

1st Council Regular Meeting  
Monday, August 1, 2022 7:00 PM

City Hall  
704 6th Street  
St. Paul, NE 68873

## **Agenda**

1. Mayor Bergman calls meeting to order, with the "Pledge of Allegiance" and the "Open Meeting Statement" as required by NE State Statutes 84-1407 through 84-1414; Mayor Bergman also states that the City Council may vote to go into Closed Session on any agenda item as allowed by NE State Statute 84-1410.
2. Submittal of Request for Future Agenda Items
3. Reserve time to Speak on an Agenda Item
4. Discuss - Approve / Deny Consent Agenda Items: (1) July 18, 2022 minutes; and (2) August 1, 2022 disbursements.
5. Discuss - Introduce Ordinance #1029; an ordinance of the City of St. Paul, NE to amend Sections 4-302 through 4-309 of the St. Paul Municipal Code. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed; this ordinance shall be in full force and take effect from and after its passage, approval and publication as required by law. Ordinance #1029 will be published in Pamphlet form.
  - a. Introduce, with NO second or roll call;
  - b. Waive the 3 readings at 3 different occasions, with second & roll call;
  - c. Final Passage, with second & roll call.
6. Discuss - Approve / Deny the League Association of Risk Management (LARM) Renewal Resolution No. 2022-9; this would provide a written notice of termination at least 180 days prior to the desired termination date, which date shall be no sooner than September 30, 2023 (180 day notice only; 2% discount).
  
7. Discuss - Approve City Electrical Lineman interviews date and time.
  - a. Discuss - Approve Electrical Lineman interviewers.
8. Discuss - Approve posting in-house pertaining to the Water Commissioner job vacancy (see attached posting).
9. Utilities Superintendent Helzer updates included:
  
10. Chief of Police Howard updates:
11. City Council member updates
12. Mayor Bergman updates:
  - a. St. Paul Civic Center variable rate loan is maturing on August 1, 2022; Homestead Bank Loan Officer Jordan Meyer will form an "interest rate" addendum to change the interest rate; the new interest rate will be \_\_\_\_%;
  - b. Discuss Howard County Emergency Manager (possible action);
  - c. SparqData updates regarding the Council member Chrome-book's;
  - d. Special meeting regarding Public Input pertaining to the Proposed 2022-2023 Budget on Tuesday, August 2, 2022 at 7:00 p.m. in the City Council Chambers;
  - e. Wastewater Treatment Facility (WWTF) Progress meeting on Wednesday, August 3,

2022 at 1:30 p.m. in the City Council Chambers;

13. Public Comment Period - restricted to items on the agenda
14. Public Announcements
15. Closed Session: Strategy session with respect to real estate purchase.

The City of St. Paul reserves the right to go into Closed Session when it is clearly necessary to protect the public interest or for the prevention of needless injury to the reputation of an individual; or pending litigation.

16. Mayor Bergman adjourns City Council meeting
17. Informational Items:
18. This agenda, including supporting documentation, is available for public viewing during normal business hours at the City Office, 704 6th Street, St. Paul, Nebraska.

## AGENDA ITEM REQUEST FORM

Anyone wishing to offer comments or concerns about city matters, or who wants to have an item placed on the City Council agenda must complete this form. The completed form must be submitted to the City Clerk, City of St. Paul, 704 6<sup>th</sup> Street, St. Paul, NE 68873 no later than Noon on the Wednesday prior to the City Council meeting. If the Wednesday prior to the City Council meeting is a holiday, the deadline is noon on the previous day. The City Council generally meets at 7:00 p.m. on the 1<sup>st</sup> and 3<sup>rd</sup> Monday of each month.

