

MINUTE RECORD

FRIEND CITY COUNCIL MINUTES-REGULAR MEETING OCTOBER 6, 2020

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 City Clerk Kim Goossen recorded the proceedings. The following Councilmembers were present: Stan Krause, Shane Stutzman, Phyllis Ryan, 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 received at this time. Kristen Milton provided an update on the Trunk or Treat event. Milton stated at this time they have 15 trunks available as well as several food trucks. Ms. Milton has been in contact with Public Health Solutions regarding this event and social distancing.

Motioned by Schrock, seconded by Krause, to approve the Minutes of the September 1, 2020 regular meeting, September 10, 2020 Special Meeting, the September 16, 2020 Budget Hearing and the September 2020 Treasurer's Report as presented and file same. On roll call voting aye to approve the September 1, 2020 regular meeting, September 10, 2020 Special Meeting, the September 16, 2020 Budget Hearing and the September 2020 Treasurer's Report, Ryan, Stutzman, Krause, Schrock. Nays none. Motion carried.

Motioned by Schrock, seconded by Krause, to table the Friend Community Healthcare Systems Financial Reports for August 2020. On roll call voting aye Stutzman, Ryan, Krause, Schrock. Nays none. Motion carried.

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

The claims approved were as follows: September Payroll, 41,160.61; Ameritas, 3,616.31; EFTPS, 12,500.11; NE Dept of Rev SWH, 1,986.04; 34 Electric, su 100.00; Baker & Taylor Books, su 66.15; Barco, su 415.26; Beaver Hardware, su 55.11; Black Hills Energy, se 247.61; BlueCross BlueShield of NE, se 7607.17; Border States, su 1212.15; Bruning Law, fe 7090.50; Carrothers Construction, fe 199,730.00; Center Point Large Print, su 88.68; Center for Education & Employ Law, su 124.95; Jacob & Johnathan Clouse, fe 450.00; Consolidated Mgmt, fe 194.72; Crete Lumber, su 65.42; Crawl Tree Svc, se 22,000.00; Culligan, se & su 222.00; Diode, fe 46.45; Dollar General, su 17.85; EMC Insurance, fe 49,531.00; Elle Décor & House Beautiful,

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su 15.00; Exeter Lumber, su 41.25; Farmers Co-op, su 90.29; Gale, su 46.48; Holiday Inn, fe 329.85; KBK Creative Designs, su 170.30; LaQuinta Inn & Suites, fe 2047.20; Lamp Rynearson, fe 9750.00; Lincoln Winwater, su 52.32; Dominic Lombardo, re 93.04; Mastiff Systems, se 495.00; Chris Michl, se 436.80; Midwest Labs, fe 300.05; NE Law Enforcmt Train Ctr, fe 920.00; NE Public Health Environ Lab, se 144.00; NE Public Power, se 69,557.19; NE UC Fund, fe 5439.85; Norris Public Power, se 5302.44 & 39.00; Diane Odoski, re 178.25; Olson Graphix, se 610.00; One Call Concepts, se 11.53; Orkin, se 60.32; Paper Tiger Shredding, se 30.00; Principal Mutual Life, fe 63.12; Quick Med Claims, se 151.76; Qwik 6, su 866.19; Romans, Wiemer & Assoc, fe 1375.00; Sargent Drilling, se 6417.50; Seward County Independent, fe 466.03; Marvin Slepicka, fe 1250.00; Scholl Enterprises/Steve's Repair, se 158.98; Verizon, su 33.26; Volzke Corp, su 373.20; Waste Connections, se 310.16; Darla Welch, fe 450.00; White Electric, su 102.30. Total Claims Approved \$456,705.75.

Mayor Knoke read a note, received from Bill Bode, thanking Billy Baugh and the Public Works Department for planning, coordinating and executing the completion of the extension of the drainage tube by his house. Mr. Bode states it is a tremendous improvement and thanked Council for their approval of this project.

