

A meeting of the Mayor and City Council of Cozad, Dawson County, Nebraska was convened in open and public session at 7:00 p.m. on Monday, August 16, 2021 in the Council Chambers of the City Office Building at 215 West 8<sup>th</sup> Street. A copy of the Open Meetings Act is posted in the Council Chambers.

Present for the meeting were: Mayor Kloeping, City Attorney Trusdale, Councilmembers: Montgomery, Leahy, Olds, Clerk Kloeping, Police Chief Montgomery, Commissioner Weinmaster, Commissioner Franzen, Commissioner Fales, Library Director Yocom.

Absent: City Administrator Schwanz, Councilmember Kloppenborg.

Notice of the meeting was given in advance by publishing in the Tri City Trib. Advance notice and a copy of the agenda was given to members of the City Council. All proceedings hereafter shown were taken while the meeting was opened to the attendance of the public.

Mayor Kloeping opened the meeting at 7:00 p.m.

Olds moved, Montgomery seconded, to open the public hearing at 7:01 pm to approve the Nebraska Liquor Control Commission on the application for Newsbuddy LLC dba The Band Factory for a Class I liquor license to be operated at 207 E 9th Street. Roll call vote: Yea – Leahy, Montgomery, Olds. No – None. Absent and not voting – Kloppenborg.

Montgomery moved, Leahy seconded, to close the public hearing at 7:02 pm. Roll call vote: Yea – Olds, Leahy, Montgomery. No – None. Absent and not voting – Kloppenborg.

Olds moved, Montgomery seconded, to approve Resolution 2021-12 approving the application for Newsbuddy LLC dba The Band Factory for a Class I liquor license to be operated at 207 E 9th Street. Roll call vote: Yea – Leahy, Montgomery, Olds. No – None. Absent and not voting – Kloppenborg.

RESOLUTION NO. 2021-12  
OF THE  
CITY OF COZAD, NEBRASKA

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF COZAD, NEBRASKA, that:

Sec. 1. The City of Cozad has received a Class I liquor license application from Newsbuddy LLC dba The Band Factory.

Sec.2. Notice of a Public Hearing on said application set for August 16, 2021 at 7:00 p.m. was published as required by law.

Sec. 3. The Cozad City Council held a public hearing concerning the application of Newsbuddy LLC dba The Band Factory Class I liquor license.

Sec. 4. Upon hearing it is found and determined that the liquor license of Newsbuddy LLC dba The Band Factory is hereby approved.

Sec. 5. The City Clerk is authorized to submit necessary documents to the Nebraska Liquor Commission evidencing the outcome of the public hearing of said application.

PASSED AND APPROVED this 16th day of August, 2021.

ATTEST:

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Marcus Kloeping, Mayor

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Brandi Kloeping, City Clerk/Treasurer

Leahy moved, Montgomery seconded, to approve the consent agenda that included:

City Council Minutes – August 2, Ad hoc August 5

Approve payment of \$7,340.00 to COZ-HR-12 and Eickmeier Construction for CDBG 18-HO-33060

Approve payment of \$4,540.00 to COZ-HR-08 and Eickmeier Construction for CDBG 18-HO-33060

Approve payment of \$46.97 to COZ-HR-11 & \$3,250.49 to COZ-HR-11 and Fagot Refrigeration and Electric for CDBG 18-HO-33060

Approve payment of \$1,368.00 to CDS Inspections for CDBG 18-HO-33060

Approve Drawdown #20 for CDBG 18-HO-33060 - \$15,207.63

Roll call vote: Yea –Olds, Kloppenborg, Leahy, Montgomery. No – None.

Leahy moved, Olds seconded, to approve the claims: AFLAC –ex- 56.88, AMERICAN FUNDS -ex- 650.00, AMERITAS LIFE INSURANCE CORP -ex- 134.00, BLACK HILLS ENERGY -ex- 429.73, Blue to Gold, LLC -su-

