

Board of Parks Commissioners  
Tuesday, March 2, 2021 12:00 PM  
Council Chambers  
1369 25 Avenue  
Columbus, NE 68601

**1. Statement of compliance with Open Meetings Act.**

# **OPEN MEETINGS ACT**

**NEBRASKA  
REVISED STATUTES  
84-1407 THROUGH 84-1414**



**EFFECTIVE  
NOVEMBER 14, 2020**



**This is a complimentary copy of the Open Meetings Act - Nebraska Revised Statutes 84-1407 through 84-1414. We hope you find it helpful when conducting your public meeting.**

**There were revisions made to the Open Meetings Act in the 2020 Nebraska State Legislature. The most recent version of the Open Meetings Act in this manual is in effect as of November 14, 2020.**

**This manual is provided to Nebraska municipalities by the League of Nebraska Municipalities (LONM) and the League Association of Risk Management (LARM).**



# TABLE OF CONTENTS

**84-1407 and 84-1408**

How Cited, Declaration of Intent..... Page 2

**84-1409**

Terms Defined ..... Page 2

**84-1410**

Closed Session ..... Page 2-4

**84-1411**

Notice of Public Meetings ..... Page 4-7

**84-1412**

Rights of the Public ..... Page 7-8

**84-1413**

Minutes, Roll Call, Secret Ballot ..... Page 8-9

**84-1414**

Unlawful Action by Public Body..... Page 9

**84-1407. ACT, HOW CITED. SECTIONS 84-1407 TO 84-1414 SHALL BE KNOWN AND MAY BE CITED AS THE OPEN MEETINGS ACT.**

**84-1408. DECLARATION OF INTENT;  
MEETINGS OPEN TO PUBLIC.**

It is hereby declared to be the policy of this state that the formation of public policy is public business and may not be conducted in secret.

Every meeting of a public body shall be open to the public in order that citizens may exercise their democratic privilege of attending and speaking at meetings of public bodies, except as otherwise provided by the Constitution of Nebraska, federal statutes, and the Open Meetings Act.

**84-1409. TERMS, DEFINED. FOR PURPOSES OF THE OPEN MEETINGS ACT, UNLESS THE CONTEXT OTHERWISE REQUIRES:**

(1)(a) Public body means (i) governing bodies of all political subdivisions of the State of Nebraska, (ii) governing bodies of all agencies, created by the Constitution of Nebraska, statute, or otherwise pursuant to law, of the executive department of the State of Nebraska, (iii) all independent boards, commissions, bureaus, committees, councils, subunits, or any other bodies created by the Constitution of Nebraska, statute, or otherwise pursuant to law, (iv) all study or advisory committees of the executive department of the State of Nebraska whether having continuing existence or appointed as special committees with limited existence, (v) advisory committees of the bodies referred to in subdivisions (i), (ii), and (iii) of this subdivision, and (vi) instrumentalities exercising essentially public functions.

(b) Public body does not include (i) subcommittees of such bodies unless a quorum of the public body attends a subcommittee meeting or unless such subcommittees are holding hearings, making policy, or taking formal action on behalf of their parent body, except that all meetings of any subcommittee established under section 81-15,175 are subject to the Open Meetings Act, and (ii) entities conducting judicial proceedings unless a court or other judicial body is exercising rulemaking authority, deliberating, or deciding upon the issuance of administrative orders;

(2) Meeting means all regular, special, or called meetings, formal or informal, of any public body for the purposes of briefing, discussion of public business, formation of tentative policy, or the taking of any action of the public body; and

(3) Videoconferencing means conducting a meeting involving participants at two or more locations through the use of audio-video equipment which allows participants at each location to hear and see each meeting participant at each other location, including public input. Interaction between meeting participants shall be possible at all meeting locations.

**84-1410. CLOSED SESSION; WHEN; PURPOSE;  
REASONS LISTED; PROCEDURE; RIGHT TO  
CHALLENGE; PROHIBITED ACTS; CHANCE  
MEETINGS, CONVENTIONS, OR WORKSHOPS.**

(1) Any public body may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close. Closed sessions may be held for, but shall not be limited to, such reasons as:

- (a) Strategy sessions with respect to collective bargaining, real estate purchases, pending litigation, or litigation which is imminent as evidenced by communication of a claim or threat of litigation to or by the public body;
- (b) Discussion regarding deployment of security personnel or devices;
- (c) Investigative proceedings regarding allegations of criminal misconduct;
- (d) Evaluation of the job performance of a person when necessary to prevent needless injury to the reputation of a person and if such person has not requested a public meeting;
- (e) For the Community Trust created under section 81-1801.02, discussion regarding the amounts to be paid to individuals who have suffered from a tragedy of violence or natural disaster; or
- (f) For public hospitals, governing board peer review activities, professional review activities, review and discussion of medical staff investigations or disciplinary actions, and any strategy session concerning transactional negotiations with any referral source that is required by federal law to be conducted at arms length.

Nothing in this section shall permit a closed meeting for discussion of the appointment or election of a new member to any public body.

(2) The vote to hold a closed session shall be taken in open session. The entire motion, the vote of each member on the question of holding a closed session, and the time when the closed session commenced and concluded shall be recorded in the minutes. If the motion to close passes, then the presiding officer immediately prior to the closed session shall restate on the record the limitation of the subject matter of the closed session. The public body holding such a closed session shall restrict its consideration of matters during the closed portions to only those purposes set forth in the motion to close as the reason for the closed session. The meeting shall be reconvened in open session before any formal action may be taken. For purposes of this section, formal action shall mean a collective decision or a collective commitment or promise to make a decision on any question, motion, proposal, resolution, order, or ordinance or formation of a position or policy but shall not include negotiating guidance given by members of the public body to legal counsel or other negotiators in closed sessions authorized under subdivision (1)(a) of this section.