**City Council Meeting Date:** \_\_\_\_\_

**Requested Agenda Item:** \_\_\_\_\_

\_\_\_\_\_

**Please state your comment or concern (please be specific, providing documentation if available):**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**What action do you want the City Council to take?** \_\_\_\_\_

\_\_\_\_\_

**Will this project/item require City funding?** YES \_\_\_\_ NO \_\_\_\_ **If so, how much?** \_\_\_\_\_

**Name (please print):** \_\_\_\_\_

**Name (signature):** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Phone Number:** \_\_\_\_\_

.....  
*For City Official Use Only*

\_\_\_ Added to City Council Agenda. Date of City Council meeting: \_\_\_\_\_

\_\_\_ Referred to City Council Committee for Recommendation

City Council Action Taken: \_\_\_\_\_

\_\_\_\_\_

City Funds Authorized: \_\_\_\_\_

**City of St. Paul  
704 6<sup>th</sup> Street  
St. Paul, Nebraska 68873  
(308)754-4483**

**REQUEST FOR OPEN PUBLIC RECORDS**

**RECORD REQUEST INFORMATION (To be completed by Requestor – Please Print)**

Full Name: \_\_\_\_\_ (Phone) \_\_\_\_\_

Address: \_\_\_\_\_ (Street) \_\_\_\_\_ (City) \_\_\_\_\_ (State) \_\_\_\_\_ (Zip)

I hereby acknowledge that I am aware that under the terms of Neb. Rev. Stat. §84-712, I am authorized to examine public records not withheld from me under the terms of Neb. Rev. Stat. §84-712.04 or other appropriate statutes, and that I may make memoranda and abstracts therefrom during the hours the offices are normally open to the public.

I hereby declare that I do not intend to and will not:

- a. Use any list of names or addresses contained in or derived from the records or information for the purpose of selling or offering for sale any property or service to any person listed or to any person who resides at any address listed; or
- b. Sell, give, or otherwise make available to any person any list of names or addresses contained in or derived from the records or information for the purpose of allowing that person to sell or offer for sale any property or service to any person who resides at any address listed.

I hereby request a copy of the following public records:

\_\_\_\_\_  
\_\_\_\_\_

Requestor Signature \_\_\_\_\_ Date \_\_\_\_\_ Email/Fax Number \_\_\_\_\_

*(Most records will be provided within four (4) full business days from the date of request.)*

**For Administrative Records**

The request for the above-named document(s) was granted and/or allowed to be examined.

Signed \_\_\_\_\_ Date \_\_\_\_\_

This request was denied, and the requesting party was issued a letter of denial in accordance with the provisions of Neb. Rev. Stat. §84-712.04.

Signed \_\_\_\_\_ Date \_\_\_\_\_

**YOUR COPY OF THIS FORM SHALL SERVE AS YOUR RECEIPT**

*If you have any questions about your record request, please contact the City Clerk's Office at (308) 233-3216.*



**City of St. Paul  
Citizen Complaint Form**

Name of person making complaint \_\_\_\_\_  
Residential address \_\_\_\_\_  
Postal address \_\_\_\_\_  
Phone Number \_\_\_\_\_ Email address \_\_\_\_\_

**Complaint Details**

Date of Incident \_\_\_\_\_ Time \_\_\_\_\_  
Location of Incident \_\_\_\_\_  
Who/what is the subject of your complaint? \_\_\_\_\_  
DETAILED summary of your complaint \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Witness Details (If applicable)**

Name of witness(es) \_\_\_\_\_  
Address \_\_\_\_\_  
\_\_\_\_\_  
Phone Number of witness \_\_\_\_\_

**Complaint Outcome**

How would you like this issue resolved? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signature of Complainant

\*\*\*\*\*

**Action taken by City**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

**Monday, July 18, 2022**

A meeting of the Mayor and City Council of the City of St. Paul, Nebraska was held at City Hall in said City on Monday, July 18, 2022 at 7:00 p.m. Present were Mayor Joel M. Bergman and Council members Katie Kowalski, Jerry Thompson, Chuck Schmid and Mike Feeken. Absent: None. Notice of the meeting was given in advance thereof by publication in the Phonograph Herald, a legal newspaper published in said City and County. Notice of the meeting was also posted in four (4) public places. Notice of this meeting was communicated in the advance notice. All proceeds thereafter shown were taken while the convened meeting was opened to the attendance of the public.

