

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

**Monday, May 20, 2024**

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, May 20, 2024, at 6:30 p.m. Present were Mayor Mike Feeken and Council members Katie Kowalski, Chuck Schmid & Brian Sack. Absent: Council member Bill Peters. 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 Feeken 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 Feeken 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.

Mayor Feeken continued the meeting by announcing that 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 Feeken, there will be a five (5) minute limit per person on speaking.

Mayor Feeken opened two (2) public hearings at 6:31 p.m.: (1) to receive public comment on the adoption of a Resolution of Necessity for sewer improvements in Sewer Improvement District No. 2024-1 pertaining to the Middle Loup Subdivision of the City of St. Paul; and (2) to receive public comment on the facts and circumstances justifying the creation of Street Improvement District No. 2024-1 pertaining to the Middle Loup Subdivision of the City of St. Paul.

Andrew Wilshusen, JEO Consulting Group Branch Manager of Grand Island, NE was in attendance to do an overview of the St. Paul Fire Station bid letting; three (3) St. Paul Rural Fire Board members were present. Mr. Wilshusen voiced six (6) fire station bids that were received and opened on Tuesday, May 7, 2024 at 10:00 a.m.; the contractors consisted of: (1) Bierman Contracting Inc., Columbus, NE \$2,035,000; (2) BD Construction, Columbus, NE \$2,320,000; (3) Sampson Construction Co. Inc., Columbus, NE \$2,367,000; (4) Hackel Construction Inc., Ord, NE \$2,450,000; (5) Genesis Contracting Group LLC., Lincoln, NE \$2,558,000 and (6) RMV Construction, Kearney, NE \$2,581,700. Mr. Wilshusen also voiced bids for the: (1) Alternate 1 Add: Drainage Work; (2) Alternate 2 Add: Additional Apparatus Bay; and (3) the Unit Price No. 1: Removal of unsuitable fill material (CY). Bierman Contracting Inc. received the low bid regarding the St. Paul Fire Station. Mayor Feeken stated that on Wednesday, May 15, 2024 the St. Paul Rural Fire Board and City Officials met at the St. Paul Fire Station to discuss the contract bids and what cost percentage will be absorbed by the City of St. Paul and St. Paul Rural Fire Board. Mayor Feeken also stated that the fire station sales tax dollars cannot be utilized for the additional bay or drainage ditch; reserve funds need to be utilized for these items. Dennis Sperleng, President of the St. Paul Rural Fire Board spoke on behalf of the other Board members to recommend Bierman Contracting Inc. as the low bidder for the construction of the new Fire Station and also recommend Bierman Contracting Inc. Alternate 1; Alternate 2 and the removal

of unsuitable fill material (CY). The St. Paul Rescue Squad will contribute \$50,000 and the St. Paul Fire Department will contribute \$25,000 to build the St. Paul Fire Station. The approximate completion date regarding the construction of the Fire Station is May 1, 2025.

Council member Kowalski moved to approve Bierman Contracting Inc. (Columbus, NE) "Total Base Bid" in the amount of \$2,035,000 regarding the construction of the new St. Paul Fire Station. Council member Sack seconded the motion. Council members Kowalski, Schmid & Sack voted aye, nays none. Motion carried 3/0.

Council member Schmid moved to approve Bierman Contracting Inc. Alternate No. 1 Add Bid: Drainage Work in the amount of \$158,000. The City of St. Paul will absorb the cost of the drainage work. Council member Sack seconded the motion. Council members Kowalski, Schmid & Sack voted aye, nays none. Motion carried 3/0. There was a brief discussion on utilizing the Sales Tax 25% Infrastructure funds for this project.

Council member Sack moved to approve Bierman Contracting Inc. Alternate No. 2 Add Bid: Additional Apparatus Bay in the amount of \$79,000, along with the removal of unsuitable fill material in the amount of \$23.10 per cubic yard. The St. Paul Rural Fire will absorb the cost of the additional sixth (6th) Fire Station bay. Council member Schmid seconded the motion. Council members Kowalski, Schmid & Sack voted aye, nays none. Motion carried 4/0. Cost of the "Total Base Bid and Engineering Fees" will be absorbed equally by the City of St. Paul and the St. Paul Rural Fire Board.