(3) Any member of any public body shall have the right to challenge the continuation of a closed session if the member determines that the session has exceeded the reason stated in the original motion to hold a closed session or if the member contends that the closed session is neither clearly necessary for (a) the protection of the public interest or (b) the prevention of needless injury to the reputation of an individual. Such challenge shall be overruled only by a majority vote of the members of the public body. Such challenge and its disposition shall be recorded in the minutes.

(4) Nothing in this section shall be construed to require that any meeting be closed to the public. No person or public body shall fail to invite a portion of its members to a meeting, and no public body shall designate itself a subcommittee of the whole body for the purpose of circumventing the Open

Meetings Act. No closed session, informal meeting, chance meeting, social gathering, email, fax, or other electronic communication shall be used for the purpose of circumventing the requirements of the act.

(5) The act does not apply to chance meetings or to attendance at or travel to conventions or workshops of members of a public body at which there is no meeting of the body then intentionally convened, if there is no vote or other action taken regarding any matter over which the public body has supervision, control, jurisdiction, or advisory power.

**84-1411. MEETINGS OF PUBLIC BODY; NOTICE; METHOD; CONTENTS; WHEN AVAILABLE; RIGHT TO MODIFY; DUTIES CONCERNING NOTICE; VIDEOCONFERENCING OR TELEPHONE CONFERENCING AUTHORIZED; EMERGENCY MEETING WITHOUT NOTICE; APPEARANCE BEFORE PUBLIC BODY.**

(1)(a) Each public body shall give reasonable advance publicized notice of the time and place of each meeting as provided in this subsection. Such notice shall be transmitted to all members of the public body and to the public.

(b)(i) Except as provided in subdivision (1)(b)(ii) of this section, in the case of a public body described in subdivision (1)(a)(i) of section 84-1409 or such body's advisory committee, such notice shall be published in a newspaper of general circulation within the public body's jurisdiction and, if available, on such newspaper's web site.

(ii) In the case of the governing body of a city of the second class or village or such body's advisory committee, such notice shall be published by:

(A) Publication in a newspaper of general circulation within the public body's jurisdiction and, if available, on such newspaper's web site; or

(B) Posting written notice in three conspicuous public places in such city or village. Such notice shall be posted in the same three places for each meeting.

(iii) In the case of a public body not described in subdivision (1)(b)(i) or (ii) of this section, such notice shall be given by a method designated by the public body.

(c) In addition to a method of notice required by subdivision (1)(b)(i) or (ii) of this section, such notice may also be provided by any other appropriate method designated by such public body or such advisory committee.

(d) Each public body shall record the methods and dates of such notice in its minutes.

(e) Such notice shall contain an agenda of subjects known at the time of the publicized notice or a statement that the agenda, which shall be kept continually current, shall be readily available for public inspection at the principal office of the public body during normal business hours. Agenda items shall be sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting. Except for items of an emergency nature, the agenda shall not be altered later than (i) twenty-four hours before the scheduled commencement of the meeting or (ii) forty-eight hours before the scheduled commencement of a meeting of a city council or village board scheduled outside the corporate limits of the municipality. The public body shall have the right to modify the agenda to include items of an emergency nature only at such public meeting.

(2) A meeting of a state agency, state board, state commission, state coun-

cil, or state committee, of an advisory committee of any such state entity, of an organization created under the Interlocal Cooperation Act, the Joint Public Agency Act, or the Municipal Cooperative Financing Act, of the governing body of a public power district having a chartered territory of more than one county in this state, of the governing body of a public power and irrigation district having a chartered territory of more than one county in this state, of a board of an educational service unit, of the Educational Service Unit Coordinating Council, of the governing body of a risk management pool or its advisory committees organized in accordance with the Intergovernmental Risk Management Act, or of a community college board of governors may be held by means of videoconferencing or, in the case of the Judicial Resources Commission in those cases specified in section 24-1204, by telephone conference, if:

(a) Reasonable advance publicized notice is given as provided in subsection (1) of this section;

(b) Reasonable arrangements are made to accommodate the public's right to attend, hear, and speak at the meeting, including seating, recordation by audio or visual recording devices, and a reasonable opportunity for input such as public comment or questions to at least the same extent as would be provided if videoconferencing or telephone conferencing was not used;

(c) At least one copy of all documents being considered is available to the public at each site of the videoconference or telephone conference;

(d) At least one member of the state entity, advisory committee, board, council, or governing body is present at each site of the videoconference or telephone conference, except that a member of an organization created under the Interlocal Cooperation Act that sells electricity or natural gas at wholesale on a multistate basis, an organization created under the Municipal Cooperative Financing Act, or a governing body of a risk management pool or an advisory committee of such organization or pool may designate a nonvoting designee, who shall not be included as part of the quorum, to be present at any site; and

(e)(i) Except as provided in subdivision (2)(e)(ii) of this section, no more than one-half of the state entity's, advisory committee's, board's, council's, or governing body's meetings in a calendar year are held by videoconference or telephone conference; or

(ii) In the case of an organization created under the Interlocal Cooperation Act that sells electricity or natural gas at wholesale on a multistate basis or an organization created under the Municipal Cooperative Financing Act, such organization holds at least one meeting each calendar year that is not by videoconferencing or telephone conferencing.

Videoconferencing, telephone conferencing, or conferencing by other electronic communication shall not be used to circumvent any of the public government purposes established in the Open Meetings Act.

