

City of St. Paul Regular Meeting
704 6th Street
St. Paul, NE 68873

Monday, December 7, 2020

NOTICE OF THE REGULAR CITY OF ST. PAUL COUNCIL MEETING HELD ON MONDAY, DECEMBER 7, 2020 AT 7:00 P.M., WHICH MEETING WAS ACCORDING TO GOVERNOR RICKETTS EXECUTIVE ORDER NO. 20-34: CORONAVIRUS - PUBLIC MEETINGS REQUIREMENT LIMITED WAIVER FOR ALTERNATIVE PARTICIPATION FOR ELECTED OFFICIALS AND EXECUTIVE ORDER NO. 20-36 - CORONAVIRUS - PUBLIC MEETINGS REQUIREMENT LIMITED WAIVER.

The City of St. Paul encourages those who want to participate in the City Council meeting due to Covid-19 can utilize the Telephone Number and Access Code below to attend it by conference call.

- Join the meeting from your computer, tablet or smartphone:
<https://global.gotomeeting.com/join/550951421> or
- Dial in using your phone: United States (Toll Free): 1-866-899-4679 with Access Code: 550-951-421

A meeting of the Mayor and City Council of the City of St. Paul, Nebraska was held at City Hall in said City on Monday, December 7, 2020, at 7:00 p.m. Present were Mayor Joel M. Bergman and Council members: Brenda Klanecky, Ralph Kezeor, Katie Kowalski & Jerry Thompson. Absent: None. Notice of the meeting was given in advance thereof by publication in the Phonograph Herald, a legal newspaper published in said City and County. Notice of this meeting was also posted in four (4) places. Notice of this meeting was communicated in the advance notice. All proceeds thereafter shown were taken while the convened meeting was opened to the attendance of the public.

Mayor Bergman opened the meeting at 7:00 p.m., thanking the public for attending and announcing that the City of St. Paul abides by the Open Meetings Act, which is posted on the west wall as required by Nebraska State Law. Mayor Bergman also stated that the City Council may vote to go into Closed Session on any agenda item as allowed by State Law; this was followed by the "Pledge of Allegiance."

Individuals who have appropriate agenda items for City Council consideration should complete the "Request for Future Agenda Items" form located at the City Office or on the City website. If the issue can be handled administratively without Council action, notification will be provided. If the item is scheduled for a meeting or study session, notification of the date will be given.

There was an opportunity for individuals wishing to provide input on any of tonight's agenda items. Those individuals were asked to reserve time to speak.

Council member Klanecky suggested that it would be advantageous for the incoming City Council to receive a monthly Civic Center activities report and financial statement.

Council member Kowalski moved to approve the November 2, 2020 City Council minutes; and the disbursements regarding November 16, 2020 and December 7, 2020. Council member Thompson seconded the motion. Council members Klanecky, Kezeor, Kowalski & Thompson voted aye, nays none. Motion carried 4/0.

November 16, 2020

| | |
|-------------------------------------|---------|
| Amazon (Books) | 13.12 |
| Amazon Capital Services (Books) | 1616.46 |
| American Legal Publishing (Service) | 550.00 |
| Aurora Coop (Fuel) | 1432.24 |
| Beed, Elwin (Service) | 2500.00 |
| Blackhill's Energy (Natural Gas) | 1047.00 |
| Brehm's Drug (Supplies) | 36.00 |