The St. Paul Fire Station "pancake feed" is scheduled for Sunday, June 9, 2024.

Deputy Clerk Laura Berthelsen was present to discuss the follow-up to a \$1 million grant for land development regarding affordable housing that was previously awarded and withdrawn. The NE Dept. of Economic Development (DED) announced a "Notice of Funding Opportunity regarding Rural Community Recovery Program. The Rural Community Recovery Program is a one-time, \$10 million program funded in 2023 by LB 1412 using Coronavirus State and Local Fiscal Recovery Funds (SLFRF) through the American Rescue Plan Act of 2021 (ARPA). The new ARPA Rural Community Recovery grant application is to be utilized for site development for affordable housing and/or the installation of public features. Applications will open on Monday, May 20, 2024 and will close on Friday, July 22, 2024 at 5:00 p.m. (Central). The City is able to request from \$250,000 to \$1 million depending on the City's need and the justification of cost. The grant does not require matching funds, but requires the City to pay the upfront cost first and then go after reimbursement cost. Council member Schmid moved to approve the City of St. Paul submitting the ARPA Rural Community Recovery Program grant application. Council member Kowalski seconded the motion. Council members Kowalski, Schmid & Sack voted aye, nays none. Motion carried 3/0.

Next on the agenda for discussion was opening and possibly paving vacated 3rd Street north of "O" Street. The City will maintain the street as an 80 ft. public right-of-way if the street is opened, due to utilities being in the area. In attendance were Blake Schwartz with St. Paul Grocery and Delcie Lukasiewicz (Troy/Delcie Lukasiewicz, owner of vacated 3<sup>rd</sup> Street). Mr. Schwartz stated that the property was purchased in 2016 on the corner of "O" Street and U.S. Hwy 281 with plans of building a new grocery store for the community. Mrs. Lukasiewicz agreed that if the City paved 3<sup>rd</sup> Street then Mr. & Mrs. Troy Lukasiewicz would grant it to the City. Mayor Feeken stated that once the City owns the street, then it becomes an eligible use under the Community Development Law. The item was tabled, due to City Clerk Connie Jo Beck contacting Attorney Andrew Willis (Lincoln, NE) the City's Tax Increment Financing (TIF) Attorney to see if TIF can absorb the cost of the paving project. The paving and storm sewer cost will be approximately \$100,000.

At the City Council meeting on Monday, April 1, 2024, the City Council gave 1108 7th Street (Barb Lyons) until Saturday, May 18, 2024, to abate the nuisance. No representative attended the Council meeting to speak on behalf of the property. Council member Schmid moved to approve the City abating the nuisance at 1108 7th Street more legally described as: Lot Eight

(8), Block Four (4), Original Town, St. Paul, NE. Council member Kowalski seconded the motion. Council members Kowalski, Schmid & Sack voted aye, nays none. Motion carried 3/0.

There was discussion regarding the "Notice of Hearing to be Determined Existence of Public Nuisance and to Abate in Whole or in Part" regarding the properties at (1) 1120 Custer Street (Garrett and Alexis Gass) more legally described as the E1/2 of Lot Three (3), Block Four (4), Darnall's Addition, St. Paul, NE; and (2) 810 Elm Street Jeffrey Sonder (renter) and Robert & Roseann Allen (owners) more legally described as W 54' of Lots Three (3) and Four (4), Block 92, Original Town, St. Paul, NE.

City Clerk Connie Jo Beck spoke on behalf of Chief of Police Dan Howard stating that the property at 1120 Custer Street had completed the clean-up; and property at 810 Elm Street will be heard at the City Council meeting on Monday, June 17, 2024, due to Chief of Police Howard giving them additional time to clean the property.

Council member Sack moved to approve Elsbury Construction LLC. Pay Request #2 (Middle Loup Subdivision Project #023-00398) the amount of \$54,738.49; the work consisted of tree removal. Council member Schmid seconded the motion. Council members Kowalski, Schmid & Sack voted aye, nays none. Motion carried 3/0.