(3) A meeting of a board of an educational service unit, of the Educational Service Unit Coordinating Council, of the governing body of an entity formed under the Interlocal Cooperation Act, the Joint Public Agency Act, or the Municipal Cooperative Financing Act, of the governing body of a risk management pool or its advisory committees organized in accordance with the Intergovernmental Risk Management Act, of a community college board of governors, of the governing body of a public power district, of the governing body of a public power and irrigation district, or of the Nebraska Brand Committee may be held by telephone conference call if:

(a) The territory represented by the educational service unit, member educational service units, community college board of governors, public

power district, public power and irrigation district, Nebraska Brand Committee, or member public agencies of the entity or pool covers more than one county;

(b) Reasonable advance publicized notice is given as provided in subsection (1) of this section which identifies each telephone conference location at which there will be present: (i) A member of the educational service unit board, council, community college board of governors, governing body of a public power district, governing body of a public power and irrigation district, Nebraska Brand Committee, or entity's or pool's governing body; or (ii) A nonvoting designee designated under subdivision (3)(f) of this section;

(c) All telephone conference meeting sites identified in the notice are located within public buildings used by members of the educational service unit board, council, community college board of governors, governing body of the public power district, governing body of the public power and irrigation district, Nebraska Brand Committee, or entity or pool or at a place which will accommodate the anticipated audience;

(d) Reasonable arrangements are made to accommodate the public's right to attend, hear, and speak at the meeting, including seating, recordation by audio recording devices, and a reasonable opportunity for input such as public comment or questions to at least the same extent as would be provided if a telephone conference call was not used;

(e) At least one copy of all documents being considered is available to the public at each site of the telephone conference call;

(f) At least one member of the educational service unit board, council, community college board of governors, governing body of the public power district, governing body of the public power and irrigation district, Nebraska Brand Committee, or governing body of the entity or pool is present at each site of the telephone conference call identified in the public notice, except that a member of an organization created under the Interlocal Cooperation Act that sells electricity or natural gas at wholesale on a multistate basis, an organization created under the Municipal Cooperative Financing Act, or a governing body of a risk management pool or an advisory committee of such organization or pool may designate a nonvoting designee, who shall not be included as part of the quorum, to be present at any site;

(g) The telephone conference call lasts no more than five hours; and

(h) No more than one-half of the board's, council's, governing body's, committee's, entity's, or pool's meetings in a calendar year are held by telephone conference call, except that:

(i) The governing body of a risk management pool that meets at least quarterly and the advisory committees of the governing body may each hold more than one-half of its meetings by telephone conference call if the governing body's quarterly meetings are not held by telephone conference call or videoconferencing; and

(ii) An organization created under the Interlocal Cooperation Act that sells electricity or natural gas at wholesale on a multistate basis or an organization created under the Municipal Cooperative Financing Act may hold more than one-half of its meetings by telephone conference call if the organization holds at least one meeting each calendar year that is not by videoconferencing or telephone conference call.

Nothing in this subsection shall prevent the participation of consultants, members of the press, and other nonmembers of the governing body at sites not identified in the public notice. Telephone conference calls, emails, faxes, or other electronic communication shall not be used to circumvent any of the public government purposes established in the Open Meetings Act.

(4) The secretary or other designee of each public body shall maintain a list of the news media requesting notification of meetings and shall make reasonable efforts to provide advance notification to them of the time and place of each meeting and the subjects to be discussed at that meeting.

(5) When it is necessary to hold an emergency meeting without reasonable advance public notice, the nature of the emergency shall be stated in the minutes and any formal action taken in such meeting shall pertain only to the emergency. Such emergency meetings may be held by means of electronic or telecommunication equipment. The provisions of subsection (4) of this section shall be complied with in conducting emergency meetings. Complete minutes of such emergency meetings specifying the nature of the emergency and any formal action taken at the meeting shall be made available to the public by no later than the end of the next regular business day.

(6) A public body may allow a member of the public or any other witness other than a member of the public body to appear before the public body by means of video or telecommunications equipment.

## **84-1412. MEETINGS OF PUBLIC BODY; RIGHTS OF PUBLIC; PUBLIC BODY; POWERS AND DUTIES.**

(1) Subject to the Open Meetings Act, the public has the right to attend and the right to speak at meetings of public bodies, and all or any part of a meeting of a public body, except for closed sessions called pursuant to section 84-1410, may be videotaped, televised, photographed, broadcast, or recorded by any person in attendance by means of a tape recorder, camera, video equipment, or any other means of pictorial or sonic reproduction or in writing.

(2) It shall not be a violation of subsection (1) of this section for any public body to make and enforce reasonable rules and regulations regarding the conduct of persons attending, speaking at, videotaping, televising, photographing, broadcasting, or recording its meetings. A body may not be required to allow citizens to speak at each meeting, but it may not forbid public participation at all meetings.

(3) No public body shall require members of the public to identify themselves as a condition for admission to the meeting nor shall such body require that the name of any member of the public be placed on the agenda prior to such meeting in order to speak about items on the agenda. The body may require any member of the public desiring to address the body to identify himself or herself.

(4) No public body shall, for the purpose of circumventing the Open Meetings Act, hold a meeting in a place known by the body to be too small to accommodate the anticipated audience.

(5) No public body shall be deemed in violation of this section if it holds its meeting in its traditional meeting place which is located in this state.

(6) No public body shall be deemed in violation of this section if it holds a meeting outside of this state if, but only if:

- (a) A member entity of the public body is located outside of this state and the meeting is in that member's jurisdiction;
- (b) All out-of-state locations identified in the notice are located within public buildings used by members of the entity or at a place which will accommodate the anticipated audience;
- (c) Reasonable arrangements are made to accommodate the public's right to attend, hear, and speak at the meeting, including making a telephone conference call available at an instate location to members, the public, or the press, if requested twenty-four hours in advance;
- (d) No more than twenty-five percent of the public body's meetings in a calendar year are held out-of-state;
- (e) Out-of-state meetings are not used to circumvent any of the public government purposes established in the Open Meetings Act;
- (f) Reasonable arrangements are made to provide viewing at other instate locations for a videoconference meeting if requested fourteen days in advance and if economically and reasonably available in the area; and
- (g) The public body publishes notice of the out-of-state meeting at least twenty-one days before the date of the meeting in a legal newspaper of statewide circulation.

