

1st Council Regular Meeting  
Monday, December 6, 2021 7:00 PM

City Hall  
704 6th Street  
St. Paul, NE 68873

## Agenda

1. **MONDAY, DECEMBER 6, 2021 AT 6:20 p.m. at the City of St. Paul Office - PICTURES of Mayor, Council members, Police Officers and Employees. Pictures will be utilized for the City Website, Phonograph Herald (recognition) and personnel file.**
2. City of St. Paul **REORGANIZATIONAL MEETING** on Monday, December 6, 2021 at 7:00 p.m. in the City Council Chambers.
3. Mayor Bergman calls meeting to order, with the "Pledge of Allegiance" and the "Open Meeting Statement" as required by NE State Statutes 84-1407 through 84-1414; Mayor Bergman also states that the City Council may vote to go into Closed Session on any agenda item as allowed by NE State Statute 84-1410.
4. Submittal of Request for Future Agenda Items
5. Reserve time to Speak on an Agenda Item
6. Mayor Joel M. Bergman opens Public Hearing regarding a Preliminary Plat of B. LUKE FARMS INC. SUBDIVISION NO. 2 (Brian and Audrey Lukasiewicz), located in a part of the East Half of the Northeast Quarter (E1/2 NE1/4) of Section 34, Township 15 North, Range 10 West of the 6th P.M. in Howard County, Nebraska.
7. Discuss - Approve / Deny Consent Agenda Items: (1) November 15, 2021 Council minutes (special); November 15, 2021 Council minutes (regular); (2) November 29, 2021 zoning permits; and (3) December 6, 2021 disbursements.
8. Mayor Joel M. Bergman voices his 2021-2022 City of St. Paul Appointments.
  - a. Nominations from the floor regarding the Council President;
  - b. Approval to cease and appoint Council President, with second and roll call.
9. Discussion - Approval regarding Mayor Joel M. Bergman's 2021-2022 City Appointments (appointments to be added to minutes).  
**\*\*\* Mayor Bergman extended his appreciation to all volunteer members in dedicating their time to the City of St. Paul.**
10. Discuss - Approve / Deny Resolution 2021-09; naming a Council member as a representative to the Loup Central Landfill Board, along with naming an alternate representative. This was for a two (2) year term beginning December 7, 2020.
11. Discuss - Approve / Deny Resolution 2021-10; whereas by the State of Nebraska Statutes, Section 39-2302, and 39-2511 through 39-2515 details the requirements that must be met in order for a municipality to qualify for an annual Incentive Payment; and whereas the State Dept. of Transportation (NDOT) requires that each incorporated municipality must annually certify (by December 31st of each year) the appointment of the City Street Superintendent to the NDOT

using the "Year-End Certification of City Street Superintendent" form (attach meeting minutes to paperwork).

**a. Approve / Deny Mayor Bergman signing the "Year-End Certification of City Street Superintendent" for determining Incentive Payment from January 1, 2021 to December 31, 2021. Jeff Palik will be the City of St. Paul's City Street Superintendent, License No. S-1269, Class A.**

12. Discuss City of St. Paul's Wastewater Treatment Facility (WWTF) cost savings items (possible action).

13. Discuss - Approve / Deny Olsson's Letter Agreement Amendment #1 regarding the "Construction Administration" pertaining to the Wastewater Treatment Facility (WWTF). The Anticipated Start Date is December 7, 2021; Lagoon Decommissioning will be approximately on October 2, 2023; the Substantial Completion date will be on May 1, 2023, with a Final Completion on December 1, 2023.

Olsson's Scope of Services will be provided on a time-and-expense basis not to exceed \$359,900.

14. Discuss - Approve / Deny the St. Paul Chamber of Commerce paying the Copycat Printing & Signs invoice (brochures) pertaining to marketing and promotions in the amount of \$1,752.23.

15. Discuss - Approve / Deny Resolution No. 2021-11; calling General Obligation Various Purpose Bonds, Series 2017A, dated April 17, 2017, in the outstanding amount of \$600,000. The Call Date shall be set for any time on or after April 17, 2022, which is the earliest permissible redemption date, provided, however, that on and after September 30, 2022, the Authorized Officers shall have no authority to make any such determination without further action of the Mayor and Council of the City of St. Paul and this resolution shall be of no further force and effect. A copy of this resolution shall be filed with the BOK Financial in Lincoln, Nebraska, as the Pay Agent and Registrar. The approximate cost savings to call and refund the 2017 Series, General Obligation Bond is \$43,486.

16. Discuss - Introduce Ordinance No. 1026; for the issuance of General Obligation Various Purpose Refunding Bonds, Series 2022, in the amount of not to exceed \$630,000 for the purpose of refunding certain outstanding bonds of the City; prescribing the form of said bonds; providing for a sinking fund and for the levy and collection of taxes to pay said bonds; providing for the sale of the bonds and authorizing the City to enter into a bond purchase agreement; authorizing the delivery of the bonds to the purchaser; providing for the disposition of the bond proceeds and ordering the ordinance published in pamphlet form.

\*\*\*Introduce Ordinance, with NO second or roll call;

\*\*\*Waive 3 readings of Ordinance, with second and roll call;

\*\*\*Final Passage of Ordinance, with second and roll call.

17. Mayor Bergman opens **Public Comment period** regarding the Preliminary Plat of B. LUKE FARMS INC. SUBDIVISION NO. 2 (Brian and Audrey Lukasiewicz), located in a part of the East Half of the Northeast Quarter (E1/2 NE1/4) of Section 34, Township 15 North, Range 10 West of the 6th P.M. in Howard County, Nebraska;

a. Mayor Bergman **closes** Public Comment period;

b. **Approve / Deny** the Preliminary Plat of B. LUKE FARMS INC. SUBDIVISION NO. 2 (Brian and Audrey Lukasiewicz), located in a part of the East Half of the Northeast Quarter

(E1/2 NE1/4) of Section 34, Township 15 North, Range 10 West of the 6th P.M. in Howard County, Nebraska.