| | |
|---|-----------|
| BSN Sports (Supplies) | 33.00 |
| Cardmember Service (Conf & Supplies) | 2689.62 |
| Cengage Learning (Books) | 32.37 |
| City Lights (Utilities) | 9189.95 |
| City of Seward (Supplies) | 10.00 |
| Core & Main (Supplies) | 1112.87 |
| Custer Co Recycling (Service) | 23.60 |
| Dutton-Lainson (Supplies) | 253.00 |
| Entech Pest Management (Service) | 85.00 |
| Heartland Disposal (Service) | 473.00 |
| Heartland Disposal (Service) | 5375.70 |
| Herv's Automotive (Service) | 1177.69 |
| Homestead Bank (ACH Fees) | 33.60 |
| Hometown Mkt (Supplies) | 5.98 |
| Howard County Register of Deeds (Service) | 56.00 |
| Hydro Optimization & Automation (Service) | 689.50 |
| Jarecke Motors (Repair) | 74.20 |
| Jim's Champlin (Fuel) | 1456.60 |
| Jim's Champlin (Fuel) | 67.66 |
| John Deere Financial (Supplies) | 102.94 |
| LARM (Insurance) | 148604.00 |
| Menards (Supplies) | 207.90 |
| Midland Telecom (Supplies) | 89.95 |
| Mid-Nebraska Disposal (Service) | 3633.50 |
| Municipal Supply (Supplies) | 71.52 |
| Nebraska Machinery (Supplies) | 173.96 |
| OfficeNet (Supplies, Service) | 264.63 |
| One-Call Concept (Service) | 34.95 |
| Open Caret (Service) | 200.00 |
| Overland Ready Mix (Concrete) | 214.00 |
| Penworthy Company (Books) | 268.36 |
| Phonograph Herald (Publish) | 1284.80 |
| Schaper & White (Service) | 645.84 |
| St. Paul Public School (Reimb) | 100.00 |
| State of NE Dept of Revenue (Tax) | 13240.36 |
| United Healthcare (Insurance) | 23830.82 |
| USA Blue Book (Service) | 237.39 |
| Wells Plumbing Co. (Service) | 13.99 |
| Wesco (Supplies) | 228.00 |

Non-General Disbursements

| | | |
|---|-----------|--------------------|
| Civic: Entech Pest Management (Service) | 85.00 | #1379 |
| Civic: Verizon (Communication) | 52.06 | #1380 |
| Civic: Bomgaars (Supplies) | 33.46 | #1381 |
| Civic: Heartland Disposal (Service) | 80.00 | #1382 |
| Civic: Cardmember Service (Supplies) | 71.60 | #1383 |
| Civic: Schaper & White (Legal) | 87.50 | #1384 |
| Civic: Kasson, Sandra (Cleaning) | 285.00 | #1385 |
| Civic: Charter Spectrum (Service) | 166.96 | ACH #15E |
| Sales Tax: Schaper & White (Legal) | VOID | #1176 |
| Park Alum Can: Sterling West (Improve) | 2220.00 | #29708 |
| ICS City of St. Paul Transfer to Checking to Pay Diamond Engineering Invoice | 154990.02 | #29709 Cashiers Ck |
| Keno: NE Dept Rev Charitable Gaming (Fee) | 3477.22 | #262 |
| | | #261 Stop Pymt |
| Keno: NE Dept Rev \$3,477.22 (Fee) | 0.00 | (lost) |
| Keno Mmkt to Keno ICS | 60000.00 | ACH #154E |

| | | |
|-----------------------------------|----------|-----------|
| Library Maint Mmkt to Library ICS | 15000.00 | ACH #155E |
| General Mmkt to General ICS | 20000.00 | ACH #13E |

December 7, 2020 Disbursements

| | | |
|---|-----------|--|
| Ameritas Investment (Bond Interest) | 787.50 | |
| BOK Financial (Bond prin/int) | 145351.25 | |
| BOK Financial (Fees) | 750.00 | |
| Bomgaars (Supplies) | 611.29 | |
| Border States Industries (Supplies) | 65.14 | |
| Cardmember Services (Supplies) | 530.71 | |
| CEI Security Sound (Supplies) | 6128.00 | |
| Charter/Spectrum (Service) | 209.96 | |
| City Health Deductible Savings (Saving) | 6534.00 | |
| City of St Paul 125 Plan (Insurance) | 170.00 | |
| Clearly (Service) | 170.90 | |
| COR Managed Services (Supplies) | 229.00 | |
| COR Managed Services (Service) | 800.00 | |
| Custer County Recycling (Service) | 81.00 | |
| Dick's Repair (Repairs) | 262.83 | |
| Dutton Lainson (Supplies) | 886.20 | |
| Entech Pest Management (Service) | 85.00 | |
| Hansen International (Supplies) | 32.91 | |
| Hawkins Inc (Chemical) | 1068.98 | |
| Heartland Disposal (Service) | 113.00 | |
| Howard County Register of Deeds (Fees) | 20.00 | |
| Howard County Treasurer (Dispatch Pay) | 2782.05 | |
| Howard Greeley RPPD (Utilities) | 133936.31 | |
| John Deere Financial (Supplies) | 432.13 | |
| LCL Truck Equipment (Parts/Maintenance) | 625.22 | |
| Madison National Life (Insurance) | 193.32 | |
| Menards (Supplies) | 64.97 | |
| NE Supreme Court (Books) | 53.15 | |
| OfficeNet (Supplies) | 44.40 | |
| Olsson (Engineering) | 31186.15 | |
| One Call Concepts (Service) | 15.76 | |
| Open Caret (Service) | 200.00 | |
| Parts Bin (Supplies) | 282.08 | |
| Phonograph Herald (Publishing) | 329.38 | |
| Police Chief Association (Dues) | 30.00 | |
| Regional Care Inc (Insurance) | 99.00 | |
| SE Smith & Sons (Supplies) | 623.77 | |
| Schaper & White (Service) | 247.91 | |
| St of NE Central Services (Telephone) | 160.12 | |
| TASC (Fees) | 1149.64 | |
| United Life Insurance Co (Insurance) | 107.28 | |
| Verizon Wireless (Telephone) | 249.91 | |
| Heritage #411025 ACH UB to Checking #100027 | 67779.27 | |
| (to pay disbursements) | | |
| Homestead Bank (Wire Incoming/Outgoing) | 12.00 | |
| Piper Sandler: Outgoing Bond RE: 2019 Paving Project | 911344.77 | |
| St Dept Rev: Waste Reduction | 3.07 | |
| Payroll: November 2020 | 80481.15 | |
| Heritage Bank UB ACH (Fee) | 25.00 | |