(7) The public body shall, upon request, make a reasonable effort to accommodate the public's right to hear the discussion and testimony presented at the meeting.

(8) Public bodies shall make available at the meeting or the instate location for a telephone conference call or videoconference, for examination and copying by members of the public, at least one copy of all reproducible written material to be discussed at an open meeting. Public bodies shall make available at least one current copy of the Open Meetings Act posted in the meeting room at a location accessible to members of the public. At the beginning of the meeting, the public shall be informed about the location of the posted information.

### **84-1413. MEETINGS; MINUTES; ROLL CALL VOTE; SECRET BALLOT; WHEN.**

(1) Each public body shall keep minutes of all meetings showing the time, place, members present and absent, and the substance of all matters discussed.

(2) Any action taken on any question or motion duly moved and seconded shall be by roll call vote of the public body in open session, and the record shall state how each member voted or if the member was absent or not voting. The requirements of a roll call or viva voce vote shall be satisfied by a public body which utilizes an electronic voting device which allows the yeas and nays of each member of such public body to be readily seen by the public.

(3) The vote to elect leadership within a public body may be taken by secret ballot, but the total number of votes for each candidate shall be recorded in the minutes.

(4) The minutes of all meetings and evidence and documentation received or disclosed in open session shall be public records and open to public inspection during normal business hours.

(5) Minutes shall be written, except as provided in subsection (6) of this section, and available for inspection within ten working days or prior to the next convened meeting, whichever occurs earlier, except that cities of the second class and villages may have an additional ten working days if the employee responsible for writing the minutes is absent due to a serious illness or emergency.

(6) Minutes of the meetings of the board of a school district or educational service unit may be kept as an electronic record.

**84-1414. UNLAWFUL ACTION BY PUBLIC BODY;  
DECLARED VOID OR VOIDABLE BY DISTRICT COURT;  
WHEN; DUTY TO ENFORCE OPEN MEETING LAWS;  
CITIZEN'S SUIT; PROCEDURE;  
VIOLATIONS; PENALTIES.**

(1) Any motion, resolution, rule, regulation, ordinance, or formal action of a public body made or taken in violation of the Open Meetings Act shall be declared void by the district court if the suit is commenced within one hundred twenty days of the meeting of the public body at which the alleged violation occurred. Any motion, resolution, rule, regulation, ordinance, or formal action of a public body made or taken in substantial violation of the Open Meetings Act shall be voidable by the district court if the suit is commenced more than one hundred twenty days after but within one year of the meeting of the public body in which the alleged violation occurred. A suit to void any final action shall be commenced within one year of the action.

(2) The Attorney General and the county attorney of the county in which the public body ordinarily meets shall enforce the Open Meetings Act.

(3) Any citizen of this state may commence a suit in the district court of the county in which the public body ordinarily meets or in which the plaintiff resides for the purpose of requiring compliance with or preventing violations of the Open Meetings Act, for the purpose of declaring an action of a public body void, or for the purpose of determining the applicability of the act to discussions or decisions of the public body. It shall not be a defense that the citizen attended the meeting and failed to object at such time. The court may order payment of reasonable attorney's fees and court costs to a successful plaintiff in a suit brought under this section.

(4) Any member of a public body who knowingly violates or conspires to violate or who attends or remains at a meeting knowing that the public body is in violation of any provision of the Open Meetings Act shall be guilty of a Class IV misdemeanor for a first offense and a Class III misdemeanor for a second or subsequent offense.

**EFFECTIVE DATE – NOVEMBER 14, 2020**

**DISTRIBUTED BY THE  
LEAGUE OF NEBRASKA MUNICIPALITIES AND THE  
LEAGUE ASSOCIATION OF RISK MANAGEMENT.**



**LEAGUE OF NEBRASKA  
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**1335 L STREET  
LINCOLN, NE 68508**



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**2. Minutes of February 2, 2021, meeting.**

BOARD OF PARKS COMMISSIONERS  
FEBRUARY 2, 2021

A regular meeting of the Board of Parks Commissioners of the City of Columbus, Nebraska, was convened in open and public session on February 2, 2021, at 12:00 p.m. in the Council Chambers, 1369 25 Avenue, Columbus, Nebraska.

Notice of this meeting was given in advance thereof by publication in the Columbus Telegram, with a copy of the proof of publication being on file in the office of the City Clerk. Availability of the agenda was communicated in the advance notice to the members of the Board of Parks Commissioners. All proceedings hereafter shown were taken while the convened meeting was open to the public.

