

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

Monday, December 4, 2023

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 4, 2023, at 6:30 p.m. Present were Mayor Joel M. Bergman and Council members Katie Kowalski, Chuck Schmid, Mike Feeken and Bill Peters. 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 6:30 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 Joel M. Bergman voiced his 2023-2024 City of St. Paul Appointments at 6:32 p.m.

Council member Schmid moved to approve retaining Council member Feeken as Council President. Council member Peters seconded the motion. Council members Kowalski, Schmid, Feeken & Peters voted aye, nays none. Motion carried 4/0.

Council member Schmid moved to approve Mayor Bergman's 2023-2024 City Appointments. Council member Feeken seconded the motion. Council members Kowalski, Schmid, Feeken & Peters voted aye, nays none. Motion carried 4/0.

2023-2024 CITY OF ST. PAUL APPOINTMENTS

- COUNCIL PRESIDENT
(Per NE Stat. §17-148) MIKE FEEKEN
- 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 DANIEL K HOWARD (6-23-21)

- ZONING ADMINISTRATOR MATTHEW HELZER (12/2014)
- CITY ENGINEER/STREET SUPER. JEFF PALIK, OLSSON
- UTILITIES SUPERINTENDENT MATTHEW HELZER (1/2015)
- LIGHT COMMISSIONER JAMES SUMMERS
- SEWER COMMISSIONER MATTHEW HELZER (2022)
- FIRE CHIEF MICHAEL BECKER
- WATER COMMISSIONER JEREMY GORECKI (11-2022)
- ASSISTANT FIRE CHIEF MARK WILSON; LEO HAGGERTY;
& CHAD AUGUSTYN
- STREET COMMISSIONER JAMIE KLANECKY (6/2020)
- CEMETERY SEXTON RONNIE SWITZER
- PARK / CEMETERY (MGR) RANDY JERABEK
- CITY PHYSICIAN DR. CHRIS TOMHAVE
- PLANNING BOARD DAN SCHEER (10-23-23)
TONY WALCH
CONNIE BECKER
TYLER SOLKO, Chairman (11-13-23)
ARVILLA JACOBS
MATTHEW HELZER (Zoning Adm)
LAURA BERTHELSEN (Minutes)
- BOARD OF ADJUSTMENT MEL FULLER (2022)
MACHELL NAYLOR, Chair (12-2020)
BRIAN KNAPP
GLENN PEDERSEN
Alt: MELVIN SCHMADERER (In Town)
Alt:
- LIBRARY BOARD STEVEN NEAL 2024 (City)
(Every other month on 3rd Wed = Jan 20) DEB WELLS 2025 (City)
JANET ELSTERMEIER 2023 (City)
TARA SJUTES 2025 (School)
JILL PAULSEN 2023 (School)
PHIL THEDE 2025 (School)
- HOUSING AUTHORITY TODD PETERS (2022 – 2026)
(2nd Wednesday of Month) MIKE FEEKEN (Nov 2021 to Nov 2025)
THEDA VANHORN (2022 – 2026)
CAROL FANTA (2022 – 2026)
CINDI MENDYK (9--2021 TO 2024)
- LOUP CENTRAL LANDFILL KATIE KOWALSKI; AND
(3rd Thursday of Month; BILL PETERS, ALT.
Dec-Mar 7pm / Apr-Nov 7:30pm)
- HO. CO. DISPATCHER BOARD JOEL M. BERGMAN, MAYOR AND
DANIEL HOWARD, CHIEF OF POLICE
- CITIZENS ADVISORY LB840 EMILY VANIS (4-17-23)
JOE MLINAR (2021)
SALLY EINSPAHR

JULIE GAWRYCH (2021)
LARRY HURLBURT
CONNIE JO BECK, Ex Officio
PARKER KLINGINSMITH, SPDC EXE DIR

- RURAL FIRE BOARD LIAISON
(2nd Monday on even months: Dec.) CHARLES "Chuck" SCHMID