Non-General Disbursements

| | | |
|---|--------|-------|
| Civic: Entech Pest Management (Service) | 255.00 | #1386 |
|---|--------|-------|

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|---|---------|-------|
| Civic: Home Depot Pro Inst. (Supplies) | 72.40 | #1387 |
| Civic: City of St. Paul Light (Utilities) | 905.26 | #1388 |
| Civic: Sandra Kasson (Service) | 290.00 | #1389 |
| Civic: Heartland Disposal (Service) | 80.00 | #1390 |
| Civic: Interstate All Battery (Supplies) | 61.20 | #1391 |
| Civic: Entech Pest Management (Service) | 85.00 | #1392 |
| Civic: Verizon Wireless (Service) | 156.18 | #1393 |
| Sales Tax: Street Motor Vehicle Tax | 6667.16 | #1175 |
| Sales Tax: 25% Infrastructure | 7446.78 | #1177 |
| Keno: NE State Treasurer (Stop Pmt Fee) | 20.00 | #263 |

Mayor Joel M. Bergman presented the "Years of Service" plaques to Council member Brenda L. Klanecky (December 2012 to December 7, 2020) and Council member Ralph K. Kezeor (July 2016 to December 7, 2020.) Mayor Bergman thanked the Council members for their years of dedicated service.

OATH OF OFFICE conducted by City Clerk Connie Jo Beck (RISING OF RIGHT HAND)

Oath of Office regarding the installation of the newly elected Council members Charles "Chuck" M. Schmid and Michael Feeken; their service as a Council member will be from December 2020 to December 2024. Mayor Bergman congratulated the newly elected officials.

Mayor Joel M. Bergman opened the meeting at 7:10 p.m. with the newly elected officials along with signing the "Acknowledgement of Meeting" form regarding attendance.

Mayor Joel M. Bergman announced all the 2020-2021 City Appointments.

Marcus Paczosa questioned if he was terminated or not reappointed; Mayor Bergman stated that it was not a termination, that he was not reappointed.

Council member Kowalski moved to nominate Council member Jerry Thompson as the 2020-2021 Council President. Council member Schmid moved that nominations cease, along with the motion being seconded. Council members Kowalski, Thompson, Schmid & Feeken voted aye, nays none. Motion carried 4/0.

At this time, it was questioned by a member of the audience whether Marcus Paczosa could drop down to a City Police Officer; Mayor Bergman stated that this topic was not up for discussion at this time. City Attorney White stated that statutorily, the Mayor is not required to give a reason regarding the non-appointment of any member.

City Attorney White stated Chief of Police Paczosa was simply not reappointed by Mayor Bergman for the 2020-2021 terms; Attorney White stated that this is not a termination.

Chris Stroup a member of the audience addressed the Council to speak in support of Marcus Paczosa.