Kristen Milton was in attendance to provide an update on the Pool Project. There was a meeting at the pool this morning where they did a walk-through of the construction site. At this time, they are still on schedule and a couple sub-contractors have been chosen. Pool committee will go through color samples and narrow down options before bringing to Council. Kevin will order transformer needed. Kristen talked with Andy to see if the pool chemicals we have left on hand are able to be used with the new pool. He says they will not work so Billy is checking with surrounding communities to see if anyone can use them. Billy also stated he has received several quotes for the guardrail/street project that will be completed next spring.

Mayor Knoke presented and read by title proposed Resolution #20-11.

RESOLUTION #20-11

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF FRIEND, SALINE COUNTY, NEBRASKA, APPROVING THE APPLICATION OF THE FRIEND AMERICAN LEGION FORD BANKA POST #183, FOR A SPECIAL DESIGNATED PERMIT UNDER THE NEBRASKA LIQUOR CONTROL ACT, TO SELL LIQUOR, BEER AND WINE AT AN EVENT TO BE HELD ON NOVEMBER 19, 2020 IN THE CITY OF FRIEND. THE SAID SPECIAL DESIGNATED PERMIT TO BE LIMITED TO THE INSIDE AREA OF THE LEGION HALL LOCATED AT 136 MAPLE STREET TO BE HELD BETWEEN THE HOURS OF 4:00 P.M. AND 12:00 A.M., PURSUANT TO THE MUNICIPAL CODE OF THE CITY OF FRIEND, AND THE NEBRASKA LIQUOR CONTROL ACT.

Motion was made by Krause, seconded by Schrock to approve Resolution #20-11 approving the application of the Friend American Legion Ford Banka Post #183 for a Special Designated Permit for their November 19, 2020 event. On roll call voting aye, Ryan, Stutzman, Schrock, Krause. Nays none. Resolution #20-11 was passed and approved this 6th day of October 2020.

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Mayor Knoke presented and read by title proposed Resolution #20-12.

RESOLUTION # 20-12 APPLICATION TO BECOME DEPOSITORIES

To the Honorable Mayor and City Council, Friend, Nebraska;

Come now the following financial institutions and herewith respectfully petition and make application to serve as depositories of monies and funds of the City of Friend, Nebraska, for coming fiscal year beginning October 1, 2020.

- Citizens State Bank (of Friend)
- Farmers and Merchants Bank of Milligan
- Bank of Friend
- Generations Bank of Exeter

BE IT RESOLVED BY THE Mayor and the City Council of the City of Friend, Saline County, Nebraska.

WHEREAS; the aforementioned financial institutions have each filed application for the privilege of becoming a depository for monies and funds of the City of Friend, Nebraska for the fiscal year beginning October 1, 2020, and

WHEREAS; the aforementioned financial institutions have furnished bond for the safekeeping and securing said monies and funds as required by law in addition to the security given to the City of Friend as a depository by the Federal Deposit Insurance Corporation;

NOW THEREFORE BE IT RESOLVED; by the Mayor and City Council of the City of Friend, Saline County, Nebraska, that the Citizens State Bank, the Farmers and Merchants Bank of Milligan, the Bank of Friend, and Generations Bank of Exeter are hereby approved as depositories for monies and funds and in compliance with the terms and provisions of the Section 17-607 of the revised statutes for the year 1943 and all amendments hereto.

Motion was made by Stutzman, seconded by Ryan to approve Resolution #20-12. On roll call voting aye, Krause, Schrock, Ryan, Stutzman. Nays none. Resolution #20-12 was passed and approved this 6th day of October 2020.

Mayor Knoke presented for the third of three readings, Ordinance #20-765.

ORDINANCE NO. 20-765

AN ORDINANCE TO AMEND CHAPTER 91: ANIMALS OF THE MUNICIPAL CODE OF THE CITY OF FRIEND, NEBRASKA TO REGULATE CATS IN THE SAME WAY AS DOGS AND TO INCREASE THE ANNUAL PET LICENSING FEE, TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH, TO PROVIDE FOR THE POSTING OR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM; AND TO PROVIDE FOR A TIME WHEN THIS ORDINANCE SHALL TAKE EFFECT.