Mayor Bergman opened the meeting at 7:00 p.m. with the "Pledge of Allegiance" and thanking the public for attending and announcing that the City of St. Paul abides by the Open Meetings Act, which is posted on the west wall as required by Nebraska State Law §84-1407 through §84-1414. Mayor Bergman also stated that the City Council may vote to go into Closed Session on any agenda item as allowed by NE State Law §84-1410.

Individuals who have appropriate agenda items for City Council consideration should complete the "Request for Future Agenda Items" form located at the City Office. If the issue can be handled administratively without Council action, notification will be provided. If the item is scheduled for a meeting or study session, notification of the date will be given. Also, any City patrons that are requesting "Public Records" or have "Questions or Concerns" in regards to the City, they need to be submitted in writing to the City of St. Paul, so that it can be addressed appropriately. These forms are available online, in a file folder on the back wall of the Council Chambers or at the City Office.

There was an opportunity for individuals wishing to provide input on any of tonight's agenda items. Those individuals were asked to reserve time to speak; per Mayor Bergman, there will be a five (5) minute limit per person on speaking.

The first item up for discussion was the progress of Todd and Michelle Padrnos's 108 Howard Avenue apartment stairs, support posts, and decking. The property is more legally described as (SP VII) Tract A in Lot 7; 3-14-10 St. Paul, Howard County, Nebraska. Chief of Police Dan Howard presented pictures to the Mayor and City Council members; pictures were taken this afternoon of July 18, 2022. Chief of Police Howard stated that the repairs completed were just a quick band-aid to remedy the problem. On November 29, 2021, Chief of Police Howard deemed the apartments an unsafe building. Mr. Padrnos continually states that he will remedy the structural problems of the apartments. There were concerns from the Mayor and Council members tonight regarding the safety of EMS and Firefighter personnel when on a call at the apartments; this is due to a potential collapse of the decking or support post. Council member

Kowalski moved to approve Utilities Superintendent Helzer to contact the NE State Fire Marshal to inspect the 108 Howard Avenue apartments. Council member Thompson seconded the motion. Council members Kowalski, Thompson, Schmid & Feeken voted aye, nays none. Motion carried 4/0.

Brian Friedrichsen (Olsson) presented an overview of the Wastewater Treatment Facility (WWTF) "Construction Progress" meeting that was held on Wednesday, July 6, 2022 at 1:30 p.m. Items of discussion included the Wastewater Treatment Facility (WWTF) building; wiring of lift station; water-line; and the project being on schedule. Council member Schmid wanted Mr. Friedrichsen to be aware of the liner in the south lagoon pond.

Council member Schmid moved to approve Rutjens Construction Inc. Pay Request #5 regarding the St. Paul Wastewater Treatment Facility (WWTF) Project #020-2586 in the amount of \$705,813.72. The pay request consists of: Lift Station/Screening Manhole; Control Blower Building; SBR Tank/Equipment; Electric Pump; and Site Piping. Council member Feeken seconded the motion. Council members Kowalski, Thompson, Schmid & Feeken voted aye, nays none. Motion carried 4/0. Mr. Friedrichsen noted that the NE Dept. of Environment & Energy (NDEE) will need to have a draft of the O & M Manuals once the funding reaches the 75% level; the project is currently at 23%. Also, City Clerk Connie Jo Beck stated that a Single Audit needs to be performed once \$750,000 has been expended on the project.