Newly elected official Mike Feeken indicated that he understood that the Mayor's appointments were legal, but did not agree with the decision not to reappoint the Chief of Police. Council member Feeken then moved to approve Mayor Joel M. Bergman's 2020-2021 City appointments. Council member Kowalski seconded the motion. Council members Kowalski, Thompson, Schmid & Feeken voted aye, nays none. Motion carried 4/0.

2020-2021 APPOINTMENTS

- COUNCIL PRESIDENT JERRY THOMPSON
(By Council Vote 17-148)
- CITY CLERK / DEPUTY TREASURER CONNIE JO BECK (4/2010)
- DEPUTY CLERK LAURA BERTHELSEN (4/2020)
- CITY ATTORNEY JASON WHITE (3/2019)

- CITY TREASURER SALLY EINSPAHR (8/2020)
- CHIEF OF POLICE VACANCY
- ZONING ADMINISTRATOR MATTHEW HELZER (12/2014)
- CITY ENGINEER/STREET SUPER. JEFF PALIK, OLSSON'S
- UTILITY SUPERINTENDENT MATTHEW HELZER (1/2015)
- LIGHT COMMISSIONER EDWARD THOMPSON
- SEWER COMMISSIONER WILLIAM "BILL" GREGOSKI
- FIRE CHIEF MICHAEL BECKER
- WATER COMMISSIONER RONNIE SWITZER
- ASSISTANT FIRE CHIEF MARK WILSON, SHON TREAT & LEO HAGGERTY
- STREET COMMISSIONER JAMIE KLANECKY (6/2020)
- CEMETERY SEXTON RONNIE SWITZER
- PARK / CEMETERY, MGR. RANDY JERABEK
- CITY PHYSICIAN DR. CHRIS TOMHAVE

- PLANNING BOARD JERRY WOODGATE 12-7-20
TONY WALCH
WILBER MEDBERY
CONNIE BECKER
ARVILLA JACOBS
MATTHEW HELZER - Zoning Adm.
LAURA BERTHELSEN - (Minutes)
- BOARD OF ADJUSTMENT JOHN POPPERT
MACHELL NAYLOR 12-7-20
BRIAN KNAPP
GLENN PEDERSEN
Alt: MELVIN SCHMADERER (In Town)
Alt: DAN SCHEER (Mile Jur.)
- LIBRARY BOARD VACANCY (City)
(Every other month on 3rd Wed = Jan 20) LINDA SCHMADERER (City)
JANET ELSTERMEIER (City)
CHRIS ELSTERMEIER (School)
JILL PAULSEN (School)
JASON MEINECKE (School)
- HOUSING AUTHORITY TODD PETERS 2017 - 2021
(2nd Wednesday of Month) MIKE FEEKEN 2016 - 2021
THEDA VANHORN 2017 - 2022
CAROL FANTA 2017 - 2022
LADONNA WOLINSKI 2020 - 2024
- LOUP CENTRAL LANDFILL JERRY THOMPSON AND
(3RD Thursday of Month) Katie Kowalski, Alt.
- HO. CO. DISPATCHER BOARD JOEL M. BERGMAN, MAYOR AND
CHIEF OF POLICE

- CITIZENS ADVISORY LB840
 - VACANCY
 - KEVIN SESTAK
 - SALLY EINSPAHR
 - RICH PSOTA
 - LARRY HURLBURT
 - CONNIE JO BECK, Ex Officio
 - SPDC EXE. DIR. MIKE COGLAN
 - (2-2020)

- RURAL FIRE BOARD LIAISON
(2ND Monday on even months: Dec.)
 - CHARLES M. SCHMID 12-7-20

- REPRESENTATIVE TO ACE
 - JOEL BERGMAN, MAYOR &
 - JERRY THOMPSON, COUNCIL PRES.