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Section 1. Chapter 91 of the Municipal Code of the City of Friend, Nebraska is amended as follows:

§ 91.002 RUNNING AT LARGE.

(A) It shall be unlawful for the owner of any cow, hog, horse, mule, sheep, goat, dog, cat, chicken, turkey, or goose to permit the animal to run at large at any time on any of the public ways and property or the property of another in the city or to be tethered or staked out in a manner so as to allow the animal to reach or pass into any public way or property or any property of another.

(B) Any animal found running at large or tethered or staked out in violation of this section is a public nuisance and may be impounded or destroyed as provided in this chapter.

(C) Nothing in this section shall be construed to permit anyone to own an animal in the corporate limits of the city that is prohibited by the City Council.

(1999 Code, § 6-201) Penalty, see § 91.999

Statutory reference:

Authority to regulate, see Neb. RS 17-526 and 17-547

Fine for permitting collarless dog to run at large, see Neb. RS 54-607

DOGS AND CATS

§ 91.035 LICENSE.

Any person who shall own, keep or harbor a dog or cat over the age of six months within the municipality shall within 30 days after acquisition of the animal acquire a license for each animal annually by or before January 1 of each year. The tax shall be delinquent from and after January 10; provided, the possessor of any animal brought into or harbored within the corporate limits subsequent to January 1 of any year, shall be liable for the payment of the animal tax levied herein and the tax shall be delinquent if not paid within ten days thereafter. Licenses shall be issued by the Municipal Clerk upon the payment of a license fee of \$10.00, except that for licenses obtained for the last half of the license year; if no license was required for the first half of the year, the license fee is \$5.00, a portion of which shall be remitted by the City Treasurer to the state in an amount as required by state law for contribution to the Commercial Dog and Cat Cash Fund. The license shall not be transferable and no refund will be allowed in case of death, sale or other disposition of the licensed dog. The owner shall state at the time the application is made and upon printed forms provided for the purpose, his or her name and address and the name, breed, color and sex of each animal owned and kept by him or her. A certificate that the animal has had a rabies shot, effective for the ensuing year of the license shall be presented when the license is applied for and no license or tag shall be issued until the certificate is shown.

(1999 Code, § 6-101) (Ord. 03-635, passed 7-1-2003; Ord. 10-712, passed 7-6-2010) Penalty, see § 91.999

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§ 91.037 LICENSE TAGS.

The Municipal Clerk shall keep a record of each license issued by him or her including the name of the dog or cat or other means of identification, the name of its owner, the amount of fee collected and the expiration date of the license. The licenses shall be numbered consecutively beginning with one in each municipal year. Upon the payment of the license fee, the Municipal Clerk shall issue to the owner of each animal a license certificate and a metallic tag for each animal so licensed. The metallic tags shall be properly attached to the collar or harness of all animals so licensed and shall entitle the owner to keep or harbor the animal until April 30 following the licensing. In the event that a license tag is lost and upon satisfactory evidence that the original plate or tag was issued in accordance with the provisions herein, the Municipal Clerk shall issue a duplicate or new tag for the balance of the year for which the license tax has been paid and shall charge and collect a fee set by resolution of the governing body for each duplicate or new tag so issued. All license fees and collections shall be immediately credited to the General Fund. It shall be the duty of the Municipal Clerk to issue tags of a suitable design that are different in appearance each year.

(1999 Code, § 6-103)

§ 91.038 OWNER DEFINED.

Any person who shall harbor or permit any dog or cat to be for ten days or more in or about his or her house, store or enclosure, or to remain to be fed, shall be deemed the owner and possessor of the dog or cat and shall be deemed to be liable for all penalties herein prescribed.

(1999 Code, § 6-104) Penalty, see § 91.999

§ 91.039 RUNNING AT LARGE.