- REPRESENTATIVE TO ACE JOEL BERGMAN, MAYOR AND
COUNCIL PRESIDENT

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

- SENIOR CENTER LIAISON MIKE FEEKEN

- ELMWOOD CEMETERY BOARD
(Meeting: 2nd Wed. of Month) GERALD SOLKO, Treasurer (12-7-20)
RANDY JERABEK, Cemetery Manager
GENE RICE, Vice-President
PAMILIA SWITZER, President
TODD PETERS
BETTY CZARNEK, Secretary
TRACEY DIETZ
BILL PETERS, City Liaison
RONNIE SWITZER, Sexton

- ELMWOOD CEMETERY FOUND.
(8/17/20) JOEL M. BERGMAN, President
GERALD SOLKO, Secretary
STEFFANY TARTAGLIA, Treasurer
GENE RICE, Board member
RANDY JERABEK, Board member

- CITY TREE BOARD ROBIN ELSTERMEIER
GENE RICE
AL BRENNAN
LINDA FULLER
JAMIE KLANECKY, Street Commissioner
LAURA BERTHELSEN (minutes)

- CIVIC CENTER ADVISORY BOARD (Dissolved December 6, 2021)

- NUISANCE COMMITTEE (Nov. 2023) JERRY THOMPSON
DUSTIN ANDERSON
GERALD SOLKO
GENE RICE
JACKIE HARDENBROOK
REX GALUSHA

Council member Kowalski moved to approve the Howard County Medical Center (1113 Sherman Street) utilizing the United States Dept. of Agriculture (USDA) "Rural Economic Development Loan Grant" (REDLG) program through the City of St. Paul as an Intermediary Sponsorship. The Howard County Medical Center is requesting \$300,000 to remodel a 2,000 sq. ft. space in the Howard County Medical Center regarding a Behavioral Health area. The project will be a ten (10) year loan, with a zero percent (0%) interest rate. Council member Schmid seconded the motion. Council members Kowalski, Schmid, Feeken & Peters voted aye, nays none. Motion carried 4/0. Chief Executive Officer Arlan Johnson was present to answer questions from the Mayor and City Council. On October 25, 2023 the Howard County Medical Center Board of Trustees approved the USDA Loan application regarding the REDLG funding. The remodel project will be under \$600,000.

Council member Schmid moved to approve Howard County Medical Center paving the south half (S1/2) of "M" Street between Sheridan Street and Jackson Street. Howard County Medical

Center was instructed by City Council to find their own paving contractor for the project and ensure that the City of St. Paul Engineer approve the paving specs prior to construction. Per City Utility Superintendent Matt Helzer, the storm sewer will remain in place. Also discussed was the property line and curb. The Howard County Medical Center will absorb the cost of the paving; in turn, Rick and Linda Goettsche will have the Howard County Medical Center utilize the northeast side of the Goettsche property for Howard County Medical Center employee parking. Council member Kowalski seconded the motion. Council members Kowalski, Schmid, Feeken & Peters voted aye, nays none. Motion carried 4/0. Mrs. Goettsche requested flashing lights in this area to slow traffic. Per Zoning Administrator Matt Helzer, a "Lot Split Waiver" cannot be performed on the project, but a 100 year lease can be discussed between Mr. & Mrs. Goettsche and the Howard County Medical Center on this portion of property.

Council member Kowalski moved to approve Jubilee Events & Catering Inc. (Melanie Boden - 1528 L. Street, Ord, NE) Special Designated Liquor (SDL) application regarding a Howard County Medical Center 2024 Gala. The event will be held at the St. Paul Civic Center (423 Howard Avenue) on Saturday, February 10, 2024, from 5:00 p.m. to 11:30 p.m. Council member Schmid seconded the motion. Council members Kowalski, Schmid, Feeken & Peters voted aye, nays none. Motion carried 4/0. Chief of Police Dan Howard approved the application.

A second (2nd) notice was mailed to 304 8th Street, more legally described as Lots Five (5) and Six (6), Block 103, Original Town, St. Paul, NE regarding a hearing to determine an existing public nuisance and to abate in whole or in part.

Mayor Bergman opened the nuisance hearing at 7:00 p.m. to hear testimony whether the premises constitutes a public nuisance.