1. **STATEMENT OF COMPLIANCE WITH OPEN MEETINGS ACT AND ROLL CALL.** Chair Hansen announced that a copy of the Open Meetings Act is posted in the meeting room. Present were Members Robbin Cutsor, Chuck Fleeman, Jack Gutierrez, Brad Hansen, Sandra Jochens, Nick Larson, Gary Puetz, and Bruce Schmidt. Member John Shadle was absent and excused. City staff members included Public Property Director Doug Moore, Park Superintendent Ron Dush, Park and Recreation Coordinator Betsy Eckhardt, City Administrator Tara Vasicek, and Account Clerk II/Records Clerk II Linda Nickeson. Also present was Mayor James Bulkley.
2. **MINUTES OF JANUARY 19, 2021, MEETING.** The minutes were approved as presented with a motion by Gutierrez and a second by Jochens. Cutsor, Fleeman, Gutierrez, Hansen, Jochens, Larson, Puetz, and Schmidt voted "Aye" and none voted "Nay". Shadle was absent.
3. **ANNUAL REPORT FROM COLUMBUS YOUTH SOFTBALL ASSOCIATION.** Brent Johnston reviewed the 2020 season noting that COVID-19 resulted in participation being down considerably from the previous year. He mentioned that condensation on the restroom floors continues to be an issue at Bradshaw Park.
4. **ANNUAL REPORT FROM COLUMBUS MARINERS BASEBALL LEAGUE.** No one from Columbus Mariners Baseball League was present.
5. **ANNUAL REPORT FROM COLUMBUS AREA YOUTH FOOTBALL ORGANIZATION.** John Zwingman reviewed the 2020 season and noted that participation was down 10 percent from previous years due to COVID-19. He confirmed that he communicates regularly with coaches from the three local high schools regarding league rules and recruiting and that the schools provide drill videos to aid the youth coaches.
6. **ANNUAL REPORT FROM WILDERNESS PARK OPERATIONS COMMITTEE.** Kay Arlt and Katie Gassmann reviewed the 2020 seasons for both Columbus Soccer Club and AYSO. It was noted that the Columbus Soccer Club's annual

June tournament was cancelled due to COVID-19; however AYSO was able to play all scheduled games.

7. **WILDERNESS PARK PRACTICE POLICY.** Hansen summarized discussion from the January 19 board meeting regarding public use of Wilderness Park. Discussion was held regarding what groups are allowed to use the soccer fields and availability of practice locations within the community. Moore stated that he contacted several other communities regarding public access to soccer fields. Grand Island, Kearney, and Norfolk all confirmed that use of the fields for all events, including practices, must be scheduled through the city. The fields in Fremont are available to the public at all times; however, when a field begins to show excessive damage, the public is asked to let it rest for a couple months to recover. Consensus of the board was to table discussion until the agreements for each organization for use of city facilities have been revised for the 2021 season. Bulkley clarified that his intention of bringing up the idea of opening Wilderness Park to the public was strictly to allow the board the opportunity to think about and research the issue.
8. **PRESENTATION ON PAWNEE PARK BASEBALL FIELD LIGHTING.** Ron Schilling explained the need for upgraded field lighting at Pawnee Park baseball field. Brad Thompson, Musco Sports Lighting, Council Bluffs, Iowa, gave a presentation on the proposed lighting system.

Vasicek left the meeting at 1:25 p.m.

Schilling reviewed a variety of financial support options and noted that the Columbus Baseball Association is requesting a commitment from the city to allow the organization to proceed with the project for possible completion this spring. Moore pointed out that the next city budget year begins October 1, 2021, making city funding unavailable at this time.

Larson left the meeting at 1:38 p.m.

9. **REPORT OF PUBLIC PROPERTY DIRECTOR.**
  - 9.A. **Park Department.** Moore reported that staff has been busy trimming trees and removing snow.
  - 9.B. **Park and Recreation.** Eckhardt reported that the annual sign up day for youth programs is scheduled for March 13 at Ag Park. She indicated that the Sports and Activities Council recently met with individuals from several local organizations to discuss a proposed premier volleyball program for junior high age girls.
  - 9.C. **Aquatics Department.** Moore reported on the concern regarding staffing the

Aquatic Center and Pawnee Plunge this spring.

**9.D. Golf Department.** Moore stated that rising water on the Loup River recently caused concern for possible flooding at Quail Run; however, an ice jam breaking loose resolved the issue. He stated that staff is working with the state fire marshal on a plan of corrections for repairs at Van Berg pro shop.

**10. ADJOURNMENT.** The meeting adjourned at 1:45 p.m.

OFFICE OF THE CITY CLERK  
: Linda Nickeson

3. **Annual report from Columbus Mariners Baseball League.**

# INCOME/EXPENSE REPORTING FORM

Organization Columbus Mariners

Year 2020 Report

	Income	Expenses	Net
Fees	\$8875	\$34,287	25,412
Concessions	Not open 2020	-	(0)
Tournaments	Cancelled	-	(0)
Special Events	No Marine night	-	(0)
Special Fund Raisers	NA	-	(0)
Entry Fees			
Registration Fees			
Other	Grant \$2,000	\$2,000	(0)
<b>Total</b>	<b>\$10,875</b>	<b>\$36,287</b>	<b>25,412</b>

**Park Improvements Completed**

	Cost
<u>Agri. line Army Field</u>	2000 <sup>00</sup>

**Park Improvements Planned**

	Estimated Cost
<u>Ground work - Roster Battery Eagle - Screens &amp; Nets &amp; charcoal</u>	20,000 <sup>00</sup>
<u>Football Netting Extended DE, F Fields</u>	
<u>Gravel + concrete Around Dugout Entry</u>	

**City Funding Requested**

**Park Maintenance Expenses (Your cost for field preparation, irrigation, etc.)**

	Cost
<u>Purchased ATV</u>	6630 <sup>00</sup>
<u>Gas + charcoal</u>	275 <sup>00</sup>

Number of Participants (List as appropriate for your organization, i.e., leagues.)

List of Board members & Park Department contact person.

118 players Participate  
Dave Gustafson, Scott Cameron, Lind Bensch, Logan Bensen  
Doug Cooney, Wick Young, Cory Reeder - Coaches

H:\Data\ARR\Income & Expense Report (2).doc

Cory Reeder contact 970-420-1070      MAR 15 2022 @ Gmail.com

**4. Annual report from Columbus Softball Association.**



# *Columbus Softball Association*

*PO Box 253, Columbus, NE 68601*



Date: February 23, 2021

To: Doug Moore, Public Property Director  
City of Columbus

From: Chuck Fleeman, President  
Columbus Softball Association

Attached is the completed Financial Reporting Form for the Year 2020 for the Columbus Softball Association (Gerrard Park). Additional information is also being provided showing the full financial details of the information summarized on the Financial Reporting Form.