It shall be unlawful for the owner of any dog or cat to allow that animal to run at large at any time within the corporate limits of the municipality. ***RUNNING AT LARGE*** shall mean any dog or cat found off the premises of the owner, and not under control of the owner or a responsible person, either by leash, cord, chain, wire, rope, cage or other suitable means of physical restraint. Every dog or cat found running at large in violation of this section is declared to be a public nuisance and shall be picked up by the Police Chief or dogcatcher or other person authorized by him or her and impounded. In the event the animal is licensed, the police shall immediately notify the licensed owner that the animal has been impounded and that the owner shall have 48 hours in which to reclaim the animal. The owner may reclaim the animal upon payment of a \$20 penalty for permitting the animal to run at large, and payment of the impoundment fee, if any, as regularly charged by the person with whom the animal is impounded. Any animal remaining unclaimed for a period of 48 hours shall be disposed of by the Police Chief pursuant to § 91.045.

(1999 Code, § 6-105) (Ord. 03-636, passed 7-1-2003) Penalty, see § 91.999

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§ 91.043 BARKING AND OTHER OFFENSIVE SOUNDS.

(A) It shall be unlawful for the owner to allow a dog or cat to annoy or disturb any neighborhood or person by loud, continued or frequent barking, howling, screeching, hissing, or yelping or to habitually bark at or chase pedestrians, drivers or owners of horses or vehicles while they are on any public sidewalks, streets or alleys in the city.

(B) Upon the written complaint of two or more affected persons from different households, filed within any 30-day period with the City Clerk or animal control officer, that any dog owned by the person named in the complaint is an annoyance or disturbance, or otherwise violates the provisions of this section, the city police or animal control officer shall investigate the complaint and, if in his or her opinion the situation warrants, notify the owner to silence and restrain the dog.

(C) The provisions of this section shall not be construed to apply to any city animal shelter.

(1999 Code, § 6-114) Penalty, see § 91.999

Statutory reference: Authority to guard against annoyances, see Neb. RS 17-526

§ 91.045 IMPOUNDING; RELEASE.

(A) (1) The rabies control authority may authorize an animal pound or pounds or may enter into a cooperative agreement with a licensed veterinarian for the establishment and operation of a pound.

(2) Any dog or cat found outside the owner's premises whose owner does not possess a valid certificate of rabies vaccination and valid rabies vaccination tag for the animal shall be impounded. The rabies control authority may require the impoundment of domestic or hybrid animals other than dogs and cats. All impounded animals shall be given proper care, treatment and maintenance. Each impounded animal shall be kept and maintained at the pound for a period of not less than 72 hours unless reclaimed earlier by the owner.

(3) Notice of impoundment of all animals, including any significant marks of identification, shall be posted at the pound as public notification of impoundment. Any unvaccinated domestic or hybrid animal may be reclaimed by its owner during the period of impoundment by payment of prescribed pound fees and by complying with the rabies vaccination requirement of this subchapter within 72 hours of release. Any vaccinated domestic or hybrid animal impounded because its owner has not presented a valid certificate of rabies vaccination and a valid rabies vaccination tag for the domestic or hybrid animal may be reclaimed by its owner by furnishing proof of rabies vaccination and payment of all impoundment fees prior to release.

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(4) At the expiration of impoundment, a domestic or hybrid animal may be claimed by payment of established pound fees and by compliance with the rabies vaccination requirement of this subchapter within 72 hours of release. If the domestic or hybrid animal is unclaimed at the end of five days, the authorities may dispose of the domestic or hybrid animal in accordance with applicable laws or rules and regulations.

(Neb. RS 71-4408)

(B) Impoundment fees shall be paid by the owner. Fees for impoundment at public facilities shall be established by the rabies control authority.

(Neb. RS 71-4411)

(1999 Code, § 6-116)

§ 91.046 LIMIT ON NUMBER OF DOGS AND CATS OWNED.

It shall be unlawful for any person to own, keep, harbor or permit to be kept upon any premises occupied or under the person's charge, a combined total of more than four dogs or cats over the age of six months at any one time; provided, however, the provisions of this section shall not apply to any humane society, animal shelter, animal research facilities, animal hospitals or boarding kennels operated by veterinarians duly licensed under the laws of the state. The combined total number of adult dogs or adult cats per residential or dwelling unit in the City shall not exceed four adult animals. Provided however, the offspring of any dog or cat shall not count toward the maximum number of dogs or cats allowed, for a period of four months after the birth of said offspring.

