three readings, Ordinance #19-757.

ORDINANCE NO. 19-757

AN ORDINANCE AMENDING THE OFFICIAL ZONING DISTRICT MAP OF THE CITY OF FRIEND, NEBRASKA, ATTACHED TO AND MADE A PART OF CHAPTER 154 OF THE MUNICIPAL CODE OF THE CITY OF FRIEND, NEBRASKA BY CHANGING THE BOUNDARIES OF THE DISTRICTS ESTABLISHED AND SHOW THEREON (FRIEND CITY RS BENTLEY'S ADD, E 50' OF LOTS 20-21, FRIEND CITY RS BENTLEY'S ADD, W 45' LOT 20 & W 45' OF N 20' OF LOT 21, AND FRIEND CITY PAGES FIRST ADD, N 95' OF LOT 7) FROM R-1 RESIDENCE DISTRICT TO R-2 MULTIPLE DWELLING DISTRICT.

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

Section 1. That the Official Zoning District Map of the City of Friend, Nebraska attached to and made of Chapter 154 of the Municipal Code of the City of Friend, Nebraska, be and it hereby is amended by changing the boundaries of the Districts established and shown on said map as follows:

FRIEND CITY RS BENTLEY'S ADD, E 50' OF LOTS 20-21, FRIEND CITY RS BENTLEY'S ADD, W 45' LOT 20 & W 45' OF N 20' OF LOT 21, AND FRIEND CITY PAGES FIRST ADD, N 95' OF LOT 7, FRIEND, SALINE COUNTY, NEBRASKA;

be and are hereby transferred from the R1 Residence District to the R2 Multiple Dwelling District and are hereby made a part of the R2 Multiple Dwelling District and governed by all the provisions and regulations pertaining to the R2 Multiple Dwelling District.

Section 2. That this Ordinance shall take effect and be in full force from and after its passage, approval, and publication as required by law.

Resolution #19-10 was introduced and read by Mayor Knoke.

RESOLUTION #19-10

BE IT RESOLVED by the Mayor and City Council of the City of Friend, Nebraska:

WHEREAS, Joseph and Linda Snyder were given notice of the City of Friend Board of Health's finding declaration of a public nuisance on the property located at 213 Main Street, Friend, Nebraska on or about July 1, 2019;

WHEREAS, on August 6, 2019 at 7:00 p.m. the City Council of the City of Friend, held a hearing affirming the City Board of Health's finding of a public nuisance at 213 Main Street and that the nuisance was unabated;

WHEREAS, the City Council ordered the nuisance to be abated on or before October 1, 2019;

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WHEREAS, Joseph and Linda Snyder were given notice of said public nuisance finding required by law;

WHEREAS, after consideration of all the evidence received, the City Council finds that the condition of said property is a public nuisance and due to the overall condition of the property, said nuisance should be remedied.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Friend, Nebraska as follows;

1. That Joseph and Linda Snyder and any subsequent owners of the property are ordered and directed to remedy the public nuisance at once on the property described above;
2. Upon failure to comply by October 1, 2019, the above parties may be subject to a fine not exceeding \$500 for every day the nuisance is not abated pursuant to Section 98.99;
3. Upon failure of the above parties to comply with this order by October 1, 2019, the City shall proceed to cause the abatement of the described public nuisance;
4. Costs and expenses of abatement shall be paid by the owner and, if unpaid for 30 days after such work is completed, the City Council shall proceed with levy and assessment of the costs and expenses to the real estate.

Motion was made by Stutzman, seconded by Schrock to approve Resolution #19-10 relating to the public nuisance property at 213 Main. On roll call voting aye, Krause, Ryan, Schrock, Stutzman. Nays none. Resolution #19-10 was passed and approved this 3rd day of September 2019.

Mayor Knoke introduced Ordinance #19-758 authorizing the issuance, sale, and delivery of a tax anticipation note of the City of Friend, Nebraska to provide financing for certain operating expenses of Warren Memorial Hospital (aka Friend Community Healthcare Systems). Councilman Schrock recommended this Ordinance be tabled to the next regular City Council meeting.

Mayor Knoke reported for the Public Works department and the need for a new mower. Councilman Krause asked to table the approval of this until the September 19 Special Meeting.

Police Chief, Shawn Gray, gave his report. Officer Lombardo has completed the Academy and is working mainly on his own. Chief Gray reported the e-Citation is up and running which allows them to directly upload them to county attorney. Chief Gray invited Leigha Buresh to express her concern regarding speed limit issues in the area of 7th and Chestnut Streets. Mr. Gray also reported that they received the remaining donated funds for the in-car video equipment.

Motion was made by Krause, seconded by Schrock to allow a reimbursement payment for the police equipment purchased with state grant. On roll call voting aye, Stutzman, Ryan, Schrock, Krause. Nays none. Motion carried.

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Motioned by Schrock, seconded by Stutzman, to approve entering into contract with Recycling Enterprises out of Lincoln, Nebraska for community recycling needs. On roll call voting aye, Ryan, Krause, Stutzman, Schrock. Nays none. Motion carried.

Building Inspector, Mark Stutzman reported the new six-plex senior housing project is in progress.

Stanley Krause reported on behalf of the Friend Volunteer Fire Department.

Jesse Fousek attended the meeting to request council's approval of his application for a permit to keep fowl within the city limits. After review and brief discussion, it was determined that Mr. Fousek needs to have transfer/bill of sale stating the birds are his and verification by licensed veterinarian.

Saline County Area Transit submitted their annual allocation request for 2019-2020 of Friend's share of local matching funds in the amount of \$2211. (The request from last year was \$1964.) Motion was made by Krause, seconded by Ryan to approve the Saline County Area Transit 2019-2020 allocation request of \$2211 for Friend's share of local matching funds. On roll call voting aye, Schrock, Stutzman, Ryan, Krause. Nays none. Motion carried.

A request for consideration of fiscal year 2019-2020 membership dues was submitted by SENDD (Southeast Nebraska Development District). After discussion, motion was made by Schrock, seconded by Stutzman for continued participation with Southeast Nebraska Development District and to approve payment of membership dues for the Southeast Nebraska Development District for fiscal year 2019-2020. On roll call voting aye, Ryan, Krause, Stutzman, Schrock. Nays none. Motion carried.

Motion was made by Schrock, seconded by Stutzman, to table agenda item "Employee Salary Increases" until the Special meeting on September 19. On roll call voting aye, Krause, Ryan, Stutzman, Schrock. Nays none. Motion carried.

Motion was made by Schrock, seconded by Stutzman, to enter into closed/executive session for discussion of personnel matters. On roll call voting aye, Krause, Ryan, Stutzman, Schrock. Nays none. Motion carried. Closed/executive session began at 8:18 p.m.

Motion to reconvene regular session was made Stutzman, seconded by Krause. On roll call voting aye, Schrock, Ryan, Krause, Stutzman. Nays none. Motion carried. Regular session reconvened at 9:15 p.m.

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, Stutzman, Schrock. Nays, none. Motion carried. Meeting adjourned at 9:20 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 September 3, 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, October 1, 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 S. Goossen, Acting City Clerk