The Columbus Softball Association will have a representative present at the March 2, 2021, Board of Parks Commissioners meeting to address these items.

If you have any questions or require additional information prior to the meeting, please contact me at (402) 942-4107.

Respectfully submitted,

Chuck Fleeman, President  
Columbus Softball Association

Cc: Columbus Softball Association Board Members

# INCOME/EXPENSE REPORTING FORM

Organization  Columbus Softball Association

Year  2020  Report

	Income	Expenses	Net
Fees	(see attached)	(see attached)	
Concessions (summary)	\$11,250.00	\$8783.00	\$2467
Tournaments	(see attached)	(see attached)	
Special Events	---	---	
Special Fund Raisers	---	---	
Entry Fees	(see attached)	(see attached)	
Registration Fees	(see attached)	(see attached)	
Other (General Account Totals – summary of attached)	\$20765	\$30433	-\$9668
<b>Total</b>	<b>\$32,015</b>	<b>\$39,216</b>	<b>-\$7,201</b>

**Park Improvements Completed:**

	Cost
Additional Agri Lime on North Fields	\$0

**PARK IMPROVEMENTS PLANNED:**

	<u>Estimated Cost</u>
Repair and Remodeling of South Concession stand	\$8,000
Fence repairs	\$2,000
Replace Home Plates and Pitchers Plates	\$1000
Drainage Plan, Concrete work	?

**City Funding Requested for Park Improvements Planned:**

	Estimated Cost
Drainage Plan, Concrete Work	\$??????
	\$
	\$

**Park Maintenance Expenses:** (Your cost for field preparation, irrigation, etc.)

[See attached General Account Report (under Field Maintenance)]	\$9619.00
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**List of Park Board & City Council Budget approved projects to be completed 2019-2020:**

\_\_\_\_\_ None \_\_\_\_\_

**Number of Participants:** (List as appropriate for your organization, i.e., leagues.)

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Adult Softball League Teams:

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Mens League (9 teams x 15 players) =135 players

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Coed League (19 teams x 15 players) = 285 players

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Additional Weekday/Weekend Teams playing at Gerrard Park:

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Columbus Fire&Ice Fastpitch Softball (6 Age Divisions)

Columbus Bullets Fastpitch Softball (6 Age Divisions)

Columbus Mariners Baseball (7 Age Divisions)

Columbus High School Girls Softball (Varsity, JV and Reserves)

Central Community College Women's Softball

Columbus Outlaws Baseball

Travis Brewer – Lakeview 18's Fastpitch

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**Tournaments:**

USSSA State Youth Baseball Tournaments

NSA Men's Slowpitch Tournament (12 teams)

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**List of Board members & Park Department contact person:**

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Columbus Softball Association

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**President:** Chuck Fleeman

**Member:** Jeff Duranski

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**Vice-President:** Vacant

**Member:** Jamie Meyer

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**Secretary:** Vacant

**Member:** Vacant

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**Treasurer:** Vacant

**Member:** Matt Schumacher

---

**Umpire-in-Chief:** Jeff Merrill

**Member:** Zac McCloud

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**Concession Stand Manager:** Chuck Fleeman

**Member:** Scott Ackman

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**Year 2020 CSA - General Account - Income: \$20,765**

**Team Registrations (Softball):** \$9,100  
 28 teams x \$325 per team \$9,100

**Team Registrations (Fastpitch - F&I):** \$0  
 0 teams x \$150 per team \$0  
 0 teams x \$50 per team conc. Bond \$0

**Team Registrations (Fastpitch - Bullets):** \$0  
 0 teams x \$150 per team \$0  
 0 teams x \$50 per team conc. Bond \$0

**Team Registrations(Baseball -Mariners):** \$0  
 0 teams x \$150 per team \$0

**Tournament Charges (CSA):** \$11,665  
 Columbus Mariners  
 Lakeview Softball/Baseball Assoc  
 NE USSSA Baseball State Tournaments \$11,665

**Tournament Charges (City Collection):** \$0  
 Columbus Mariners \$0  
 Lakeview Softball/Baseball Assoc  
 USSSA

**Field Usage Fees (Contracts):** \$0

**Field Usage Fees (Non-CSA):** \$0

**Donations**

**\*\*Accounts Recievable: \*\*** \$20,765  
 \$20,765

**Year 2020 CSA - General Account - Expenses: \$30,433**

**ASA Team Membership:** \$0  
 28 teams x \$0 per team \$0

**League Placement Payouts:** \$1,200  
 Mens D, E, E-Rec \$300  
 CoEd D, E, E-Rec \$900

**League Tournament Payouts:** \$0  
 Mens D,E, E-Rec \$0  
 CoEd D,E,E-Rec \$0

**Field Maintenance:** \$9,619  
 Personnel \$7,200  
 Kawasaki Mule Gas \$200  
 Kawasaki Service \$650

Field Chalk \$1,100  
 Field Drag Maintenance \$0  
 Sprinkler System Maintenance \$469  
 Drag \$0

**Insurance:** \$0  
 ASA Liability Insurance \$0  
 Concessions/Mule Insurance \$0

**League Management/Misc Expenses:** \$365  
 Website Registration Fee \$365  
 League Re-Scheduler (rain outs, etc...) \$0  
 Umpire Sheet Preparation / Standings \$0

**Association Fees:** \$1,250  
 Treasurer \$300  
 Scheduler \$350  
 Umpire-in-Chief \$300  
 Website Manager \$300

**City of Columbus:** \$799  
 Shelter/Concessions Rental/Electricity \$799  
 \$0  
 Garbage Pickup (Collected) \$0  
 \$0

