

RESOLUTION 2020- 11

WHEREAS: Governor Ricketts issued Executive Order number 20 – 03, on March 17, 2020, providing that public meetings may be held by videoconference or other electronic means for the period commencing March 17, 2020 through May 31, 2020; and

WHEREAS: Governor Ricketts issued Executive Order number 20 – 24 extending the period of time that Executive Order number 20 – 03 was effective until June 30, 2020; and

WHEREAS: Executive Orders numbers 20 – 03 and 20 – 24 issued by Governor Ricketts are attached hereto and incorporated herein by this reference; and

WHEREAS: the city of Gothenburg, Nebraska, conducted City Council meetings in compliance with Executive Orders number 20 – 03 and 20 – 24 by videoconference on April 7, 2020, April 21, 2020, May 5, 2020 and May 19, 2020, the minutes for said meetings being attached hereto and incorporated herein by this reference;

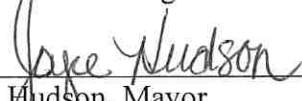
NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GOTHENBURG NEBRASKA AS FOLLOWS:

Section 1. The City Council of the city of Gothenburg, Nebraska, hereby ratifies and affirms all action taken by the Mayor and the City Council identified in the attached minutes of the meetings of the Gothenburg City Council.


Section 2. This resolution shall be effective immediately upon its passage and approval.

Dated July 7, 2020

City of Gothenburg


Joyce Hudson, Mayor

ATTEST:


City Clerk

Approved as to form:


Michael L. Bacon, City Attorney



STATE *of* NEBRASKA
OFFICE OF THE GOVERNOR
LINCOLN

EXECUTIVE ORDER NO. 20—03
CORONA VIRUS – PUBLIC MEETINGS REQUIREMENT LIMITED WAIVER

WHEREAS, In order to provide flexibility to assist in meeting the emergency conditions and subsequent impacts brought on from COVID-19, a state of emergency was declared in Nebraska on March 13, 2020; and

WHEREAS, the State of Nebraska is committed to providing seamless government operations to the people of Nebraska throughout the state of emergency; and

WHEREAS, state and local governmental boards, commissions and other public bodies must comply with the Open Meetings Act so that citizens may exercise their democratic privilege of participating in meeting of public bodies; and

WHEREAS, for public health purposes, meetings and gatherings have now been limited to no more than 50 people and may be further limited if the presence of COVID-19 warrants;

NOW THEREFORE, I, Pete Ricketts, Governor of the State of Nebraska, by virtue of the authority vested in me by the Constitution and laws of Nebraska, hereby issue this limited waiver of certain requirements of the Nebraska Open Meetings Act.

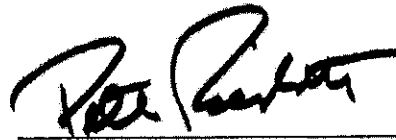
Pursuant to this declaration, I hereby order the following:

1. This executive order applies to all governing bodies as defined in Neb. Rev. Stat. §84-1409 (1) and to all public meetings as defined in Neb. Rev. Stat. § 84-1409 (2).
2. All governing bodies may meet by videoconference or by telephone conferencing or by conferencing by other electronic communication so long as there is made available at such meeting access to members of the public and to members of the media.

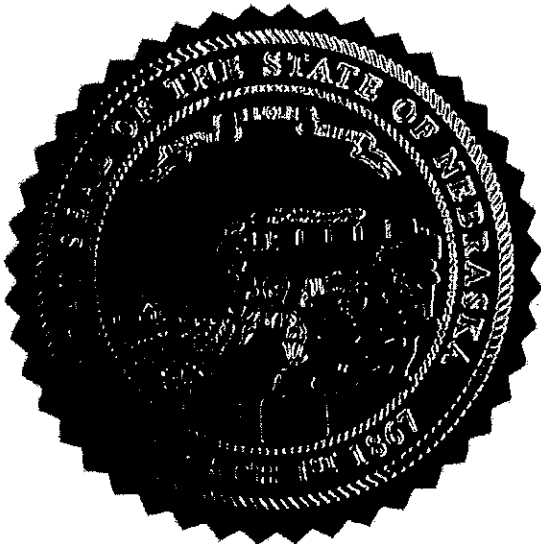
3. The advanced publicized notice and the agenda requirements for meetings that are set forth in Neb. Rev. Stat. §84-1411 and the remaining provisions of Nebraska's Open Meeting Act shall continue to be complied with by all governing bodies and are not waived by this executive order.
4. This waiver shall apply to all public governing body meetings that occur from today through May 31, 2020.

