

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

**Monday, November 21, 2022**

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, November 21, 2022, at 7:00 p.m. Present were Mayor Joel M. Bergman and Council members Katie Kowalski, Jerry Thompson, Chuck Schmid and 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 7:00 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 §84-1407 through §84-1414. Mayor Bergman also stated that the City Council may vote to go into Closed Session on any agenda item as allowed by NE State Law §84-1410.

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 have "Questions or Concerns" in regard 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; per Mayor Bergman, there will be a five (5) minute limit per person on speaking.

Mayor Bergman opened the public hearing at 7:02 p.m. regarding a "Conditional Use" permit application for Glen and Michele Killion to construct a dog boarding facility at 1131 Jansen Road, St. Paul, NE. The property is legally described as Lot One (1), Dunning Subdivision in the East Half (E1/2) of the Southeast Quarter (SE1/4) of Section Eight (8), Township Fourteen (14), Range Ten (10) West of the 6th P.M. in St. Paul, Howard County, Nebraska.

Brad Slaughter, Piper Sandler Senior Vice President was in attendance to discuss amending Ordinance 1031 regarding the new Fire Station.

Council member Feeken introduces Ordinance No. 1031-A; an ordinance amending Ordinance No. 1031 and authorizing the issuance of General Obligation Municipal Building bonds, Series 2022, of the City of St. Paul, Nebraska, in the principal amount not to exceed Two Million, One Hundred Thousand Dollars (\$2,100,000) issued for the purpose of constructing a municipal building in and for the City; prescribing the form of said bonds; providing for a sinking fund and for the collection of taxes to pay said bonds; providing for the sale of the bonds; 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. Council member Kowalski moved to approve waiving the three (3) readings of Ordinance No. 1031-A at three (3) different occasions. Council member Thompson 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 No. 1031-A. Council member Thompson seconded the motion. Council members Kowalski, Thompson, Schmid & Feeken voted aye, nays none. Motion carried 4/0. The bond interest rate will be set between Thanksgiving and Christmas time; the 20 year interest rate will be approximately five percent (5%) per Mr. Slaughter.

Mayor Bergman opened the public comment period at 7:09 p.m. regarding Glen and Michele Killion's "Conditional Use" permit pertaining to a dog boarding facility. Michele and Glen Killion were present to speak about the reasons why they intend to construct a dog boarding facility in the country. Mrs. Killion wants to provide services to the community, so that people don't have to travel to Grand Island to board their pets. Numerous individuals were in attendance to speak in favor and in opposition to the boarding facility construction. Topics of discussion included: (1) St. Paul Vet Clinic currently not boarding dogs; (2) placement of the facility; (3) facility to hold 15 animals (4) will provide outdoor runs for exercise and bathroom; (5) out-door runs will be covered; (6) will insulate building for noise control; (7) kennel inspection, ventilation, waste control and safety; (8) and enforcing the "Conditional Use" permit. Darcy Wiebelhaus with the NE Dept. of Agriculture stopped by the City Office to visit with City Clerk Beck; she stated that she is in support of the facility. Ms. Wiebelhaus has been assisting the Killion's with the project. According to the City of St. Paul Article 6 - Zoning Regulations, no "Conditional Use" permit shall be granted by the City Council, without an affirmative vote of a majority of all members of the City Council and providing the proposed use is found to comply with the following guidelines: (1) be compatible with and similar to the use permitted in the district; (2) not be a matter which should require re-zoning of the property; (3) not be detrimental to adjacent property; (4) not intend to depreciate the value of the surrounding structures of property; (5) be compatible with the stated intended use of the district; (6) not change the character of the district; and (7) be in accordance with the Comprehensive Plan, which the zoning regulations are based.

Mayor Bergman closed the public comment period at 7:55 p.m.

Council member Feeken moved to table the item until a committee can set parameters for the "Conditional Use" permit regarding the dog boarding facility at 1131 Jansen Road, St. Paul. The property is legally described as Lot One (1), Dunning Subdivision in the East Half (E1/2) of the Southeast Quarter (SE1/4) of Section Eight (8), Township Fourteen (14), Range Ten (10) West of the 6th P.M. in St. Paul, Howard County, Nebraska. Council member Thompson seconded the motion. Council members Kowalski, Thompson, Schmid & Feeken voted aye, nays none. Motion carried 4/0. Council member Kowalski expressed that she would like to be on the committee. Utility Superintendent Helzer and Deputy Clerk Berthelsen will work on forming the committee.

