

City of St. Paul Regular Meeting  
704 6<sup>th</sup> Street  
St. Paul, NE 68873

Monday, March 15, 2021

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, March 15, 2021 at 7:00 p.m. Present were Mayor Joel M. Bergman and Council members Katie Kowalski, Jerry Thompson, Chuck Schmid & Mike Feeken. 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 the meeting was also posted in four (4) public 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 7:02 p.m. with the "Pledge of Allegiance" and 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.

Individuals who have appropriate agenda items for City Council consideration should complete the "Request for Future Agenda Items" form located at the City Office. 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. Also, any City patrons that are requesting "Public Records" or has "Questions or Concerns" in regards to the City, they need to be submitted in writing to the City of St. Paul, so that it can be addressed appropriately. These forms are available online, in a file folder on the back wall of the Council Chambers or at the City Office.

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.

**PUBLIC HEARING:** Mayor Bergman opened a public hearing at 7:04 p.m. regarding the consideration of adopting a long range One (1) and Six (6) Year Street Improvement Plan.

Gary Hinrichs, Certified Public Accountant with Dana F. Cole & Co., Ord, NE provided an audit presentation for the year ending September 2020; this is regarding the City of St. Paul's 2019 - 2020 Financial Statement. The financial statements are presented fairly in all material respects in accordance with the modified cash basis of accounting. At September 30, 2020 there were no funds that had negative cash balance; all expenditures were within the approved budget limits. The summary of findings consisted of: (1) Segregation of duties and (2) Establish Internal Control over financial statement preparation and review. Council member Schmid moved to approve the 2019-2020 Financial Statement from the City Auditors, Dana F. Cole & Co. Council member Kowalski seconded the motion. Council member's Kowalski, Thompson, Schmid & Feeken voted aye, nays none. Motion carried 4/0. It was stated by Dana F. Cole & Co. that the City Clerk and her staff does an exceptional job of maintaining City records, along with Council member Kowalski thanking the Office staff for doing a great job.

Council member Kowalski moved to approve the 2019-2020 proposed journal entries from Dana F. Cole & Co. Council member Thompson seconded the motion. Council member's Kowalski, Thompson, Schmid & Feeken voted aye, nays none. Motion carried 4/0.

Megan and Don Yutesler were present to appeal a "Property Improvement" application at 716 Howard Avenue; this is due to not knowing the proper process concerning their awning and gutter addition to Bed Head Coffee Co. After a lengthy discussion regarding the property improvement application process; the timeline of the application; and setting a precedent for future cases, Council member Feeken moved to approve Bed Head Coffee Co. LLC (Megan Yutesler) property improvement for the awning portion only and not the gutter addition in the amount of \$3,388.38. Council member Kowalski seconded the motion. Council member's

Kowalski, Schmid & Feeken voted aye. Council member Thompson voted nay. Motion carried 3/1.

Mayor Bergman opened the public comment period at 7:39 p.m. regarding the consideration of adopting a long range One (1) and Six (6) Year Street Improvement program.

Brian Friedrichsen with Olsson's, Grand Island, NE presented the 2021 One (1) and Six (6) Year Street Improvement Plan maps for review on each individual street project. The One (1) Year Street plan will consist of: (1) 9<sup>th</sup> Street between Adams and Baxter Streets; (2) Walk / Bike Trail in two (2) areas north of Howard Avenue; (3) Middle Loup Subdivision; and (4) the amendment to add a storm sewer extension on "M" Street east of 2<sup>nd</sup> Street (US Hwy 281). The Six (6) Year Street plan consists of 23 other projects. Even though the projects are in the One (1) Year Street plan, the City is not obligated to complete them. This has always been a planning process that is completed every year for the City to receive highway allocation funds.

Mayor Bergman closed the public comment period at 7:52 p.m.

Council member Schmid moved to approve the One (1) Year Street Improvement plan, with the amendment to add a storm sewer extension on "M" Street east of 2<sup>nd</sup> Street (US Hwy 281), along with the three (3) projects; the Six (6) Year Street Improvement plan was approved as presented. Councilmember Thompson seconded the motion. Council member's Kowalski, Thompson, Schmid & Feeken voted aye, nays none. Motion carried 4/0. Brian Friedrichsen will provide a cost summary of the One (1) & Six (6) Year Street Improvement plan for the Mayor and Council.

Council member Schmid moved to approve Resolution 2021-03; whereas the City of St. Paul has conducted a public hearing in accordance with the requirements of the Board of Public Roads Classification Standard. Council member Thompson seconded the motion. Council member's Kowalski, Thompson, Schmid & Feeken voted aye, nays none. Motion carried 4/0.