IN WITNESS THEREOF, I have hereunto set my hand and caused the Great Seal of the State of Nebraska to be affixed on this 17th day of March, 2020.

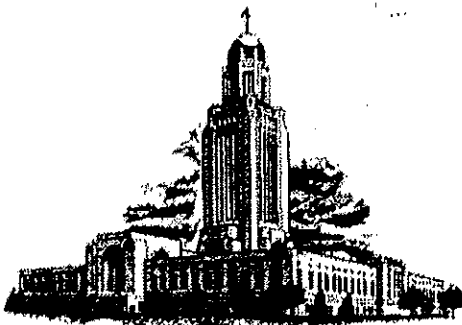
ATTEST:



Pete Ricketts, Governor



Robert B. Evnen, Secretary of State



STATE *of* NEBRASKA

OFFICE OF THE GOVERNOR

LINCOLN

**EXECUTIVE ORDER NO. 20-24
CORONAVIRUS – CONTINUED LIMITED WAIVER OF
PUBLIC MEETINGS REQUIREMENTS**

WHEREAS, in order to provide flexibility to assist in meeting the emergency conditions and subsequent impacts brought on from COVID-19, a state of emergency was declared in Nebraska on March 13, 2020; and

WHEREAS, the State of Nebraska is committed to providing seamless government operations that are open to the people of Nebraska throughout the state of emergency.

NOW THEREFORE, I, Pete Ricketts, Governor of the State of Nebraska, by virtue of the authority vested in me by the Constitution and laws of Nebraska, hereby issue this continued limited waiver of certain requirements of the Nebraska Open Meetings Act.

Pursuant to this declaration, I hereby order the following:

1. Executive Order No. 20-03, which is currently scheduled to end on May 31, 2020, shall remain in effect through June 30, 2020; and
2. The identical statutory waivers and conditions contained within Executive Order No. 20-03 shall continue through June 30, 2020.

IN WITNESS THEREOF, I have hereunto set my hand and caused the Great Seal of the State of Nebraska to be affixed on this 19th day of May, 2020.



Pete Ricketts, Governor
State of Nebraska

Attest:

Robert B. Eynen,
Secretary of State
State of Nebraska

Regular City Council Meeting
City Council Chambers

April 7, 2020
5:30 p.m.

Present:

Mayor	Joyce Hudson
Council Members	Randy Waskowiak Verlin Janssen Jay Richeson Jeff Kennedy
City Administrator	Gary Greer
City Clerk	Brandi Kloopping
City Attorney	Mike Bacon
Assistant City Attorney	Colten Venteicher

Press: *Gothenburg Leader* – Ellen Mortensen
Gothenburg Times – Eric Vicarro

Also present: Bruce Clymer

Mayor Hudson opened the meeting and public hearing at 5:30 p.m. Advance notice and a copy of the agenda were given to the Council and members of the press. City Council meetings are conducted in accordance with the Open Meetings Act, a copy of which is available for public inspection on the north wall of the Council Chambers.

The meeting was held via zoom.

Workforce Housing Incentive Plan is not an actual project, but allows the City to use TIF for housing in the future, if we meet requirements in the statute.

Waskowiak moved, Kennedy seconded, to close the public hearing at 5:45 p.m. Roll call vote: Yea – Janssen, Richeson, Kennedy, Waskowiak. No – None.

Kennedy moved, Janssen seconded, approving Resolution 2020-3 Workforce Housing Incentive Plan. Roll call vote: Yea – Richeson, Waskowiak, Janssen, Kennedy. No – None.

Janssen moved, Richeson seconded, approving the consent agenda that included:

Council Minutes – March 17, 18, & 27

Roll call vote: Yea – Kennedy, Waskowiak, Richeson, Janssen. No - none.

Waskowiak moved, Richeson seconded, allowing payment of claims against the City, \$53,839.48; Public Works Division \$131,744.69, except check # 40720011; the March 25 payroll of \$35,249.44. Roll call vote: Yea - Kennedy, Janssen, Richeson, Waskowiak. No - none.