- HEALTH BOARD
 - MAYOR, COUNCIL PRESIDENT, CHIEF
 - OF POLICE, CITY PHYSICIAN & CITY
 - ATTORNEY

- SENIOR CENTER LIAISON
 - MICHAEL FEEKEN 12-7-20

- ELMWOOD CEMETERY BOARD
(Meeting: 2nd Wed. of Month)
 - GERALD SOLKO 12-7-20
 - RANDY JERABEK, Cem. Mgr.
 - GENE RICE
 - PAMILIA SWITZER
 - TODD PETERS
 - BETTY CZARNEK
 - CONNIE THOMPSON
 - CHARLES SCHMID, City Liaison 12-7-20
 - RONNIE SWITZER, Sexton

- ELMWOOD CEMETERY FOUND.
(8/17/20)
 - JOEL M. BERGMAN, PRESIDENT
 - GERALD SOLKO, SECRETARY
 - STEFFANY TARTAGLIA, TREASURER
 - GENE RICE, BOARDMEMBER
 - RANDY JERABEK, BOARDMEMBER

- CIVIC CENTER ADVISORY
COMMITTEE
 - DREAM SOLKO, SPDC
 - VACANCY
 - MIKE FEEKEN, Council member
 - DAVE SNOW
 - STEFFANY TARTAGLIA
 - TYLER EBERLE
 - MIKE COGLAN, SPDC

- CITY TREE BOARD
 - ROBIN ELSTERMEIER
 - GENE RICE
 - AL BRENNAN
 - LINDA FULLER
 - LOUISE CHRISTENSEN
 - MATT HELZER, Utility Super.
 - LAURA BERTHELSEN (minutes)

Council member Schmid moved to approve Resolution 2020-24; naming Council member Thompson as the Loup Central Landfill representative, along with naming Kowalski as the alternate representative; this will be a two (2) year term. Council member Feeken seconded the motion. Council members Kowalski, Thompson, Schmid & Feeken voted aye, nays none. Motion carried 4/0.

Council member Kowalski moved to approve the Agreement of Code of Professional Ethics regarding the City of St. Paul's elected officials. Council member Thompson seconded the motion. Council members Kowalski, Thompson, Schmid & Feeken voted aye, nays none. Motion carried 4/0.

Council member Thompson moved to approve the October 2020 City Treasurer's Report. Council member Schmid seconded the motion. Council members Kowalski, Thompson, Schmid & Feeken voted aye, nays none. Motion carried 4/0. A "Consent Agenda" was briefly discussed and will be utilized.

Council member Schmid moved to approve Maintenance Agreement No. 47 between the NE Department of Transportation (NDOT) and the Municipality of St. Paul for the period January 1, 2021 to December 31, 2021 pertaining to the surface maintenance and/or snow removal in the amount of \$665.00 per lane mile x 4.12 lane miles = \$2,739.80. Council member Thompson seconded the motion. Council members Kowalski, Thompson, Schmid & Feeken voted aye, nays none. Motion carried 4/0.

Council member Schmid moved to approve the NE Dept. of Transportation "Year-End Certification of City Street Superintendent" for determining incentive payment to the City of St. Paul and Resolution 2020-25; setting out the requirements that must be met in order for a municipality to qualify for an annual incentive payment; to certify the appointment of the City Street Superintendent to the NDOT. A copy of the Council minutes will be attached to the resolution. Council member Kowalski seconded the motion. Council members Kowalski, Thompson, Schmid & Feeken voted aye, nays none. Motion carried 4/0.

Julie Gawyrch with the St. Paul Youth Sports Association (SPYSA) was present to give a brief narrative regarding providing bleachers and equipment through the utilization of a grant for the St. Paul Civic Center in exchange for gym rent. Council member Thompson moved to approve the bleachers (east wall) and equipment grant. Council member Schmid seconded the motion. Council members Kowalski, Thompson, Schmid & Feeken voted aye, nays none. Motion carried 4/0. The bleacher cost is approximately \$640 for six (6) sets to be purchased; the total cost would be approximately \$3,840. The SPYSA utilizes the gym an average of 150 hours yearly. Council member Feeken would like to see tournaments held at the Civic Center to offset rental cost. The City will place insurance on the bleachers once they have been installed; the quote is approximately \$8 annually.

Utility Superintendent Helzer updates: (1) Nebraska Rural Water Association will be conducting a City of St. Paul sewer rate study in December 2020 regarding the construction of a City sewer treatment facility; (2) Senior Center Fire Suppression concerning kitchen hood has been red tagged; fees were briefly discussed and (3) Wastewater Treatment Facility (WWTF) equipment bid opening will be Tuesday, December 15, 2020 at 2:00 p.m. and on Thursday, December 17, 2020 at 1:00 p.m. there will be a Wastewater Treatment Facility (WWTF) bid review.