1904.00, CARDMEMBER SERVICES -su 1393.31, COMMERCIAL LIGHTING -su- 297.23, COUNTRY PARTNERS COOPERATIVE -ex- 3763.88, COZAD DEVELOPMENT CORPORATION – ex-250.00, COZAD SERVICES-su – 85.85, COZAD VETERINARY CLINIC -ex- 205.25, CULLIGAN – ex-53.02, CENGAGE LEARNING INC/GALE -su- 52.78, Cozad Auto Supply -su- 150.67, DANKO –ex- 31878.95, DAWSON PUBLIC POWER DISTRIC -ex- 542.21, DETERDING'S CLASSIC SPA & TUB INC -su-53.99, EAKES OFFICE SOLUTIONS -su- 390.89, EFTPS -ex- 15144.21, INGRAM LIBRARY SERVICES INC -su- 1935.83, KATHLEEN A LAUGHLIN CHPT 13 TRUSTEE -ex- 127.00, Kohler Trailer Sales-ex - 2695.00, Rex Kotschwar -ex- 105.00, LEXINGTON AREA SOLIDWASTE AGEN -ex- 8106.70, LINCOLN FINANCIAL GROUP -ex- 8533.68, MEAD LUMBER CO INC -su- 121.55, MICHAEL TODD & CO INC -su- 302.80, MICROFILM IMAGING SYSTEMS -su- 70.00, MONTGOMERY MARK -su- 67.00, MicroMarketing LLC -su- 119.79, NEBRASKA DEPT REVENUE -ex- 2330.94, OLSSON ASSOCIATES -ex- 2710.00, Oliver Consulting Services, Inc. -su- 22.50, PAULSEN INC -ex & su- 2034.56, REAMS SPRINKLER SUPPLY CO., INC -su- 1153.16, SERVICE MASTER OF MID NE -ex- 880.00, SUN VALLEY LANDSCAPING LLC -ex- 1111.57, T A S C -ex- 1463.02, THE FEED STORE INC -ex– 6439.50, TRACTOR SUPPLY CREDIT PLAN –su- 59.96, TRI CITY TRIBUNE –su- 517.50, VAN DIEST SUPPLY COMPANY -su- 757.50, WEX BANK -ex- 2449.69, Melissa Wiederholt -ex- 480.00, LAURIE YOCOM -su- 38.28, Total - 102040.94. Roll call vote: Yea – Olds, Montgomery, Leahy. No – None. Absent and not voting – Kloppenborg.

Olds moved, Leahy seconded, to approve Ordinance 1499 regarding amending Ordinance 1465 municipal electrical system rates. Roll call vote: Yea – Montgomery, Leahy, Olds. No – None. Absent and not voting –Kloppenborg.

Ordinance No. 1499

AN ORDINANCE OF THE CITY OF COZAD, DAWSON COUNTY, NEBRASKA, AMENDING SECTION3-1009 OF THE COZAD MUNICIPAL CODE REGARDING MUNICIPAL ELECTRICAL SYSTEM RATES TO PROVIDE FOR NEW RATES, REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE:

Leahy moved, Montgomery seconded, to approve the Municipal Annual Certification of Program Compliance form and Resolution 2021-13. Roll call vote: Yea – Montgomery, Kloppenborg, Leahy, Olds. No – None.

Resolution No. 2021-13

Signing of the

Municipal Annual Certification of Program Compliance

2021

**Whereas:** State of Nebraska Statutes, sections 39-2115, 39-2119, 39-2120, 39-2121, and 39-2520(2), requires an annual certification of program compliance to the Nebraska Board of Public Roads Classifications and Standards; and

**Whereas:** State of Nebraska Statute, section 39-2120 also requires that the annual certification of program compliance by each municipality shall be signed by the Mayor or Village Board Chairperson and shall include the resolution of the governing body of the municipality authorizing the signing of the certification.

**Be it resolved** that the Mayor  Village Board Chairperson  of City of Cozad is hereby authorized to sign the Municipal Annual Certification of Program Compliance.

Adopted this 16th day of August, 2021 at Cozad, Nebraska.

Attest:

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Marcus Kloeping, Mayor

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Brandi Kloeping, City Clerk/Treasurer

Olds moved, Leahy seconded, to allow the Community Football Club to use Muny Park fields south of the swimming pool for football practice and games. Roll call vote: Yea – Montgomery, Leahy, Olds. No – None. Absent and not voting – Kloppenborg.

Leahy moved, Olds seconded, to approve Jazmine Huertas to have 2 performances of a play in the park at Candy Cane or Frenchy’s park on October 15th. Roll call vote: Yea – Montgomery, Olds, Leahy. No – None. Absent and not voting – Kloppenborg.