Waskowiak moved, Richeson seconded, allowing payment of check # 40720011. Roll call vote: Yea – Janssen, Richeson, Waskowiak. Abstain – Kennedy. No – None.

Community Comments:

- Administrator Clymer introduced the new administrator Gary Greer. Administrator Greer stated it's a great time to start with lots of challenges. The city is at half staff with most employees and the police are at full staff.
- Councilman Waskowiak had someone contact him about providing paint and painting the tennis courts by the swimming pool.

Janssen moved, Kennedy seconded, to approve Drawdown #23 for OOR 16-HO-33067 for \$5,962.50 and payment to Miller & Associates. Roll call vote: Yea – Richeson, Waskowiak, Kennedy, Janssen. No – None.

Greer and Clymer are working with First National Bank and would like to take the Ordinance regarding interim financing for Ave I street improvement project off the agenda at this time.

Richeson moved, Kennedy seconded, to approve Pay Request #5 for the Hospital Substation. It is in use. Roll call vote: Yea – Janssen, Waskowiak, Kennedy, Richeson. No – None.

Kennedy moved, Janssen seconded, to approve Gothenburg Fire Department's request for fireworks show on July 4th at Lake Helen. Roll call vote: Yea – Richeson, Waskowiak, Janssen, Kennedy. No – None.

Janssen moved, Richeson seconded, to approve payment of \$6,465.91 to GOTH06 & Eickmeier Construction. Roll call vote: Yea – Waskowiak, Kennedy, Richeson, Janssen. No – None.

Kennedy moved, Waskowiak seconded, to approve payment of \$646.59 & \$1,000.00 to CDS Inspections for OOR 16-HO-33067. Roll call vote: Yea – Janssen, Richeson, Waskowiak, Kennedy. No – None.

Kennedy moved, Janssen seconded, to adjourn the meeting at 5:56 p.m. Roll call vote: Yea – Richeson, Kennedy, Janssen, Waskowiak. No - none.

Joyce Hudson, Mayor

Brandi Kloepping, City Clerk

Regular City Council Meeting
City Council Chambers

April 21, 2020
5:30 p.m.

Present:

Mayor	Joyce Hudson
Council Members	Randy Waskowiak
	Verlin Janssen
	Jay Richeson
	Jeff Kennedy
City Administrator	Gary Greer
City Clerk	Brandi Kloopping
Assistant City Attorney	Colten Venteicher

Press: *Gothenburg Leader* – Ellen Mortensen
Gothenburg Times – Eric Vicarro

Also present: Loren Block, Christopher Stoddard, Officer Kyle Carlson, Crystal McGee.

Mayor Hudson opened the meeting and public hearing at 5:30 p.m. Advance notice and a copy of the agenda were given to the Council and members of the press. City Council meetings are conducted in accordance with the Open Meetings Act, a copy of which is available for public inspection on the north wall of the Council Chambers.

The meeting was held via zoom.

Andy Hilbers wants to build a house on the last lot in the Hilltop Estates Subdivision. We had a good turn around on his last house and need to approve a redevelopment plan.

Waskowiak moved, Kennedy seconded, to close the public hearing at 5:32 p.m. Roll call vote: Yea – Richeson, Janssen, Kennedy, Waskowiak. No – None.

Kennedy moved, Richeson seconded, to approve Resolution 2020-5 to approve the redevelopment plan for CRA Lot 4 project. Roll call vote: Yea – Janssen, Waskowiak, Richeson, Kennedy. No – None.

Loren Block stated that he wants to extend a nonconforming structure by adding on to the eastside of his house with living and garage space. The alley closure was the first step in making this work. He plans to remove the front porch and stoop. He wants to add to the garage to keep the vehicles inside so they don't cross a proposed sidewalk even though there is not a sidewalk there now.

Waskowiak moved, Richeson seconded, to close the public hearing at 5:38 p.m. Roll call vote: Yea – Kennedy, Janssen, Richeson, Waskowiak. No – None.

Janssen moved, Richeson seconded, to approve SUP #154 house addition. Roll call vote: Yea – Janssen, Waskowiak, Richeson. No – Kennedy.

Christopher Stoddard would like to put up a building. Planning and zoning recommended it to the Council. Stoddard has a purchase agreement set up to buy the property if he is able to build his garage. He plans to do a 30 x 50 and there has been no opposition from neighbors in the area.