There was a lengthy discussion regarding changes to the Wastewater Treatment Facility (WWTF) three (3) exterior doors. The Wastewater Treatment Facility (WWTF) doors and windows original bid price was \$42,276. According to the manufacturer and supplier, there was a 45% increase in door and frame cost in March 2022. There were two options discussed: (1) The first option would be to utilize Hollow Metal doors; the cost would be approximately \$35,000; and (2) the second option would be to utilize the Fiberglass-Reinforced Plastic (FRP) doors. These doors are comparable to the Kawneer doors and are made for caustic environments. The cost would be approximately \$42,000. Mr. Bill Peters from the audience gave his opinion on the exterior doors, due to his employment with Chief Industries for many years. Council member Thompson moved to approve purchasing the Hollow Metal doors for the WWTF exterior doors. Council member Feeken seconded the motion. Council members Thompson and Feeken voted aye, Council members Kowalski and Schmid voted nay. Mayor Bergman voted aye to break the tie. Motion carried 3/2.

Brian Friedrichsen with Olsson's was also present to discuss the Wastewater Treatment Facility (WWTF) improvements regarding the Control Building water heater, furnace, and garage heater modification from Natural Gas (Black Hills Energy) to propane or electric. Black Hills Energy will charge the City approximately \$16,000 to bring natural gas to the Wastewater Treatment Facility (WWTF) site for the above mentioned items. On Thursday, July 7, 2022, Electrical Commissioner Thompson visited with Brian Friedrichsen (Olsson) to convert the water heater, furnace, and garage heater to electrical, due to the City being in business in buying power from Howard Greeley Rural Public Power District (HGRPPD). To convert the natural gas to electric, it would cost the City approximately \$20,728, along with no guarantees that the supplier of the natural gas components would charge a restocking fee for materials. Council member Schmid moved to approve utilizing electric for the Control Building water heater, furnace, and garage

heater. Council member Thompson seconded the motion. Council members Kowalski, Thompson, Schmid & Feeken voted aye, nays none. Motion carried 4/0. The City will keep the material for re-sale if the supplier will not restock.

Council member Schmid moved to approve Consent Agenda Items: (1) June 2022 Treasurer's Report; (2) July 5, 2022 Council minutes (regular) and the July 12, 2022 special meeting regarding the 2022-2023 Budget Workshop; (3) July 11, 2022 zoning permits; and (4) July 18, 2022 disbursements. Council member Thompson seconded the motion. Council member Kowalski, Thompson, Schmid & Feeken voted aye, nays none. Motion carried 4/0.

**Disbursements July 18, 2022**

Aurora Cooperative (fuel)	2285.95
Berger, Angela (Summer Rec)	1040.00
Black Hills Energy (natural gas)	1616.18
Bolling, Connor (Summer Rec)	510.00
Bound Tree (supplies)	44.50
Brehm's Drug (supplies)	11.69
BSN Sports (supplies)	210.00
Central District Health Dept (lab)	120.00
Chesterman (concessions)	141.48
City Lights (utilities)	11918.84
Coghlan, Kailey (Summer Rec)	390.00
Coghlan, Michael (Summer Rec)	170.00
Construction Rental (supplies)	1700.00
Consumer Deposit (L. Vogel Rent Deposit)	250.00
Core & Main (supplies)	145.51
Custer County Recycling (service)	36.00
Danko (supplies)	755.08
Eakes Office (contract)	277.32
Elmwood Cemetery (service)	100.00
Entech Pest Mgmt (service)	135.00
Hawkins (chemicals)	5352.77
Heartland Disposal (service)	7206.43
Heritage Bank (UB ACH Fee)	25.00
Herrick, Kyndsay (Summer Rec)	468.35
Homestead Bank (ACH fees)	39.40
Hometown Market (supplies)	1343.91
Howard Greeley RPPD (utilities)	160678.66
Jerry's Sheet Metal (repair)	443.00
Jim's Champlin (fuel)	3377.33
John Deere Financial (supplies)	51.72
Kavan, Brecken (Summer Rec)	970.00
Kelly Supply (supplies)	339.28
Loup Valley Supply (supplies)	12.30