Chief of Police Dan Howard stated that the property at 304 8th Street has been properly cleaned to his satisfaction. The only nuisance on the property is an unlicensed Blue Honda Civic car with a flat tire. The City Council will give the property owners until Tuesday, January 2, 2024 to remove or garage the vehicle. If the nuisance isn't remedied, then the City will take action to move the vehicle.

Mayor Bergman closed the nuisance hearing at 7:03 p.m.

Council member Kowalski moved to approve Resolution 2023-10, determining that the following property constitutes a public nuisance regarding the Blue Honda Civic vehicle. The Council members will grant the property owners until January 2, 2023 to remove or garage the vehicle. Failure to abate the nuisance shall result in the St. Paul Police Dept. removing the vehicle and placing a lien upon the premise until paid. Council member Feeken seconded the motion. Council members Kowalski, Schmid, Feeken & Peters voted aye, nays none. Motion carried 4/0.

Council member Schmid moved to approve Resolution 2023-11; 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, along with the 2023-2024 Appointments). Council member Peters seconded the motion. Council members Kowalski, Schmid, Feeken & Peters voted aye, nays none. Motion carried 4/0.

Council member Schmid moved to approve Mayor Bergman signing the "Year End Certification of City Street Superintendent" for determining Incentive Payment from January 1, 2023, to December 31, 2023. Jeff Palik (Olsson) will be the City of St. Paul's Street Superintendent, License No. S-1269, Class A. Council member Peters seconded the motion. Council members Kowalski, Schmid, Feeken & Peters voted aye, nays none. Motion carried 4/0.

Next on the agenda for discussion was Zoning Permit #2023-46 pertaining to the height of a storage container that is to be placed at 607 Grand Street. Per City zoning regulations the portable storage container height shall be no more than eight (8) feet in height, nor more than 40 feet in length. The storage container in question on the permit is 8.6 feet in height.

Disbursements were also discussed regarding the City absorbing beverages for City employees at conference or attending classes.

Council member Kowalski moved to approve the Consent Agenda items with the exception of the City not absorbing beverages (Grady Robinson) and withdrawing Zoning Permit #2023-46 from the Consent Agenda. Also approved were (1) Council minutes regarding November 20, 2023 (regular); and (2) the disbursements for December 4, 2023. Council member Feeken seconded the motion. Council members Kowalski, Schmid, Feeken & Peters voted aye, nays none. Motion carried 4/0. The "Storage Container" definition will need to be revisited, along with an amendment to the City zoning code/ordinance regarding: (1) dimensions; (2) color (esthetically needs to complement the surroundings); and (3) zoning district.

December 4, 2023 Disbursements

Gross Payroll - November 2023	91857.11
Amazon Capital (books)	230.03
Blue Cross Blue Shield of NE (insurance)	18068.14
BOK Financial (bonds)	148037.50
Bomgaars (supplies)	1778.54
Bryan Jensen Clothing (uniforms)	795.79
Cengage Learning (books)	240.61
Charter Spectrum (service)	239.96
City Health Deductible Savings (insurance)	5445.00
City 125 Plan (insurance)	100.00
Consolidated Mgmt (meals)	54.25
Core & Main (supplies)	1753.86
Custer County Recycling (service)	36.30
Dana F Cole & Company (audit, accounting)	13520.00
Dvoracek Title (fee)	35.00
Elan Financial Svcs (training, supplies, meals, fuel)	4115.77
Elmwood Cemetery (service)	200.00
Filter Care (service)	81.00
GB Auto Service (supplies)	290.00
Glock Professional Inc (education)	250.00
Homestead Bank: Fire Station Construction Bond Wire Fee (wire fee)	8.00
Hometown Market (supplies)	60.00
Howard Co Reg of Deeds (fees)	42.00
Ho Co. Treasurer (dispatch fee)	3158.54
Inland Truck Parts (repair)	1041.31
John Deere Financial (supplies)	81.74
Loup Valley Supply (supplies)	29.99
Madison Nat'l Life (insurance)	198.36
Menards (supplies)	309.92
NE Dept of Envir & Energy (fees)	920.00
NE Machinery Co (supplies)	70.43
Petty Cash (supplies, meals)	70.33
SE Smith & Sons (supplies)	60.82
Sample, Mathew (mileage)	738.19
Smith Welding (service)	4.27
State of NE Central Svcs (telephone)	38.34
T & R Electric (repair)	5306.79
TASC (fees)	1230.24