Any person who owned, kept, harbored, or permitted to be kept more than four dogs or cats on or before the effective date of this Section shall be permitted to continue ownership or possession for the life of those animals as long as they meet all the requirements set forth under State and Federal law in addition to those set forth in this Section unless such nonconforming use constitutes a nuisance or is otherwise dangerous to the public health.

(1999 Code, § 6-119) (Ord. 03-634, passed 7-1-2003) Penalty, see § 91.999

RABIES

§ 91.075 RABIES SUSPECTED; IMPOUNDMENT.

Any dog or cat suspected of being afflicted with rabies, or any dog or cat not vaccinated in accordance with the provisions of this chapter which has bitten any person and caused an abrasion of the skin, shall be seized and impounded under the supervision of the Board of Health for a period of not less than ten days. If upon examination by a veterinarian, the animal has no clinical signs of rabies at the end of the impoundment, it may be released to the owner, or, in the case of an unlicensed animal, it shall be disposed of in accordance with the provisions herein. If the owner of the animal has proof of vaccination, it shall be confined by the owner or some other responsible person for a period of at least ten days, at which time the animal shall be examined

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by a licensed veterinarian. If no signs of rabies are observed, the animal may be released from confinement.

(1999 Code, § 6-117)

Section 2. All ordinances or parts of ordinances passed and approved prior to the passage of this ordinance and which are in conflict with the provisions of this ordinance are hereby repealed.

Section 3. This ordinance shall be in full force and effect and after its passage, approval and either posting or publication in pamphlet form as provided by law.

Mayor Knoke stated that any cats found and picked up will not be disposed of but rather taken to a shelter or neighboring farms. Councilman Stutzman moved that the statutory rule requiring reading on three different days be waived for the addition of the grandfather clause of Ordinance 20-765. Councilman Schrock seconded the motion to suspend the rules and upon roll call, voting on the motion was as follows: Members voting aye, Krause, Ryan, Schrock, Stutzman. Members voting nay, none. The motion to suspend the rules was adopted by at least three-fourths of the Council and the statutory rule was declared suspended for consideration of the ordinance.

Motion acknowledging the third of three readings on proposed Ordinance No. 20-765, was made by Stutzman, seconded by Ryan. On roll call voting aye, Stutzman, Schrock, Krause, Ryan. Nays none. Motion carried.

Motion to approve proposed Ordinance No. 20-765, with the changes as discussed in Section 91.046, (*Any person who owned, kept, harbored, or permitted to be kept more than four dogs or cats on or before the effective date of this Section shall be permitted to continue ownership or possession for the life of those animals as long as they meet all the requirements set forth under State and Federal law in addition to those set forth in this Section unless such nonconforming use constitutes a nuisance or is otherwise dangerous to the public health*) as a grandfather clause, was made by Stutzman, seconded by Ryan. On roll call voting aye, Stutzman, Schrock, Krause, Ryan. Nays none. The passage and adoption of said ordinance, having been concurred and by a majority of all Members of the City Council, Ordinance Number 20-765 was adopted this 6th day of October 2020.

Mayor Knoke presented for the second of three readings, Ordinance No. 20-766.

ORDINANCE NO. 20-766

AN ORDINANCE TO GRANT A VARIANCE TO THE ZONING REGULATIONS WITH REGARD TO LOTS 29-30 PC LARSEN ADDITION, LOCATED ON THE SOUTHEAST CORNER OF 6TH AND STATE STREETS, IDENTIFIED AS PARCEL #76003331, IN THE CITY OF FRIEND, NEBRASKA; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

WHEREAS, The Municipal Code of the City of Friend currently regulates zoning for residential housing and prohibits the construction of an accessory building absent a primary building on a particular lot; and