18. Discuss - Approve / Deny Maintenance Agreement between the NE Department of Transportation (NDOT) and the Municipality of St. Paul for the period January 1, 2022 to December 31, 2022 pertaining to surface maintenance and/or snow removal in the amount of \$665.00 per lane mile x 5.10 lane miles = \$3,391.50. The maintenance agreement consists of: (1) West City Limits to East City Limits and (2) South City Limits to North City Limits.

19. Consideration to extend the current City of St. Paul Sewer Lagoon Farm lease for one (1) more growing season to the current Lessee; this would be for a period of nine (9) months. Currently, the Lessee is paying \$7,000 annually; the prorated amount is \$5,250.06 (possible action).

20. Discuss - Approve / Deny the City of St. Paul going out for Water Well-field bids for another three (3) years on property more described as: The East half of Section Six (6), Township Fourteen (14) North, Range Nine (9), West of the 6th P.M., Howard County, St. Paul, Nebraska; except that portion maintained by the City for its municipal water supply. The lease terminated on October 14, 2021.

**Note: If there is approval by City Council, the Request for Bids publication will be in the Phonograph Herald at three (3) consecutive times.**

21. Discuss - Approve / Deny paying Hydro Optimization & Automation Solutions, Inc. (HOA) invoices for the Sewer (\$31,079.50) and Water (\$9,727.97) from which City accounts. The sewer invoice is for the upgrade to three (3) sewer lift stations and a computer; the water invoice is for the upgrade to the water radio.

22. Discuss - Approve / Deny City Clerk Beck transferring \$40,000 from the Sales Tax Money Market account and placing it in the Sales Tax Checking account to pay out Street - Motor Vehicle Tax and 25% Infrastructure monies from monthly Sales Tax. Currently, the Sales Tax Checking account carries a balance of \$18,512.

23. Discuss - Approve / Deny the American Legion Carl Mogensen Post #119 (804 Howard Avenue) moving their Class C - #008455 Liquor License to the new location of 1222 2nd Street (US Hwy 281), St. Paul, Nebraska.

24. Discuss - Approve / Deny ratifying all actions of Connie Jo Beck, the City of St. Paul's League Association of Risk Management (LARM) representative, identified in the DRAFT minutes of the Annual Members' Meetings of the League Association of Risk Management (LARM) on September 22, 2021, including the election of nominees to the LARM Board of Directors.

25. Discussion regarding City Clerk Beck utilizing her 2021 vacation time by the end of January 2022; currently has 72 hours remaining (possible action).

26. **Acknowledgement:** On Monday afternoon, November 29, 2021 a City of St. Paul letter and pictures were delivered by personal service by Chief of Police Daniel Howard and Utility Superintendent Matt Helzer concerning Municipal Code 9-403: Unsafe Building; Determination and Notice, along with Municipal Code 4-323: Nuisances; Procedure in Case of Emergency to Mr. Todd Padrnos at 1220 Farnum Street. The letter and pictures were also given by "Personal Service" to 108 Howard Avenue Apt. Numbers #1; #4; and #5. The vacant Apartments of #2;

#3; and #6 were placed on the door. Per the Municipal Code, Howard County Register of Deeds also received a copy of the letter and pictures by "Personal Service".

Mr. Padrnos will have 60 days (January 28 or 31, 2022) to remedy the problem; Mr. Padrnos can appeal the determination by filing with the Municipal Clerk within ten (10) days (December 9 or 10, 2021) from the date of receipt to request a hearing; and if the person receiving the notice has not complied or taken an appeal from the determination of the Officer finding the dangerous building exists within the ten (10) days from the time when the notice was served, the Building Inspector may upon orders of the Governing Body, proceed to remedy the condition of the unsafe building.

27. Discuss - Approve / Deny paying the St. Paul Police Department banked "Holiday Pay" in accordance with the Non-Union Employee agreement. The Holiday Pay is retroactive to "2017".

28. Acknowledgement regarding Mayor Bergman's signature: Heartland Disposal submitted a formal request regarding a price increase of sanitation rates. This is due to landfill tonnage increases, fuel cost, labor, insurance and repairs. Heartland Disposal has absorbed all cost increases in the past.

The new rates effective on January 1, 2022: (1) Senior \$10.25; (2) Regular \$12.25; and (3) two (2) totes \$14.75.

29. Utility Superintendent Helzer updates:

- a. Howard Greeley Rural Public Power District (HGRPPD) proposed rate change meeting on Tuesday, December 7, 2021 at 8:00 a.m. at the Howard Greeley Office;
- b. Water main break on "N" between 6th and 7th Streets;

30. City of St. Paul Police updates:

31. City Council member updates

32. Mayor Bergman updates:

- a. Chairs on St. Paul Civic Center gym floor; floors scratched (was refinished in August 2021 at a cost of \$4400);

33. Public Comment Period - restricted to items on the agenda

34. Public Announcements

35. Closed Session: Pending Litigation pertaining to IBEW 1597 Union

Pending Litigation; Strategy Session with respect to real estate purchase; and prevent needless injury to the reputation of an individual

36. Mayor Bergman adjourns City Council meeting

37. Informational Items:

This agenda, including supporting documentation, is available for public viewing during normal business hours at the City Office, 704 6th Street, St. Paul, Nebraska.