Kennedy moved, Janssen seconded, to close the public hearing at 5:44 p.m. Roll call vote: Yea – Richeson, Waskowiak, Janssen, Kennedy. No – None.

Kennedy moved, Janssen seconded, to approve the SUP #155 for personal garage. Roll call vote: Yea – Waskowiak, Richeson, Janssen, Kennedy. No – None.

Jim Aden would like to change the use of his building to an ag chemical warehouse. The planning and zoning recommended it to Council.

Janssen moved, Kennedy seconded, to close the public hearing at 5:45 p.m. Roll call vote: Yea – Richeson, Waskowiak, Kennedy, Janssen. No – None.

Janssen moved, Richeson seconded, to approve the SUP #156 for change in use of a building. Roll call vote: Yea – Waskowiak, Kennedy, Richeson, Janssen. No – None.

Janssen moved, Kennedy seconded, approving the consent agenda that included:

- Council Minutes – April 7
- Planning & Zoning minutes – March 10
- Building Permit Report – March
- Police Report – March
- Treasurer's Report - February

Roll call vote: Yea – Waskowiak, Richeson, Kennedy, Janssen. No - none.

Richeson moved, Waskowiak seconded, allowing payment of claims against the City, \$50,980.21; Public Works Division \$375,356.21; the April 8 payroll of \$32,913.65. Roll call vote: Yea - Kennedy, Janssen, Waskowiak, Richeson. No - none.

Community Comments:

- Administrator Greer stated the city has a split schedule with staff and everything is moving slowly.
- The Arbor Day Foundation grant is going good and the end of the trees will go out on Wednesday and Saturday.

Officer Kyle Carlson stated he was dispatched to 20th and Avenue I on March 24th at 3:30 p.m. and the dog was sitting in the front yard of Crystal McGee. The dog was originally in the yard north of 20th Street and ran toward and barked at the person walking. The dog was aggressive at the vet and made its mouth bleed from biting at the pole. Officer Carlson stated there had been multiple calls on the dog with at least 5 citations since 2018. There were multiple calls that the dog could not be located or was already back in its yard. It is a Pitbull and there had been at least 14 calls from 2015-19. Part of the wording for a dangerous dog is one that chases or approaches a person upon the streets, sidewalks or any public grounds in a menacing fashion or apparent attitude of

attack. Crystal McGee stated that some of the calls were on her other dog and that she has this one as a licensed mental health dog.

Janssen moved, Kennedy seconded, to deem the dog potentially dangerous. Roll call vote: Yea – Waskowiak, Richeson, Kennedy, Janssen. No – None.

Waskowiak moved, Kennedy seconded, to approve Resolution 2020-4 to appoint Gary Greer to LASWA. Roll call vote: Richeson, Janssen, Kennedy, Waskowiak. No – None.

The Sun Theater wants to have movie night at Curbtender during the COVID-19 Pandemic and also while they renovate. The licensing company would like the City Council to give approval that they know and the theater will follow current guidelines for the virus. The movies will be watched from their own vehicles on the side of the building.

Janssen moved, Richeson seconded, to allow the Sun Theater to show movies on the building at Curbtender as long as they follow the current guidelines. Roll call vote: Yea – Waskowiak, Kennedy, Richeson, Janssen. No – None.

Richeson moved, Kennedy seconded, to approve payment of \$1,451.20 to GOTH01 & Dan Wenger. Roll call vote: Yea – Janssen, Waskowiak, Kennedy, Richeson. No – None.

Janssen moved, Kennedy seconded, to approve payment of \$100.00 to GOTH01. Roll call vote: Yea – Waskowiak, Richeson, Kennedy, Janssen. No – None.

Waskowiak moved, Richeson seconded, to approve payment of \$1,440.00 to GOTH13 & Eickmeier Construction. Roll call vote: Yea – Janssen, Kennedy, Richeson, Waskowiak. No – None.

Janssen moved, Waskowiak seconded, to approve payment of \$3,510.00 to GOTH04 & Eickmeier Construction. Roll call vote: Yea – Kennedy, Richeson, Waskowiak, Janssen. No – None.

Richeson moved, Kennedy seconded, to approve payment of \$474.62 to CDS Inspections for OOR 16-HO-33067. Roll call vote: Yea – Janssen, Waskowiak, Kennedy, Richeson. No – None.