Council member Schmid moved to approve STS Construction (Tyler Solko & Spencer Synowski) property improvement application at 1114 2nd Street for a new sign in the amount of \$960. 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 2023 Letter Agreement for Professional Services. Jeff Palik (Olsson), Grand Island, NE will be the City of St. Paul's Street Superintendent, along with performing Engineering Services from January 1, 2023 to December 31, 2023. The compensation regarding the Street Superintendent services will be a fixed fee of \$3,000 and the Consultation Services project will not exceed \$5,000 - Time and Expense. Council member Kowalski seconded the motion. Council members Kowalski, Thompson, Schmid & Feeken voted aye, nays none. Motion carried 4/0.

Next on the agenda for discussion - will the City move forward with front office renovations. Topics discussed included the status of the City's drive through window and also implementing a design plan. Council member Kowalski moved to approve utilizing Dream Solko St. Paul, NE in the amount of \$250 for a design plan and \$80/hourly to be the City's general contractor. Mrs. Solko did not believe that it will take longer than five (5) hours to do a design plan. Council member Feeken seconded the motion. Council members Kowalski, Thompson, Schmid & Feeken voted aye, nays none. Motion carried 4/0.

Council member Thompson moved to approve the Consent Agenda Items: (1) October 2022 Treasurer's Report; (2) November 7, 2022 (Special Civic Center) Council minutes, November 7, 2022 (regular) Council minutes and; (3) November 14, 2022 zoning permits and (4) November 21, 2022 disbursements. Council member Schmid seconded the motion. Council members Kowalski, Thompson, Schmid & Feeken voted aye, nays none. Motion carried 4/0.

**Disbursements November 21, 2022**

911 Custom (equipment)	295.54
Action Flag (supplies)	852.05

American Fence Co. (supplies)	7825
American Legal Publishing (publish)	461.41
Aurora Cooperative (fuel)	2745.91
Black Hills Energy (natural gas)	836.12
City Lights (utilities)	8283.00
Classy Chassy (service)	100.00
Clearly (telephone)	194.41
Consolidated Mgmt (meals)	123.65
COR Managed Svcs (service)	1376.00
Consumer Deposit (rent deposit Darter)	250.00
Criminal Addiction (education)	300.00
Custer County Recycling (service)	46.70
Don's Pioneer Uniforms (uniforms)	136.81
Eakes Office (supplies)	136.94
Heartland Disposal (service)	6459.73
Homestead Bank (fees)	23.40
Howard Greeley RPPD (utilities)	108804.11
Jacob's Ford (service)	159.70
Jarecke Motors (service)	2301.67
Jim's Champlin (fuel)	2521.86
LARM (insurance)	1346.01
Menards (supplies)	749.59
Mid-Nebraska Disposal (service)	3774.05
NE Dept of Revenue: Local Sales and Use Tax	10745.96
NE Law Enf Training Cntr (education)	75.00
Olsson (service)	9826.71
Overland Ready Mixed (concrete)	292.00
PCAN (dues)	60.00
Platte Valley Communication (service)	161.50
Quick Med Claims (service)	1554.99
S E Smith & Sons (supplies)	1110.69
Smith Welding (service)	219.87
St Paul Public School (supplies)	457.30
St Paul Veterinary Clinic (service)	100.00
Thiel Tire (service)	327.35
US Post Office (postage)	460.00
Wells Plumbing (supplies)	17.44

**Non-General Disbursements**

Sales Tax: Howard Greeley County Food Pantry Property	902.62
Improvements (property improve)	

A lengthy discussion ensued regarding setting the compensation of the Officers and Employees of the City of St. Paul. Council member Mike Feeken questioned why City Clerk Connie Jo Beck was receiving additional compensation for taking minutes at a City Council meeting; Council meetings are held on the first (1<sup>st</sup>) and third (3<sup>rd</sup>) Mondays of the month. Mr. Feeken stated that it should be part of the City Clerk's job description. Mr. Feeken stated that the other City employees attending the Council meetings don't receive additional compensation. Mrs. Tracey Lukasiewicz (Farwell, NE) spoke in support of City Clerk Beck, due to her having the same job position. Mrs. Lukasiewicz stated that she also receives a separate compensation for taking minutes; this is due to it being separate from her daily duties. Mrs. Lukasiewicz stated that people don't understand what's involved in the duties of a City Clerk. Council member Kowalski stated that City Clerk Beck is required to be at the Council meetings; Utilities Superintendent Helzer is not required to be at the meetings. Mayor Bergman asked Council member Feeken what his solution would be; Council member Feeken stated that City Clerk Beck's compensation should be stricken and suggested placing the compensation in her wage, but there needs to be more discussion on the topic.