Maus, Joseph (Summer Rec)	165.00
Meinecke, Jennifer (Summer Rec)	320.00
Menards (supplies)	84.26
Midland Telecom (repair)	234.95
Mid-Nebraska Disposal (service)	3655.00
Municipal Emergency Service (supplies)	628.99
Municipal Supply (supplies)	64.20
NE Press Advertising (job posting)	225.00
Neal, Stefanie (Summer Rec)	825.00
NE Power Review Board (fee)	325.53
One Call Concepts (service)	17.90
Open Caret (service)	200.00
Parts Bin (supplies)	161.32
Phonograph Herald (publish)	609.77
Rutjens Construction (pay request #5)	705813.72
Quick Med Claims (service)	1273.65
S E Smith & Sons (supplies)	396.66
Schaper & White (service)	1058.34
Smith Welding (service)	154.50
St Paul Public School (Summer Rec)	400.00
St. Paul Swimming Pool (Summer Rec pool party)	210.00
State of NE Revenue: (NE Waste Reduction & Recycling Fee)	25.00
State of NE Revenue: (Sales & Use Tax)	14433.99
Stop Stick (supplies)	1003.00
US Post Office (postage)	570.00
Wesco (supplies)	792.36
Zee Medical (supplies)	24.30

**Non-General Disbursements**

Sales Tax: Homestead Bank (check order)	13.40
Keno: New Wave Pool & Spa Inc. (final pool cross net)	4798.00
Water ICS: Municipal Supply Inc of NE (Replace Fire Hydrant)	4306.55
125 Plan: Connie Jo Beck (2021 Guaranteed Trust & Medico Premium Reimbursement)	2500.00

Council member Schmid moved to approve Resolution 2022-8; whereas in Section 9D of the Keno-Type Lottery Operations Agreement dated April 16, 2016, is hereby amended to state, "that the Keno Operator shall be required to reimburse to the City for each audit conducted." Council member Thompson seconded the motion. Council members Kowaski, Thompson, Schmid & Feeken voted aye, nays none. Motion carried 4/0.

Next on the agenda for discussion is to invest a small denomination of the NE Public Agency Investment (NPAIT) funds from the City Insured Cash Sweep (ICS) accounts. This is to obtain an enhanced interest rate on City Department funds regarding a three (3) and six (6) month Time Certificate. The funds will be placed into US Treasury investments. NPAIT collateralize dollar for dollar when public funds are invested. On Wednesday, July 13, 2022 Citizens Bank and Trust matched NPAIT's daily rate to 1.33% from .65% for the City's Insured Cash Sweep (ICS) interest rate; the funds carry no penalty to withdrawal. Council member Thompson moved to approve investing City Department ICS funds into NPAIT'S three (3) and six (6) month Time Certificates once City Clerk Beck develops a plan regarding the dollar denomination and number of Department time certificates. This will be emailed to the Mayor and Council members for their review and approval. Council member Kowalski seconded the motion. Council members Kowalski, Thompson, Schmid & Feeken voted aye, nays none. Motion carried 4/0.

After a lengthy discussion ensued between the Council members in updating the City Office, Council member Kowalski moved to approve the Office updates as per the employee "plans", along with the Builders "plan" that was submitted to the Mayor and Council members in the SparqData program. Council member Thompson seconded the motion. Council members Kowalski and Thompson voted aye, Council members Schmid and Feeken voted nay. Mayor Bergman voted aye to break the tie; this is for office security purposes. Motion carried 3/2.

The Mayor and Council members agreed unanimously to set the 2022-2023 Budget public input hearing for Tuesday, August 2, 2022 at 7:00 p.m.