Kennedy moved, Janssen seconded, to approve Drawdown #24 for \$5,299.66 for OOR 16-HO-33067. Roll call vote: Yea – Richeson, Waskowiak, Janssen, Kennedy. No – None.

Waskowiak moved, Kennedy seconded, to adjourn the meeting at 6:04 p.m. Roll call vote: Yea – Janssen, Richeson, Kennedy, Waskowiak. No - none.

Joyce Hudson, Mayor

Brandi Kloeping, City Clerk

Regular City Council Meeting
City Council Chambers

May 5, 2020
5:30 p.m.

Present:

Mayor	Joyce Hudson
Council Members	Randy Waskowiak
	Verlin Janssen
	Jay Richeson
	Jeff Kennedy
City Administrator	Gary Greer
City Clerk	Brandi Klopping
City Attorney	Mike Bacon

Press: *Gothenburg Leader* – Ellen Mortensen
Gothenburg Times – Cheyenne McVay

Also present: Mick Brant, Roxanne Whiting, Becky Jobman, Tina Therrien, Ashley Weesner with Miller and Associates, Jacque Haupt with Miller and Associates, Bruce Clymer.

Mayor Hudson opened the meeting at 5:30 p.m. Advance notice and a copy of the agenda were given to the Council and members of the press. City Council meetings are conducted in accordance with the Open Meetings Act, a copy of which is available for public inspection on the north wall of the Council Chambers.

The meeting was held via zoom.

Janssen moved, Kennedy seconded, approving the consent agenda that included:

Council Minutes – April 21

Application for Payment #1 – Van Kirk Bros - \$152,327.62 – Westside Water & Sewer Project

Approve payment of #3,300.00 to GOTH13 & Eickmeier Construction

Approve payment of #1,340.00 to GOTH17 & Eickmeier Construction

Approve payment of \$464.00 to CDS Inspections for OOR 16-HO-33067

Approve Drawdown #25 for OOR 16-HO-33067 - \$5,104.00

Police Report – April

Roll call vote: Yea – Richeson, Waskowiak, Kennedy, Janssen. No - none.

Waskowiak moved, Janssen seconded, allowing payment of claims against the City, \$163,572.37, except #50520027; Public Works Division \$250,699.31; the April 22 payroll of \$36,861.24. Roll call vote: Yea - Kennedy, Richeson, Janssen, Waskowiak. No - none.

Waskowiak moved, Janssen seconded, to allow payment of #50520027. Roll call vote: Yea – Richeson, Janssen, Waskowiak. Abstain – Kennedy. No – None.

Community Comments:

- Richeson commented that people are mowing and throwing grass into the street. He would like to know if that bothers the storm sewer. Administrator Greer stated that it does and if he receives a name, he will handle it.

Janssen moved, Kennedy seconded, to approve Phase 4 Scope of Work to reduce the flood plain. Roll call vote: Yea – Richeson, Waskowiak, Kennedy, Janssen. No – None.

Becky Jobman stated that the hospital would like to apply for the REDLG loan just like they have in the past for the full funding of \$300,000 and a match of \$60,000 from the City, and the rest will be funded by the hospital totaling \$435,538. Tina Therrien stated it will be for safe medication system technology that would allow them to upgrade to Windows 10.

Kennedy moved, Janssen seconded, to approve Resolution 2020-6 regarding REDLG fund application by Gothenburg Health to the USDA. Roll call vote: Yea – Waskowiak, Richeson, Janssen, Kennedy. No – None.

Roxanne Whiting with the Sun Theater appreciates the City and said they would like to accept the bid from Paulsen's. Paulsen's is in compliance with the CDBG and can be chosen as long as the City Attorney is in concurrence with this decision.

Attorney Bacon stated that he has no objections with the more timely, comparison of projects from Paulsen's as long as the City finds them in the lower bids.

Janssen moved, Kennedy seconded, to approve recommendation from the Sun Theatre Board for Paulsen's Inc to be the contractor for 18-TD-003. Roll call vote: Yea – Waskowiak, Richeson, Kennedy, Janssen. No – None.

Waskowiak moved, Janssen seconded, to adjourn the meeting at 5:54 p.m. Roll call vote: Yea – Waskowiak, Kennedy, Richeson, Janssen. No - none.