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WHEREAS, the Mayor and City Council find a variance to allow construction of an accessory building on Lots 29-30 PC Larsen Addition, is in the public interest and does not nullify the intent and purpose of the comprehensive plan.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FRIEND, NEBRASKA, AS FOLLOWS:

Section 1. That variance of the City of Friend's zoning regulations is allowed for the construction of an accessory building on lots 29-30 Larsen Addition, located on the Southeast corner of 6th and State Streets, in Friend, Nebraska identified as Parcel #76003331. The accessory building shall be a 28'x40' framed construction garage with 9' side walls and siding and gutters matching that of the accessory building on the adjacent property. The accessory building shall maintain at least a minimum 30-foot setback on both 6th and State Streets so as not to impede vision on the corner of the street.

Section 2. That all ordinances and parts of ordinances in conflict herewith are hereby specifically repealed.

Section 3. Should any section, paragraph, sentence, or word of this Ordinance be declared for any reason to be invalid, it is the intent of the Mayor and Council of the City of Friend, Nebraska, that it would have passed all other portions of this Ordinance independent of the elimination hereof of any such portion as may be declared invalid.

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

Motion acknowledging the second of three readings on proposed Ordinance No. 20-766, was made by Stutzman, seconded by Schrock. On roll call voting aye, Ryan, Schrock, Stutzman. Krause-abstain. Nays none. Motion carried.

Mayor Knoke presented for the second of three readings, Ordinance No. 20-767.

ORDINANCE NO. 20-767

AN ORDINANCE TO GRANT A SUBDIVISION OF LOT 8, BLOCK 2 JJ AINSWORTH'S ADDITION, IN THE CITY OF FRIEND, NEBRASKA; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

WHEREAS, The Municipal Code of the City of Friend permits the subdivision of lots in the M-1 Commercial District and there is currently no minimum size of lots for said District; and

WHEREAS, the Mayor and City Council find subdivision of Lot 8, Block 2 JJ Ainsworth's addition is in the public interest and does not nullify the intent and purpose of the comprehensive plan.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FRIEND, NEBRASKA, AS FOLLOWS:

Section 1. That subdivision of Lot 8, Block 2 JJ Ainsworth's addition consistent with the plans submitted to the Planning Commission at its August 18, 2020 meeting.

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Section 2. That all ordinances and parts of ordinances in conflict herewith are hereby specifically repealed.

Section 3. Should any section, paragraph, sentence, or word of this Ordinance hereby adopted be declared for any reason to be invalid, it is the intent of the Mayor and Council of the City of Friend, Nebraska, that it would have passed all other portions of this Ordinance independent of the elimination hereof of any such portion as may be declared invalid.

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.

Motion acknowledging the second of three readings on proposed Ordinance No. 20-767, was made by Krause, seconded by Schrock. On roll call voting aye, Ryan, Stutzman, Schrock, Krause. Nays none. Motion carried.

Mayor Knoke reported on behalf of the Friend Community Healthcare System. Mayor Knoke said the designs and plans given in packet are projects that are subdivided into what they would like to see happen in the future. The current project is to expand the emergency room and adjust the ambulance bay for more of a pull-through than back in type. Knoke states the funds used for these projects will be from what the hospital received as COVID funding.

Stan Krause stated he had nothing to report for the Friend Volunteer Fire Department.

Building Inspector, Mark Stutzman, reported he has a building permit from Brandon Vossler to build another garage on the west side of his house. He also states Dave Nickel is looking to purchase a plot of land one mile outside of town (a 400x450' section to put a building on) and will be coming to the City for permission to put a well. Stutzman received a call from Dave Kraus at the school stating they have obtained a grant to put a greenhouse up and would like to put this on the same lot as where the garage is. Mark will follow-up with Mr. Kraus on presenting the plans to Council.

Police Chief Shawn Gray reported on behalf of Police Department. Chief Gray states they are working to set up a regional training day and invite other area agencies to attend.