Mayor Feeken opened the public comment period at 7:22 p.m. regarding the adoption of a Resolution of Necessity for sewer improvements in Sewer Improvement District No. 2024-1 pertaining to the Middle Loup Subdivision of St. Paul, NE. After hearing no public comments, Mayor Feeken closed the public comment period at 7:23 p.m. Council member Schmid moved to approve the Resolution of Necessity #2024-06 for sewer improvement in Sewer Improvement District No. 2024-1. Council member Kowalski seconded the motion. Council members Kowalski, Schmid & Sack voted aye, nays none. Motion carried 3/0.

Mayor Feeken opened the public comment period at 7:24 p.m. regarding the justification of creating Street Improvement District No. 2024-1 pertaining to the Middle Loup Subdivision of St. Paul, NE. After hearing no public comment, Mayor Feeken closed the public comment period at 7:25 p.m. Council member Kowalski moved to approve Resolution #2024-07 creating Street Improvement District No. 2024-1. Council members Kowalski, Schmid & Sack voted aye, nays none. Motion carried 3/0.

Council member Sack moved to approve Grover Cleveland Alexander (GCA) Day Committee requesting: (1) GCA Days operation funding in the amount of \$3,000, along with fireworks funding of \$4,000; all to be absorbed by the Keno fund. The fireworks will be held on Sunday, July 14, 2024; location will be at 4th Street and Indian Street; no rain date is scheduled; (2) closure of GCA Day streets: 4th Street between Howard Avenue and Jay Street and Indian Street between 4th Street and 5th Street; barricades are requested. The City will require a Certificate of Insurance prior to the event. Council member Kowalski seconded the motion. Council members Kowalski, Schmid & Sack voted aye, nays none. Motion carried 3/0.

Council member Schmid moved to approve Robert "Bob" Radke's Property Improvement project in the amount of \$1,316.25 regarding the repair of the sidewalk located at 517 Howard Avenue. Council member Kowalski seconded the motion. Council members Kowalski and Schmid voted aye, Council member Sack voted nay. Motion carried 2/1.

Council member Kowalski moved to approve the Consent Agenda Items: (1) April 2024 Treasurer's Report; (2) May 6, 2024 (regular) and May 7, 2024 (special) Council minutes; (3) May 13, 2024 Zoning Minutes; (4) May 20, 2024 disbursements; (5) St. Paul Rescue Squad EMT Lawrence Stump; (6) transferring \$75,000 from the Sales Tax Money Market account and depositing it into the Sales Tax Checking account; and (7) City Clerk/Deputy Treasurer Connie Jo Beck, Deputy Clerk Laura Bertheisen, and City Treasurer Sally Einspahr attending the 2024 Municipal Accounting and Finance Conference on June 12-14, 2024 at the Cornhusker Marriott Hotel, Lincoln, NE. Council member Sack seconded the motion. Council members Kowalski, Schmid & Schmid voted aye, nays none. Motion carried 3/0.

**Disbursements May 20, 2024**

Amazon Capital Svcs (books)	499.48
American Fence Company (supplies)	1,783.20
AT&T Mobility (service)	390.36