Joyce Hudson, Mayor

Brandi Kloepping, City Clerk

Regular City Council Meeting
City Council Chambers

May 19, 2020
5:30 p.m.

Present:

Mayor Joyce Hudson
Council Members Randy Waskowiak
Verlin Janssen
Jay Richeson
Jeff Kennedy
City Administrator Gary Greer
City Clerk Brandi Kloepping

Not Present:

City Attorney Mike Bacon

Press: *Gothenburg Leader* – Ellen Mortensen
Gothenburg Times – Cheyenne McVay

Also present: Mason Herrman with Miller and Associates, Bob Meyer, Dan Yancy, Tim Carson, Will Rahjes, Deb Egenberger, Bruce Clymer.

Mayor Hudson opened the meeting and public hearing at 5:30 p.m. Advance notice and a copy of the agenda were given to the Council and members of the press. City Council meetings are conducted in accordance with the Open Meetings Act, a copy of which is available for public inspection on the north wall of the Council Chambers.

The meeting was held via zoom.

Mason Herrman with Miller and Associates discussed the public hearing for the proposed project involving constructing a total of 66 Americans with Disabilities Act (ADA) ramps throughout the City, specifically at intersections on Avenue D, Lake Avenue, and Avenue F.

Waskowiak moved, Kennedy seconded, to close the public hearing at 5:33 p.m. Roll call vote: Yea – Richeson, Janssen, Kennedy, Waskowiak. No – None

Janssen moved, Kennedy seconded, approving the consent agenda that included:

Council Minutes – May 5

Treasurer's Report – March & April

Approve payment of \$6,600.00 to GOTH04 & Eickmeier Construction

Approve payment of \$355.50 and \$500.00 to CDS Inspections for OOR 16-HO-33067

Approve Drawdown #26 for OOR 16-HO-33067 - \$7,455.50

Roll call vote: Yea – Richeson, Waskowiak, Kennedy, Janssen. No - none.

Waskowiak moved, Kennedy seconded, allowing payment of claims against the City, \$102,450.23, except # 51920039; Public Works Division \$327,298.32, except #51920011; the May 6 payroll of \$36,005.13. Roll call vote: Yea - Richeson, Janssen, Kennedy, Waskowiak. No - none.

Waskowiak moved, Janssen seconded, to allow payment of #51920011 and 51920039. Roll call vote: Yea – Richeson, Janssen, Waskowiak. Abstain – Kennedy. No – None.

Community Comments:

- The City is back to full staff working and following the directed health measures that are in place and Administrator Greer is monitoring the situation.
- Many lawns in town are getting out of hand.
- Administrator Greer hopes to get the meetings back in house in June, but it will depend if we are still only allowed 10 people.

Deb Egenberger asked if the dog litter bags and sign could be moved to a separate post rather than on the sign at Ehmen Park. They would like to put the new sign together and have visitors be able to take selfies. They would also like to put up some solar lights so the sign can be seen after dark. The sign should be finished by the weekend.

Kennedy moved, Janssen seconded, to approve the update to the covered sign at Ehmen Park. Roll call vote: Yea – Richeson, Waskowiak, Janssen, Kennedy. No – None.

Bob Meyer discussed the 2018-2019 audit and their findings.

Waskowiak moved, Janssen seconded, to approve the 2018-2019 audit as noted. Roll call vote: Yea – Kennedy, Richeson, Janssen, Waskowiak. No – None.

Dan Yancy discussed the employee healthcare plan renewal. The cost of the plan has gone up.

Richeson moved, Kennedy seconded, to approve the employee healthcare plan renewal. Roll call vote: Yea – Janssen, Waskowiak, Kennedy, Richeson. No – None.

Resolution 2020-7 is to change appointment from Bruce Clymer to Gary Greer for NMPP and ACE.

Janssen moved, Kennedy seconded, to approve Resolution 2020-7 appointing Gary Greer to NMPP Member's Council and ACE Board of Directors. Roll call vote: Yea – Waskowiak, Richeson, Kennedy, Janssen. No – None.

Waskowiak moved, Janssen seconded, to adjourn the meeting at 6:15 p.m. Roll call vote: Yea – Kennedy, Richeson, Janssen, Waskowiak. No - none.

Joyce Hudson, Mayor

Brandi Kloopping, City Clerk