
City of Broken Bow

Monday, June 25, 2012

City Council Regular Session

Minutes - June 11, 2012 Council Meeting

Staff Contact: City Clerk

June 11 2012
Broken Bow, Nebraska

A meeting of the Mayor and Council of the City of Broken Bow, Nebraska was convened in open and public session at 12:00 Noon on Monday, June 11, 2012 in the Municipal Building at Broken Bow, Nebraska. Present were: Mayor Cecil Burt; Council President Scott Spanel; Councilmember Cody Schmick and Bill Adams. Absent: Councilmember Chad Schall. Notice of the meeting was given in advance thereof as required by law. Advance notice of the meeting was also given to the Mayor and all members of the Council and a copy of their acknowledgment of receipt of such notice is attached to these minutes. Availability of the agenda was communicated in the advance notice to the Mayor and all members of the Council. All proceedings hereafter shown were taken while the meeting was open to the attendance of the public.

Mayor Cecil Burt stated that the Open Meeting Act was posted on the north wall of the Council Chambers.

Mayor Burt presented the Consent Agenda and stated that the items on the Consent Agenda were:

- Minutes – May 23, 2012 Council Meeting
- Claims – June 11, 2012 Council Meeting
- Request for SDL License by Huckleberry's BBQ LLC for Thursday, June 28, 2012 between the hours of 4:00 P.M. and 1:00 A.M. to cater a dinner in the Municipal Auditorium
- Approval of Pay Request No. 15 to Carrothers Construction in the amount of \$134,723 for work completed to date at the Aquatic Facility

It was moved by Councilmember Spanel and seconded by Councilmember Schmick that Consent Agenda Item for Approval of Pay Request No. 15 to Carrothers Construction in the amount of \$134,723 for work completed to date at the Aquatic Facility be removed from the Consent Agenda and be placed on the Agenda as a regular Agenda Item. The Mayor stated the motion. Upon roll call the vote was as follows: Ayes; Adams, Schmick and Spanel. Nays: None. Motion carried.

It was moved by Councilmember Spanel and seconded by Councilmember Schmick that the Consent Agenda be approved as amended. The Mayor stated the motion. Upon roll call the vote was as follows: Ayes: Schmick, Adams and Spanel. Nays: None. Motion carried.

Discussion was held regarding Pay Estimate No. 15 to Carrothers Construction. It was noted that the payment was for work completed through May 31, 2012 with a reduced retainage of \$10,000 to cover the miscellaneous punch list and warranty items that may be pending in June. After discussing the items that needed completion, it was moved by Councilmember Spanel and seconded by Councilmember Adams to deny Pay Estimate No. 15 to Carrothers Construction in the amount of \$134,723 until items on the punch list and warranty items have been completed. The Mayor stated the motion. Upon roll call the vote was as follows: Ayes: Adams, Schmick and Spanel. Nays: None. Motion carried.

Scott Kleeb, representing Energy Pioneer Solutions, appeared before the Mayor and Council to encourage the City to renew the current contract pointing out the many community benefits that are derived due to the reports that his company can generate for power negotiations if the City continues to bill for those citizens that are working with Energy Pioneer Solutions. Kleeb stated that should the City chose not to do the billing, then only those individual homeowners that are participating in EPS will benefit rather than the community as a whole. After discussing the matter, the Council informed Mr. Kleeb that they would like to see input from other Nebraska communities as to the savings their community has seen due to the number of variables before making a decision. Further discussion was had regarding the time frame necessary to provide legitimate information and the impending deadline for rollover. Scott Kleeb requested the opportunity to provide an amendment to the contract which would remove the rollover of the contract for an additional year if not noticed prior to July. Scott Kleeb suggested that he work with City staff to develop some language which he would provide for review. It was moved by Councilmember Spanel and seconded by Councilmember Adams to table this matter until the June 24, 2012 Council meeting which will allow Mr. Kleeb the opportunity to provide the requested information to the Mayor and Council. The Mayor stated the motion. Upon roll call the vote was as follows: Ayes: Spanel, Schmick and Adams. Nays: None. Motion carried.

City Administrator Tony Tolstedt presented two quotes that had been received for the replacement of the Air Conditioning Unit at the Municipal Building. The quotes were:

- Holcomb Mechanical - \$8,764.34
- Taylor Heating - \$9,737.27

It was noted that the unit that had been specified for bidding were until that had been recommended through Consumer Reports. After discussing the quotes, it was moved by Councilmember Adams and seconded by Councilmember Spanel that the quote from Holcomb Mechanical be approved as the lowest and best quote. The Mayor stated the motion. Upon roll call the vote was as follows: Ayes: Schmick, Adams and Spanel. Nays: None. Motion carried.

City Administrator Tony Tolstedt presented a request from the Cosmo Swim Team requesting permission to sell concessions at the Broken Bow Aquatic Facility during the upcoming swim meet. After discussing the request it was moved by Council member Spanel and seconded by Councilmember Schmick to approve the request of the Cosmo Swim Team to sell Concessions during the upcoming swim meet. The Mayor stated the motion. Upon roll call the vote was as follows: Ayes: Adams, Schmick and Spanel. Nays: None. Motion carried.

City Administrator Tony Tolstedt informed the Council that we are in receipt of the Broken Bow Municipal Codes for first review and he will work with the City Attorney Jason White in reviewing them for any additional corrections or changes.

City Administrator Tony Tolstedt informed the Council that the milling and overlay within the City Limits will be re-let by the State this fall with a completion in 2013. The project was previously scheduled for completion this year.

City Administrator informed the Council that he is still working on contacting Burlington Northern Santa Fe Railroad on needed paperwork to complete the Wayside Horn Project.

With the new markings on Highway 2 on the west side of Broken Bow, it was requested that the City look into the possibility of having a bicycle lane installed at that area. City Administrator Tolstedt stated that he was not aware of any plans to build or provide for such a path but would pass along the request to the NDOR.

At 1:05 P.M. it was moved by Councilmember Spanel and seconded by Councilmember Adams that the Council meeting of the City of Broken Bow be adjourned.

Ayes: Spanel, Schmick and Adams.

Nays: None.

Motion carried.

Mayor, Cecil Burt

ATTEST:

City Clerk, Elaine L. Bayer