Leahy moved, Olds seconded, to table the discussion of painting a mural on the 100th Meridian Museum at the next Council meeting on September 7th. Roll call vote: Yea – Montgomery, Olds, Leahy. No – None. Absent and not voting – Kloppenborg.

Montgomery moved, Olds seconded, to approve The Crossing Fellowship Family Fun Day in Candy Cane Park on June 26, 2022. Roll call vote: Yea – Leahy, Olds, Montgomery. No – None. Absent and not voting – Kloppenborg.

Montgomery moved, Leahy seconded, to approve Resolution 2021-14 to Rescind. Roll call vote: Yea – Olds, Leahy, Montgomery. No – None. Absent and not voting – Kloppenborg.

RESOLUTION NO. 2021-14

The City Council of the City of Cozad (hereinafter the City) is engaged in a Nuisance Abatement Process; and

WHEREAS, the City has appointed West Central Nebraska Development District, Inc. (WCNDD) as Nuisance Officer; and

WHEREAS, WCNDD has identified and confirmed that in its opinion a nuisance exists as defined by Federal, State, and City law; and the City Council, at a regular meeting, identified nuisance properties, supported by evidence; and

WHEREAS, WCNDD now has evidence that the nuisance violations declared in Ordinance No. 1485, is abated and the properties cleared of nuisances.

NOW THEREFORE, BE IT RESOLVED, that the City of Cozad rescinds Resolution No. 2021-8 specific to the following properties:

- 2021 COZ 12MP – 212 Sunshine Road
- 2021 COZ 13MP - 302 Sunshine Road
- 2021 COZ 20MP – 201 Sunshine Road
- 2021 COZ 34MP – 203 Sunrise Road
- 2021 COZ 37MP – 706 Locust Street
- 2021 COZ 38MP – 710 Locust Street
- 2021 COZ 57 MP – 1307 Heritage Lane
- 2021 COZ 016 – 1514 H Street
- 2021 COZ 028 – 1417 H Street
- 2021 COZ 041 – 1217 H Street
- 2021 COZ 064 – 1302 K Street

And Resolution No. 2020-22 specific to the following property:

- 2021 COZ 079 – 1509 J Street

PASSED THIS 16TH DAY OF AUGUST 2021.

ATTEST:

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Mayor Marcus Kloeping

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City Clerk Brandi Kloeping

Montgomery moved, Olds seconded to approve the Motion to Abate on the following:

- 2021 COZ 396MP – 714 Locust Street
- 2021 COZ 021 – 1510 J Street
- 2021 COZ 056 – 308 West 10th Street
- 2021 COZ 073 – 1223 J Street

Roll call vote: Yea – Leahy, Olds, Montgomery. No – None. Absent and not voting – Kloppenborg.

Leahy moved, Montgomery seconded, to approve Resolution No. 2021-15 the Airport Authority tax asking request for \$125,000. Roll call vote: Yea – Olds, Montgomery, Leahy. No – None. Absent and not voting – Kloppenborg.

RESOLUTION NO. 2021-15  
OF THE  
CITY OF COZAD, NEBRASKA

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF COZAD, NEBRASKA:

WHEREAS, Nebraska State Statute 77-3443 requires the City Council of Cozad to determine the levy allocation for all political subdivisions;

WHEREAS, the City Council of Cozad is the levy authority of the Cozad Airport Authority and is in receipt of the preliminary request for levy allocation by said Authority;

NOW, THEREFORE BE IT RESOLVED that the City Council will approve a levy allocation (tax request) in the amount of \$125,000 for fiscal year 2021-2022 for the Cozad Airport Authority.

PASSED AND APPROVED this 16th day of August, 2021.

ATTEST:

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Marcus Klopping, Mayor

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Brandi Klopping, City Clerk/Treasurer

Montgomery moved, Leahy seconded, to approve a 3% cost of living adjustment. Roll call vote: Yea – Olds, Leahy, Montgomery. No – None. Absent and not voting – Kloppenborg.

Olds moved, Montgomery seconded, to approve the renewal of Class C Liquor Licenses – 242 House & Cobblestone. Roll call vote: Yea – Leahy, Montgomery, Olds. No – None. Absent and not voting – Kloppenborg.

There being no further business, meeting adjourned at 7:50 p.m.

ATTEST:

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Mayor Marcus Klopping

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City Clerk / Treasurer Brandi Klopping