Billy Baugh reported on behalf of the Public Works department. Billy asked that the Council determines a set fee for someone wanting to use the camper hook-up at the park. This will be discussed at the November meeting. Baugh would like to make a donation to Nebraska Rural Water Association for the assistance they have provided the last several years. Billy provided information in regards to what the customer's responsibility is for the water line. Customer is responsible for any cost in re-tapping from main to water meter. Billy, Kevin, Harlan, Shane and the Mayor met with Norris Public Power to discuss options for moving the substation currently located by the co-op. Discussion was held about the repairs needed on Second, Fifth and Sixth Streets. Billy provided council information and a quote of approximately \$29,000.00 from H&L Asphalt out of Geneva with what they would do to fix those areas. Motion made by Schrock, seconded by Ryan to approve H&L Asphalt to do the paving work on Second, Fifth and Sixth Streets. On roll call voting aye, Stutzman, Krause, Ryan, Schrock. Nays none. Motion carried.

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Billy discussed options for outright purchase or a lease/purchase of a Mini-X Bobcat. The Mini-X would provide the Public Works department the ability for grave digging in the winter as well as ditch work as needed. Motion made by Schrock, second by Stutzman to lease or lease/purchase the Mini-X from Bobcat. On roll call voting aye, Ryan, Krause, Stutzman, Schrock. Nays none. Motion carried.

John Palky attended the meeting to discuss the possibility of the city purchasing a couple of lots in his addition. Palky states that there is potential of a lot of houses to be built up between those lots and the golf course. The only access would be through this "Outlot" and John had been told that he could not sell the lot unless he came before the city council. Palky has a buyer interested in this particular lot. Palky would sell "Outlot A" for \$15,000 and if they city would be interested in purchasing Lot 1, he would reduce price to \$25,000 for both lots. Councilman Krause stated there would need to be public hearing to discuss anything further on the purchase of this real estate.

Motion by Schrock, second by Ryan to approve the Windstream Right-of-Way Permit Application. On roll call voting aye, Stutzman, Ryan, Schrock, Krause. Nays none. Motion carried.

Motion by Krause, seconded by Stutzman to approve the Mayor to sign the Contract for Professional Engineering Services with Kirkham Michael. On roll call voting aye, Schrock, Ryan, Stutzman, Krause. Nays none. Motion carried.

Roger Brandt was in attendance to discuss the trade-in of the Bobcat for Andrews Cemetery. Council is okay with Kevin to proceed with this.

Discussion was held on the quote from Orkin to seal all entries and replace door seals where needed. Public Works department will look into what is needed to complete this.

Phyllis Ryan submitted her written resignation as council member effective immediately. Mayor Knoke stated that she has two candidates she is looking at for this position. Notice of vacancy will need to be posted in three places in town and a special meeting scheduled to appoint/approve a qualified elector to fulfill the remaining two-years of Phyllis's term.

Mayor Knoke reported that employee evaluations were completed and recommendations were made for employee wage increases.

Motion to enter executive session at 8:49 p.m. for discussion of employee salary/wage increases and accounts receivable for unpaid utilities was made by Schrock, seconded by Krause. On roll call voting aye, Ryan, Stutzman, Krause, 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, Stutzman, Ryan, Krause, Schrock. Nays none. Motion carried. Regular session resumed at 10:08 p.m.

Motion was made by Schrock to authorize the following wage increases for city employees effective immediately: Billy Baugh (hourly) \$1.00/hr.; Kevin Barnard (hourly) \$0.35/hr.; Ryan Yoder (hourly) \$1.66/hr.; Dennis Haakenson (hourly) \$0.75/hr. now and an additional \$0.75/hr. once he receives Wastewater Operator certification; Doug Welch (hourly) \$0.75/hr. now and an

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additional \$0.75/hr. once he receives Wastewater Operator certification; Kim Goossen (hourly) \$1.00/hr.; Kelly Paulsen (hourly) \$1.00/hr. Motion seconded by Stutzman. On roll call voting aye, Ryan, Krause, Stutzman, Schrock. Nays none. Motion carried.

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 10:10 p.m.

Judith K. Knoke, Mayor

ATTEST

Kimberly Goossen, 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 September 1, 2020; 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, November 3, 2020** 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, City Clerk