Brian Friedrichsen with Olsson's gave a brief update on the Sewer Wastewater Treatment Facility (WWTF). The project will be advertised September or October 2021, with contractor bid opening as soon as November 2021. Howard County is supplying the City with a large amount of dirt for this project.

Mike and Nathan Becker were present to answer questions from the Mayor and Council regarding Firefighter Anthony Dush's Life Insurance coverage. The City of St. Paul received a Summons from Tina Dush regarding the death of Firefighter Anthony Dush's Life Insurance; the League Association of Risk Management (LARM) will represent the City of St. Paul; per City Attorney White, this will be a lengthy process.

Council member Schmid moved to approve the St. Paul Chamber of Commerce Easter Egg Hunt and to request closing and barricading streets on Saturday, March 27, 2021 from 11:00 a.m. to 1:30 p.m. Rain date is scheduled for Saturday, April 3, 2021. The street closing consists of: Indian Street between 4th & 6th Streets and 5th Street between Howard Avenue & Indian Street; the City will provide barricades. Council member Kowalski seconded the motion. Council member's Kowalski, Thompson, Schmid & Feeken voted aye, nays none. Motion carried 4/0.

After a brief discussion on the Northrup Siding disbursement regarding a rescue call, Council member Kowalski moved to approve the Consent Agenda Items: (1) February 2021 Treasurers Report; (2) March 1, 2021 minutes; and (3) March 15, 2021 disbursements. Council member Thompson seconded the motion. Council member's Kowalski, Thompson, Schmid & Feeken voted aye, nays none. Motion carried 4/0.

After the approval of the March 1, 2021 minutes, Mayor Joel M. Bergman stated that he received a telephone call from Rocky and Becky Jurzenski regarding the Phonograph Herald article concerning the feline issue at the Pizza Hut. Mr. Jurzenski stated that he wants it placed on record that the cats at the Pizza Hut are not their cats.

**Disbursements March 15, 2021**

Consumer Deposit (Barnes) March 2, 2021	250.00
Transfer City Funds from Heritage Bank to Homestead Bank	149000.00

Dept of Rev Sales & Use Tax (tax)	15847.56
COR Management (Service)	800.00
BOK-Financial Series 2016 Bond Interest	13077.50
Clearfly (phone)	192.74
Aurora Coop (fuel)	1082.96
Black Hills Energy (natural gas)	2381.01
Border States Industries (supplies)	590.29
Brehm's Drug (supplies)	41.53
Cardmember Srv (supplies, education)	1330.35
Charter/Spectrum (service)	209.96
City of St. Paul Light (utilities)	10504.49
COR Managed Services (service)	189.99
Core & Main (supplies)	1042.06
Crescent Electric Supply (supplies)	153.70
Custer County Recycling (service)	42.80
Dana F Cole & Co (audit)	3064.00
Elmwood Cemetery (service)	100.00
Goettsche, Roger (supplies)	5.85
Heartland Disposal (service)	5513.80
Homestead Bank (ACH fees)	22.00
Howard Co. Reg of Deeds (fees)	10.00
Jim's Champlin (fuel)	3288.95
Levander's Automotive (repairs)	2940.80
Loup Valley Supply (repair)	31.65
Mid-Nebraska Disposal (service)	3624.50
Mrkvicka, Quinton (refund)	79.71
NE Supreme Court (books)	121.85
NMVCA (education)	105.00
Northup Siding & Gutter (service)	890.00
OfficeNet (supplies & service)	268.38
One Call Concepts (service)	11.90
Open Caret (service)	200.00
Overland Ready Mixed (concrete)	150.50
Phonograph Herald (publication)	159.04
SE Smith & Sons (supplies)	119.26
Schaper & White (service)	1287.50
Servi-Tech (lab)	125.60
TO Haas Tire (service)	34.15
Thiel's Tire & Auto Repair (repair)	99.54
Tommy Rene Printers (supplies)	715.30
United States Postal Service (postage)	570.00
Verizon Wireless (phone)	184.48
<b>Disbursements Non-General</b>	
St Paul Development Corp: Prop.	4610.00
Improve - Jakes & Coop Grain (3/1/2021)	
Civic: Verizon Wireless (phone)	41.12
Civic: Heartland Disposal (svc)	80.00
Civic: Cardmember Service (supplies)	412.38
Civic: CEI Security (Key Fobs)	320.00

Council member Kowalski moved to approve placing a memorial bench on the west side of the City of St. Paul Office in memory of Jessica Thompson; this is Electrical Commissioner Ed Thompson's daughter and Council member Jerry Thompson's sister. Council member Schmid seconded the motion. Council member's Kowalski, Thompson, Schmid & Feeken voted aye, nays none. Motion carried 4/0. Electrical Commissioner Thompson will absorb the cost of pouring a level concrete area for the bench.