Aurora Coop (fuel)	1,854.20
Black Hills Energy (natural gas)	1,004.74
Central Community College (education)	1,172.00
Charter/Spectrum (service)	184.96
City Lights (utilities)	8,049.54
City of St. Paul Transfer from City Heritage Bank to City Homestead Bank Checking (transfer)	300,000.00
Clearly (telephone)	194.47
Consumer Deposit: W Curran: Rental Deposit (rent deposit)	250.00
Core & Main (supplies)	99.48
Custer County Recycling (service)	22.00
Dept of Revenue: Sales Tax Submittal (Form 10) (tax)	12,097.42
Elsbury Construction (contract)	54,738.49
First Concord Benefits (insurance)	120.00
Five Points Bank/Hometown Leasing (contract)	8,560.00
HD Arms (uniforms)	508.00
Heartland Disposal (service)	6,013.74
Homestead Bank (fees)	22.20
Homestead Bank: Bad Check Fee	3.00
Homestead Bank: Vander Haags Wire Fee: 2003 Intl' Truck (wire Fee)	8.00
Hometown Market (supplies)	39.50
Howard Greeley RPPD (utilities)	112,539.81
Jarecke Motors (repair)	749.85
Jim's Champlin (fuel)	2,151.21
Klanecky, Jamie (meal)	19.32
Kramer's Wrecker Service (service)	391.10
LARM (insurance)	753.41
League of NE Municipalities (education)	1,295.00
Loup Central Landfill Assoc (dues)	2,303.00
Menards (supplies)	47.94
Mid-Nebraska Disposal (service)	4,727.48
Municipal Supply (supplies)	163.24
Olsson (service)	3,907.24
One Call Concepts (service)	27.04
Phonograph Herald (publish)	604.24
PSSI Pest Management (service)	185.00
Quick Med Claims (service)	949.57
Recreation Supply (supplies)	1,404.32
S E Smith & Sons (supplies)	85.12
Sargent Driller (service)	1,400.00
Servi-Tech (lab)	371.00
Smith Welding (service)	49.27
Tomlinson, Vince (service)	150.00
Triple T Disposal (service)	259.20
US Post Office (postage)	525.00
Vander Haag's Inc: 2003 International Truck by Wire (truck)	24,975.00
Vogel Auto Repair (service)	775.48
Wesco Distribution (supplies)	12,754.40
<b><u>Non-General Disbursements</u></b>	
City of St. Paul: American Rescue Plan Act (ARPA) Close Account (Additional Interest Added)	0.09
Sales Tax: Yutesler, Donald: Parking Lot Property Improvement (property improvement)	10,000.00
Redig: LARM crime coverage (insurance)	1,482.00
Light ICS Transfer to Light Checking: Excavator Lease (fund trfr)	8,000.00

Light ICS Transfer to Light Checking: Middle Loup Subdivision Improvements (Minute Approval April 1, 2024)	500,000.00
Keno: Waterpark Excitement Inc: Floatable Freight (freight)	2,860.62
TIF: St Paul Development Corp: Bed Head Coffee TIF (Tif Proceeds)	121.38
TIF: S Squared Enterprises: Prairie Falls TIF (TIF Proceeds)	17,207.27
TIF: City Share MAD Dev: Dalton Meadows TIF (TIF Proceeds)	12,300.11
TIF: MAD Dev Share: Dalton Meadows TIF (TIF Proceeds)	12,300.10
General ICS to General Checking: Elsbury Construction (funds transfer)	55,000.00
Keno ICS to Keno M. Mmkt: WaterPark Floatables (funds transfer)	30,000.00

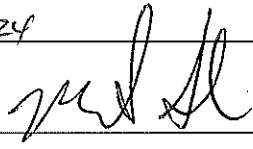
Council member Schmid moved to approve the one (1) bid received in the amount of \$222.00 annually for three (3) years from Marlon Thomsen regarding the City Recycling hay bid. Council member Sack seconded the motion. Council members Kowalski, Schmid & Sack voted aye, nays none. Motion carried 3/0. Bids were to be in the City Office by Thursday, May 16, 2024, at 4:00 p.m.; the successful bidder will have a three (3) year contract.

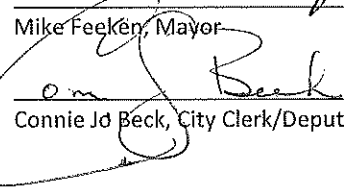
Utilities Superintendent Helzer updates: (1) St. Paul Swimming Pool was filled on Tuesday, May 13, 2024; the swimming pool will open Friday, May 24, 2024, weather permitting; and (2) the Elmwood Cemetery will be mowed for the Memorial Day weekend.

Chief of Police Howard updates: (1) approximately ten (10) grass nuisance letters have been delivered; and (2) nuisance property 304 8<sup>th</sup> Street needs to be mowed; a nuisance letter was mailed by the St. Paul Police Dept.

Mayor Mike Feeken updates: 1) Special meeting on Thursday, May 23, 2024, at 1:30 p.m. regarding the progress of the Middle Loup Subdivision to be held in the Council Chambers; (2) The St. Paul Police Dept. evidence door has been installed; (3) The St. Paul Police Dept. received a Narcan grant in the amount of \$570; and (4) attended the ACE meeting in Kearney, NE last week; the Choice Gas program is very competitive.

Mayor Feeken adjourned the City Council meeting at 7:38 p.m.

June 3, 2024  
 DATED \_\_\_\_\_  


Mike Feeken, Mayor  
 \_\_\_\_\_  
  
 Connie Jo Beck, City Clerk/Deputy Treasurer