Council member Thompson moved to approve the St. Paul Civic Center refunding the two (2) wedding party fees of \$1,200 each; both parties canceled due to the 25% capacity restrictions regarding the Directed Health Measures (DHM) of Covid-19. Council member Schmid seconded the motion. Council members Kowalski, Thompson, Schmid & Feeken voted aye, nays none. Motion carried 4/0. The contracts were signed prior to the Covid-19 outbreak.

Sergeant Scott Greenwalt did not have any updates regarding the St. Paul Police Department.

Council member updates: Council member Feeken stated that the City Council should not support the threatening statement that was made earlier by Kaye Tomlinson concerning Mayor Bergman and his appointment regarding the Chief of Police.

Council member Thompson introduced Ordinance #1016; setting the compensation of the officers and employees of the City of St. Paul, Nebraska. Council member Kowalski waived the three (3) readings of the ordinance at three (3) different occasions. Council member Schmid seconded the motion. Council members Kowalski, Thompson, Schmid & Feeken voted aye, nays none. Motion carried 4/0. Council member Kowalski moved for final passage of

Ordinance #1016, Council member Thompson seconded the motion. Council members Kowalski, Thompson, Schmid & Feeken voted aye, nays none. Motion carried 4/0.

Council member Kowalski introduced Ordinance #1017; amending Chapter 1, Article 903 of the Municipal Code of the City of St. Paul, Nebraska pertaining to the compensation of officials and officers. Council member Thompson waived the three (3) readings of the ordinance at three (3) different occasions. Council member Schmid seconded the motion. Council members Kowalski, Thompson & Schmid voted aye, Council member Feeken voted nay. Motion carried 3/1. Council member Thompson moved for final passage of Ordinance #1017, Council member Kowalski seconded the motion. Council members Kowalski, Thompson & Schmid voted aye, Council member Feeken voted nay. Motion carried 3/1. The compensation amounts were approved at the City Council meeting on November 2, 2020; effective date is Monday, December 7, 2020.


Council member Feeken moved to approve transferring \$145,000 from the City Heritage Bank checking account to the City Homestead Bank checking account. This is to cover the BOK Financial and Ameritas Investment bond payments coming due on December 15, 2020. Council member Schmid seconded the motion. Council members Kowalski, Thompson, Schmid & Feeken voted aye, nays none. Motion carried 4/0. Sergeant Greenwalt did not have any updates regarding the St. Paul Police Department.

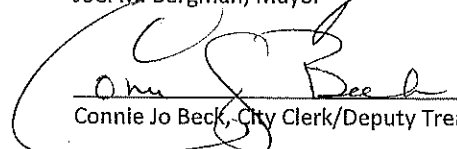
Mayor Bergman updates: (1) extended an appreciation and thank you to the departing City Council members; if anyone from the public wants to obtain a position on a City Board, please contact the City Office; (2) Wastewater Treatment Facility (WWTF) Sequencing Batch Reactor (SBR) Tank equipment "Invitation of Bid" will cease on December 15, 2020 at 2:00 p.m.; (3) St. Paul Fire Department elections were held on Thursday, November 12, 2020; City has a list of serving officers; (4) City of St. Paul was selected to receive a \$20,000 Project Planning Activities and Report planning grant that will be administered through the Clean Water State Revolving Fund (SWSRF). The grant will provide financial assistance to publicly owned wastewater treatment works to increase its readiness to proceed with a wastewater project and to seek funding through the Water/Wastewater Advisory Committee (WWAC). The municipality will need to contribute 10% (\$2,000) of the total cost and any amount that exceeds the \$20,000 planning grant. Utility Superintendent Helzer completed the Sub-Award Certification Federal Funding Accountability and Transparency Act (FFATA) form and returned it to the NE Dept. of Environmental Energy (NDEE) State Revolving Fund (SRF) Section in order to initiate the next step; (5) St. Paul Fire Chief Becker requested limited and restricted access to the St. Paul Fire Department regarding the public; this is due to the Covid 19 activity. The Department will be accessed by the St. Paul Fire Fighters and EMS personnel only; and (6) Mayor Bergman extended his appreciation and thank you to the City volunteers regarding their dedicated service to the City of St. Paul.

After Mayor Bergman thanked the audience for attending, the meeting was adjourned at 8:03 p.m.

12-21-20

Date


Joel M. Bergman, Mayor


Connie Jo Beck, City Clerk/Deputy Treasurer