Council member Kowalski moved to introduce Ordinance No. 1034; an ordinance setting the compensation of the Officers and Employees of the City of St. Paul, NE pursuant to Nebraska Revised Statutes 17-108, and to provide for an effective date. Council member Thompson moved to waive the three (3) readings of Ordinance No. 1034 at three (3) different occasions. Council member Kowalski seconded the motion. Council members Kowalski voted aye, Council members Thompson, Schmid & Feeken voted nay. Motion died by 1/3. The first reading was read; Ordinance No. 1034 stalled. Ordinance No. 1034 will be discussed in the near future.

Council member Feeken moved to approve the St. Paul Civic Center (423 Howard Avenue) Commercial Lease Agreement between the City of St. Paul and the St. Paul Development Corporation (SPDC). The amendments in the "Agreement" include: (1) IV. Terms of Lease: terms of agreement to be reviewed by both parties 90 days prior to expiration; (2) VIII. Obligations: marquee sign, etc. was added; and (3) X (d). Miscellaneous Terms – provided, however, that, except in the case of an emergency, the parties shall work together in good faith to coordinate the dates and times of such inspections to ensure that such inspections do not interrupt Lessee's business operations. Notification is required from Lessor immediately after accessing the Premises. 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 Resolution 2022-23; City Council hereby directs the sale by the City of St. Paul, NE of surplus personal property described as follows: 1984 White Sewer Streamline Vac Pump Trailer and 2003 White Sewer Sreco Trailer Jetter by on-line bidding through Bid Iron. There will be no reserve bidding. The City items will be sold either on Wednesday, December 21, 2022 or Wednesday, December 28, 2022. The sale shall be for cash. The Clerk shall cause notice of the sale and terms of the sale to be posted pursuant to Neb Rev Stat 17-503.02. Council member Schmid seconded the motion. Council members Kowalski, Thompson, Schmid & Feeken voted aye, nays none. Motion carried 4/0.

Council member Schmid moved to approve Utility Lineman Jaden Garner's hourly wage of \$29.06; this is Step 6 on the International Brotherhood of Electrical Workers (IBEW) 1597 Wage Scale. Jaden Garner was interviewed on Friday, November 11, 2022. Council member Thompson seconded the motion. Council members Kowalski, Thompson, Schmid & Feeken voted aye, nays none. Motion carried 4/0.

After a lengthy discussion regarding drilling a test well at the City Recycling Center, Council member Feeken moved to approve Downey Drilling Inc. proposal for a full water analysis in the amount of \$21,500. This is regarding a land transfer between the City of St. Paul and Howard County pertaining to potable water. Council member Thompson seconded the motion. Council members Kowalski, Thompson, Schmid & Feeken voted aye, nays none. Motion carried 4/0. According to Utilities Superintendent Helzer, the soonest Downey Drilling can drill will be February 2023. Sargent Irrigation's bid was much higher.

Utilities Superintendent Helzer updates: (1) installed a new storm sewer pipe north of the American Legion Post #119; and (2) the City "welcome" sign on the east end of Howard Avenue need repairs or be removed; the sign is a line of sight problem for semi-trucks. More discussion regarding the repair or removal of the "welcome" sign will be on Monday, December 5, 2022.


Council member Feeken questioned if the City should require a Phase One (1) study regarding contaminates; JEO Consulting Group may have performed the study. Utilities Superintendent Helzer will contact JEO Consulting Group.

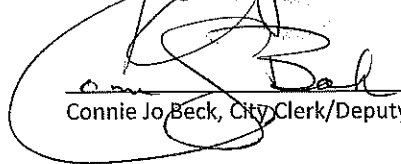
Mayor Bergman updates: (1) City reinvested funds in NPAIT for another three (3) months regarding the Lights, Water, Sewer and General; the renewed interest rate is 4.03%; (2) City Wastewater Treatment Facility (WWTF) construction progress meeting minutes regarding Wednesday, November 2, 2022 were provided to the Mayor and Council members; (3) the NE Dept. of Revenue Charitable Gaming Activity from July - September 2022 were provided to the Mayor and Council members; and (4) Monday, November 28, 2022 at 5:00 p.m., the Mayor and Council members will hold a special meeting to discuss and possibly approve an ordinance setting the additional one-half of one percent (1/2%) sales tax rate pertaining to funding the new City Fire Station.

For Public Comments: Mr. Bill Peters had questioned if advertising signs qualify to be a property improvement; Council member Feeken stated "yes".

Mayor Bergman adjourned the City Council meeting at 8:49 p.m.

December 5, 2022  
Date

  
Joel M. Bergman, Mayor

  
Connie Jo Beck, City Clerk/Deputy Treasurer