**Misc Expences:** \$17,200  
 State Umps \$14,280  
 Printing \$0  
 Concession Bond \$2,800  
 Post Office \$120  
 Nebraska Dept. of Revenue - Sales tax \$0

Net Profit/Loss \$9,668

5. **Request from Columbus Softball Association for canned beer permit at Gerrard Park.**



# Columbus Softball Association



PO Box 253, Columbus, NE 68601

Date: February 23, 2021

To: Board of Parks Commissioners  
City of Columbus

From: Chuck Fleeman, President  
Columbus Softball Association

I am writing to you on behalf of the Columbus Softball Association (CSA) respectfully requesting the Board of Parks Commissioners issue a “canned beer only” permit for CSA sponsored events at Gerrard Park during the 2021 softball season at your next regularly scheduled meeting.

The CSA and adult softball players at Gerrard Park were good stewards of the canned beer privilege given by the Board of Parks Commissioners for the 2020 adult softball season and very effectively monitored this privilege. The CSA has always been very active in providing an atmosphere which demonstrated responsible drinking by adult softball players. Each year nearly 500 adults participate in the summer adult softball season at Gerrard Park during CSA sponsored events without alcohol related incidents.

The CSA has always protected its interests by establishing rules and regulations surrounding the “canned beer only” permit at Gerrard during the softball seasons. The following summarizes these rules and regulations.

- The By-laws as adopted by the Men’s, Women’s and Coed Softball Leagues clearly explain the rules against underage drinking stating:

*“Any minor who is on a team roster and is caught drinking at Gerrard Park will be suspended for one year from that date from participating and being present at Gerrard Park during CSA sponsored events. Law enforcement will immediately be contacted regarding the incident. The team whose roster included the minor who was caught drinking will be forced to forfeit their next two league games and will be responsible for the full umpire fees of the two forfeited games. These forfeited games will be recorded as losses for your team in the league standings.”*

- In regards to the physical area which the “canned beer only” permit applies, the following restrictions have always been implemented:
  - ⇒ Consumption of canned beer is restricted to within the confines of the softball complex. The softball complex is physically separated from the rest of the park by the outfield fences and border fences between all the fields. There are a limited number of entrances into the complex which are utilized by softball players.
  - ⇒ Consumption of canned beer is not allowed in the parking lot or the area outside the softball complex which includes the playground equipment area.
  - ⇒ Consumption of canned beer is not allowed by players or staff inside the concession stand.



# Columbus Softball Association



PO Box 253, Columbus, NE 68601

- ⇒ Consumption of canned beer is not allowed in the dugouts or on the field of play.
- Rules, regulations and penalties associated with the restrictions listed above include the following:
  - ⇒ Consumption of alcohol outside the confines of the softball complex which includes the parking lot and the playground equipment area is strictly enforceable by the City of Columbus Police Department. The duties of the Columbus Police Department to provide surveillance of the parking lot and the area external to the softball complex essentially are no different than any other city park or whether or not the CSA is granted a “canned beer only” permit.
  - ⇒ If a team which is scheduled to work the concession stand is caught consuming or having possession of canned beer inside the concession stand, that team will automatically lose their concession stand deposit and are required to forfeit their next scheduled game (which in itself imposes a financial penalty).
  - ⇒ If a player is caught consuming or having possession of canned beer inside the dugout or on the field of play, the team is immediately disqualified for that game and must pay both teams’ umpire fees (same penalty as a forfeited game).
- The “canned beer only” permit is only applicable during CSA sponsored events. This would only include CSA adult league night play and CSA adult weekend tournaments. This permit does not apply during annual weekend youth tournaments including fast-pitch and baseball tournaments.

These rules and regulations regarding the “canned beer only” permit have always been in place and would continue if granted such a permit again.

The Board of Parks Commissioners has always been supportive of the Columbus Softball Association and the activities held at Gerrard Park throughout the summer. Based on past meetings, we believe that the Board of Parks Commissioners understands that in years past when “canned beer only” permits were issued for the adult softball leagues, the CSA and adult softball players were very successful at keeping alcohol related incidents at Gerrard Park a non-existence. The CSA has expressed to the Board of Parks Commissioners as well as the adult softball players and spectators that they do not tolerate underage drinking or irresponsible adult drinking at Gerrard Park.

If you have any questions or require additional information prior to your next meeting, please contact me at (402) 942-4107.

Respectfully submitted,

Chuck Fleeman, President  
Columbus Softball Association

Cc: Doug Moore, Public Property Director, City of Columbus  
Columbus Softball Association Board Members

**6. Proposed fees for use of athletic fields.**



## CITY OF COLUMBUS PARKS & RECREATION DEPARTMENT

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# ATHLETIC FIELD PRICING

With the addition of the Parks and Recreation Coordinator position with the City of Columbus, there will be opportunities for associations and leagues to want to play on our fields. This would only affect organizations that we do not currently have agreements. Below are the proposed pricings for our Baseball/Softball and Soccer facilities. These prices are comparable to other communities of our approximate size in the State of Nebraska. **Communities that were contacted:**

Kearney P&R

Grand Island P&R

Norfolk P&R

York P&R

North Platte P&R

Beatrice P&R

All rentals will have to be approved, scheduled through the Columbus Parks and Recreation Coordinator, and are dependent on availability.

**Our current organizations that we have agreements with will have priority on all fields.**

Pricing on page 2.