Non-General

NPAIT: Transfer from NPAIT Ambulance to Checking to Pay for Fire Station Construction Bond Payment (Ambulance Transfer)	123113.00
Time CD: General: Two (2) Time CD's Cashed at Citizens Bank & Trust and placed in the General ICS Account (transfer)	129875.78
Sales Tax: Wroblewski Trust Acct - Elstermeier Land Pmt: Civ Cntr	16726.16

Keno: Dana F. Cole & Co: Keno Audit 22-23 (audit fee)	1600.00
Sales Tax: Dana F. Cole & Co: Sales Tax Audit 22-23 (audit fee)	2000.00
Sales Tax: Transfer from Money Market to Checking Account (transfer)	100000.00
Sales Tax: Street: Mtr Veh Tax: Sept. 2023 Proceeds (Mtr Veh Tax)	8630.72
Sales Tax: Fire Station: Sept. 2023 Proceeds (Fire Station)	17406.09
Sales Tax: 25% Infrastructure: Sept. 2023 Proceeds (25% Infrast)	8703.05
Fire Station Construction Account: JEO Consulting Group: Design of Fire Station (engineering)	30993.75

Council member Schmid moved to approve the Meter Based Surge Protection Device for municipal customers, along with the "Hold Harmless Agreement" pertaining to the installation and/or operations of surge protection devices. The device will stop surges right at the electric meter, before it can enter the home or business; it comes with a 15-year warranty. City patrons can purchase the surge protector from the City; the Electrical Department will install add no additional cost. The "Hold Harmless Agreement" has been reviewed and approved by City Attorney White. Council member Peters seconded the motion. Council members Kowalski, Schmid, Feeken & Peters voted aye, nays none. Motion carried 4/0.

Chief of Police Howard provided an overview and documentation of Police Officer procedures as defined by the Municipal Code and Nebraska State Statute on dangerous animals to the Mayor and Council.

FORMAL APPROVAL OBLIGATING AMERICAN RESCUE PLAN ACT (ARPA) FUNDS

After a brief discussion ensued concerning the obligation of American Rescue Plan Act (ARPA) funds, Council member Schmid moved to approve obligating the remaining ARPA funds for the Middle Loup Subdivision sewer and water project. Electrical work cannot be utilized by the funds; it is not a qualifying purpose through ARPA. The ARPA funds must be obligated by December 31, 2024, and be expended by December 31, 2026. Council member Feeken seconded the motion. Council members Kowalski, Schmid, Feeken & Peters voted aye, nays none. Motion carried 4/0.

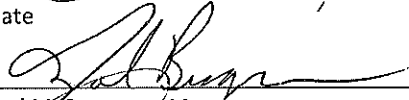
Utilities Superintendent Helzer updates: (1) Disposal of obsolete City property; (2) Middle Loup Subdivision (due to the shifting of the lot lines off of Adams Street, Olsson recommended vacating the entire subdivision and starting over; (3) St. Paul Development Corp (SPDC) will have a meeting on Thursday, December 14, 2023 at 7:00 a.m. regarding the Middle Loup Subdivision; and (4) the Wastewater Treatment Facility (WWTF) sewer blower had complications on Saturday, December 2, 2023.

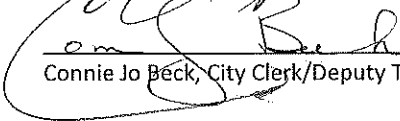
Chief of Police Howard updates: Police Officer Mathew Sample completed his NE Law Enforcement Training Academy physical tasks; Officer Sample will graduate on December 15, 2023.

Mayor Bergman stated that the St. Paul Christmas Parade was a success.

Mayor Bergman adjourned the City Council meeting at 7:48 p.m.

December 18, 2023
Date


Joel M. Bergman, Mayor


Connie Jo Beck, City Clerk/Deputy Treasurer