Council member Schmid moved to introduce Ordinance No. 1020; to amend Chapter 1, Section 507 of the St. Paul City Code pertaining to City Council meeting quorums and votes; to repeal any ordinance, or part of any ordinance, in conflict with this ordinance; and to provide for the effective date of the ordinance (effective date April 8, 2021). Council member Kowalski moved to waive the three (3) readings of Ordinance No. 1020 at three (3) different occasions. Council member Thompson seconded the motion. Council member's Kowalski, Thompson & Schmid voted aye, Council member Feeken voted nay. Motion carried 3/1. City Clerk Beck read the title of Ordinance No. 1020. Council member Kowalski moved for final passage of Ordinance No. 1020. Council member Schmid seconded the motion. Council member's Kowalski, Thompson & Schmid voted aye, Council member Feeken voted nay. Motion carried 3/1. Per City Attorney White this NE State Statute needs to be utilized cautiously.

Council member Schmid moved to approve placing the City's Howard Greeley Rural Public Power "Production Cost Adjustment" (PCA) in the "Light" Insured Cash Sweep (ICS) account to receive additional interest and to utilize the funds for future electrical increases per Electrical Commissioner Ed Thompson. Council member Thompson seconded the motion. Council member's Kowalski, Thompson, Schmid & Feeken voted aye, nays none. Motion carried 4/0.

Council member Thompson moved to approve a three percent (3%) increase for the 2021 Park and Sewer seasonal wages; the Landfill Operator will increase to \$11.85. Council member Schmid seconded the motion. Council member's Kowalski, Thompson, Schmid & Feeken voted aye, nays none. Motion carried 4/0.

Utility Superintendent Helzer updates: (1) the amount of rain fall in the area; (2) St. Paul Public Library has a new leak by the west addition; and (3) the St. Paul Civic Center also has a water leak on the east side of the gym.

St. Paul Police Department update: Mayor Bergman stated two Police Chief Candidates were interviewed, with possibly one (1) more to interview; this will be placed on the Monday, April 5, 2021 Council agenda.


Council member Feeken updates: (1) burying a street light wire at 9<sup>th</sup> and Adams Streets by the Baptist Church and (2) had questions concerning employee liability regarding the Special Response Team (SRT) members.

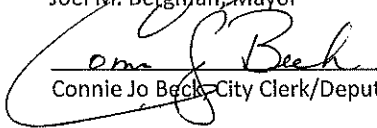
Mayor Bergman updates: (1) The City attended the Howard County Commissioner meeting Tuesday, March 9, 2021 regarding the Puncobar property emergency survey concerning the river erosion south of St. Paul; (2) Howard County public hearing concerning Ronald and Kristin Stock Conditional Use Permit on Wednesday, March 17, 2021 in the Assembly Room of the Howard County Courthouse. This is regarding an application for the use of land to start an extraction of raw materials for a gravel pit on land west of the City's Recycling Center on the other side of the County road; (3) Spring Clean-up Friday, April 9, 2021 to Sunday, April 18, 2021 (Ad placed in Phonograph Herald, posted in four (4) places and placed on the City Website); (4) City received a LARM reimbursement of \$1,203 regarding the St. Paul Recycling Center Pay Loader windshield incident; and (6) the City Police Department and City employee's would like to begin a wellness program in joining D & D Gym; but the City would like to see the membership rate be reduced. Therefore, the St. Paul Rescue Squad and Firefighters were notified to see how many members are interested. This will be presented to the Mayor and Council once an employee number has been established. Fire Chief wants to be updated on the member list. The City Council and Mayor are included on the wellness program.

Council member Feeken moved to go into Closed Session at 8:42 p.m. for possible litigation concerning the Nebraska Attorney General. Individuals in attendance were: Mayor Joel M. Bergman, City Attorney Jason White, City Clerk Connie Jo Beck, Council member's Katie Kowalski, Jerry Thompson, Chuck Schmid & Mike Feeken. Council member Schmid seconded the motion. A motion has been made and seconded to go into Closed Session for possible litigation concerning the Nebraska Attorney General. There was no discussion. The pending motion is to go into Closed Session for possible litigation concerning the Nebraska Attorney General. Council member's Kowalski, Thompson, Schmid & Feeken voted aye, nays none. Motion carried 4/0. Mayor Bergman adjourned the closed session at 8:58 p.m., with no action taken.

Mayor Bergman adjourned the City Council meeting at 8:59 p.m.

Date: April 5, 2021

  
\_\_\_\_\_  
Joel M. Bergman, Mayor

  
\_\_\_\_\_  
Connie Jo Beck, City Clerk/Deputy Treasurer