CITY OF COLUMBUS PARKS & RECREATION DEPARTMENT

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## ATHLETIC FIELD PRICING

### Recreation Leagues-Baseball/Softball

<b>Youth</b>	<b>Adult</b>
\$15/Field/Day	\$35/Field/Day

### Organized Leagues-Baseball/Softball

<b>Youth</b>	<b>Adult</b>
\$55/Field/Day	\$55/Field/Day

### Tournaments-Baseball/Softball

<b>Youth</b>	<b>Adult</b>
\$55/Field/Day	\$55/Field/Day

### Recreation Practice-Baseball/Softball

<b>Youth</b>	<b>Adult</b>
\$0/Day BUT must be scheduled through CPR or not permitted (CPR=Col Parks and Rec)	\$0/Day BUT must be scheduled through CPR or not permitted

### Camp/Clinics-Baseball/Softball

<b>Youth</b>	<b>Adult</b>
\$35/Field/2 hours increments	\$35/Field/2 hours increments

### Recreation League-Soccer

\$100/Soccer Field/Day (Both Youth and Adult)

### Organized League-Soccer

\$165/Field/Day

### Tournament-Soccer

\$55/Field/Day

### Recreation Practice-Soccer

\$0-BUT must be scheduled through CPR or not permitted

### Organization Practices-Soccer

\$55/Field/Day

### Camps/Clinics-Soccer

\$55/Field/2 hour increments

7. **Pawnee Park baseball field turf.**
8. **Report of Public Property Director.**



# The City of *Columbus*

## PUBLIC PROPERTY DEPARTMENT

Director (402) 562-4240

Fax (402) 562-4265

March 2021

Monthly report

### Park Department

- Putting up tennis nets and windscreens
- Putting out track hurdles, high jump and pole vault pits preparing for season
- Working on Pawnee Park baseball field lights
- Preparing facilities for spring seasons
- All facilities and irrigation systems drained for the winter
- All tennis outdoor lighting checked and clocks adjusted for spring
- Repairing and painting some benches in Frankfort Square that have been chipped
- New playground equipment at Sunset Park is complete
- New bleacher shades at Bradshaw Park have been completed
- Met with Engineering, Streets and Cemetery staff to discuss maintenance responsibilities at 12<sup>th</sup> Avenue viaduct area (mowing, snow removal etc.)
- Staff has begin trimming trees and removing dead and diseased trees
- Met with Lions Club to discuss donating a drinking fountain in Sunset Park to celebrate Lions Club 100-year anniversary of having a club in Columbus
- Met with Engineering and Public Works to discuss how to get water to the fountain
- Have inspected all playground equipment and made any needed repairs
- Hauling and spreading wood chips around playground
- Working on post and cable repairs
- Prepared Pawnee Park lagoon for ice skating
- Receiving bids for Pawnee Park baseball concession stand roof repair
- Have viewed proposal for Pawnee Park baseball field light replacement
- Vandalism on Memorial Stadium fence next to ambulance entrance

### Park and Recreation

- Reviewing agreements and making contacts with local organizations and groups
- Scheduling events
- Software training completed with Civic Rec (also to be used in Aquatics Department)
- Release on March 1
- Working with Platte County Visitors Bureau on bringing events to Columbus
- Updating Play and Stay webpage along with Park and Rec social media page
- Attending as many events as possible introducing myself to different groups
- Chairing the Rawhide Run for the Cattlemen's Ball

### Aquatics report

- Have started lifeguard training, doing as many classes as possible
- Outdoor lighting improvements at Pawnee Plunge complete
- Using as many avenues as possible to try and recruit more lifeguards
- Starting Pawnee Plunge preparations for summer opening

Golf report

Landscapes Unlimited has completed with irrigation repairs

Documenting any secondary work for FEMA

Landscapes Unlimited will start construction of southside of Quail Run April 1

Agreements have been approved and signed

Have received quotes for work a Van Berg pro shop

An asbestos check has been completed at Van Berg pro shop – negative for asbestos

Sent a plan of corrections draft to State Fire Marshall for Van Berg pro shop

Monitoring Loup River and preparing for possible spring flooding

Removed snow from greens to help prevent snow mode

Hiring seasonal staff and preparing for spring opening

- 8.A. Park Department.
- 8.B. Park and Recreation.
- 8.C. Aquatics Department.

**COLUMBUS AQUATIC CENTER**  
**MONTHLY ACTIVITY REPORT**  
February

	2021	2020	2019
<b>Attendance</b>			
3 & Under	23	22	3
Child	177	259	106
Adult	160	88	84
Senior	3	1	3
PT/Caregiver	1	0	1
Programs	75	93	0
Lessons	54	52	57
Swim Team	346	534	360
AC Member Passes	930	940	965
Total Swimmers:	1769	1989	1579

Average Daily Swimmers:	(30 days) 59	(28 days) 71	(27 days) 58
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**Income**

Passes	\$ 2,105.00	\$ 1,315.00	\$ 1,435.00
Admissions	\$ 1,308.00	\$ 1,218.00	\$ 647.50
Swimming Lessons	\$ 2,100.00	\$ 8,130.00	\$ 3,575.00
Red Cross Classes	\$ 350.00	\$ -	\$ -
Uniforms	\$ 5.00	\$ -	\$ 30.00
Programs	\$ 50.00	\$ 249.00	\$ 225.00
Sales	\$ -	\$ 2.00	\$ 17.00
Building Rentals	\$ -	\$ 540.00	\$ 180.00
Equipment Rentals	\$ 76.50	\$ 70.00	\$ 40.00
Misc. Revenue		\$ -	\$ -
Over/Short	\$ -	\$ 11.50	\$ (6.00)
	\$ 5,994.50	\$ 11,535.50	\$ 6,143.50

The Aquatic Department is changing their tracking system from Sportsman to CivicRec. Park Board reports may be generated automatically from the daily till reports.

8.D. Golf Department.



**9. Adjournment.**