Utilities Superintendent Helzer updates included: (1) Solar project soil samples are to be acquired this week per Dirk Dietz, General Manager of the Howard Greeley Rural Public Power District; (2) the Water Treatment Plant computer controls failed on Thursday, July 14, 2022 at 12:15 a.m. It showed low water level at a critical stage in the water tower. Water samples were taken; results were within the allowed drinking water standards; and (3) Water Commissioner Ronnie Switzer submitted his resignation effective Monday, October 31, 2022. Mr. Switzer has been employed with the City for 39 years. Mayor Joel M. Bergman thanked Mr. Switzer for his dedicated service to the City of St. Paul.

Chief of Police Howard updates included: (1) Todd & Michelle Padrnos's six (6) vehicles have been registered and licensed; (2) Grover Cleveland Alexander (GCA) Days was a great success; (3) the St. Paul Police Dept. received a Highway Traffic Safety grant through the U. S. Dept. of Transportation in the amount of \$1,600 to be utilized on U. S. Highway 281 to keep drivers and passengers safe; this will raise awareness of the risks of speeding and remind people to obey the speed limit; (4) St. Paul Swimming Pool theft of a money bag that has been retrieved; (5) Police Dept. laptops have arrived; two (2) of the Police Dept. tablets will be given to the Utilities Superintendent to utilize for City Departments; and (5) the St. Paul Public School hosted Saturday, July 16, 2022 an "active shooter" training; six (6) hours of continuing education was given.

Mayor Bergman updates included: (1) City Attorney White was in attendance tonight regarding updating the nuisance municipal code; on Monday, August 1, 2022, the City will have the opportunity to approve revamping the City nuisance Municipal Code §4-302 through §4-309;

(2) Per Utilities Clerk Liana Wroblewski, the 2021 Utility Billing ACH customers were 290, with \$95,294 in revenue; 2022 Utility Billing ACH customers were 322, with \$101,206 in revenue; (3) reminder that U.S. Highway railroad crossing will be closed on Monday, July 25, 2022 for repairs.

Council member Thompson moved to go into Closed Session at 8:53 p.m. with the attendance of City Attorney White, City Clerk Beck and Utilities Superintendent Helzer regarding Strategy session with respect to real estate purchase. Council member Kowalski seconded the motion. A motion has been made and seconded to go into Closed Session for Strategy session with respect to real estate purchase. There was no discussion. The pending motion is to go into Closed Session for Strategy session with respect to real estate purchase. Council members Kowalski, Thompson, Schmid & Feeken voted aye, nays none. Motion carried 4/0.

Mayor Bergman adjourned the closed session at 9:09 p.m.

Council member Thompson moved to approve approaching the Howard County Commissioners regarding the purchase of the Howard County (408 Elm) land, building and the exchange of property. Council member Schmid seconded the motion. Council members Kowalski, Thompson, Schmid & Feeken voted aye, nays none. Motion carried 4/0.

Mayor Bergman adjourned the City Council meeting at 9:10 p.m.

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Date

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Joel M. Bergman, Mayor

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Connie Jo Beck, City Clerk/Deputy Treasurer

City of St. Paul Job Titles and Salaries of Employees shall be published per NE Statute 19-1102:  
Non-union: Utility Superintendent - \$34.96; City Clerk - \$32.55; Chief of Police - \$27.30; Police Sergeant - \$26.32; Police Officers - \$19.19 - \$23.00; Police Secretary - \$16.24; Library Employees - \$11.04 - \$18.04; Housekeeping - \$154.50 biweekly  
Seasonal Hourly Wages: Cemetery/Sewer/Light - \$14.00 - \$15.00; Landfill - \$13.00; Pool Employees - \$9.00 - \$16.75; EMT's (transports) \$15.00  
Union Hourly: Light Commissioner- \$34.66; Lineman - \$30.57; Water Commissioner - \$31.14; Water Operator - \$23.64; Sewer Superintendent - \$26.25; Street Commissioner - \$26.97;

Equipment Operator - \$21.67; Parks Manager - \$23.47; Deputy City Clerk - \$23.58; Utility Clerk - \$21.52; Payroll Clerk - \$20.47  
Mayor - \$3,600; City Council - \$2,400; City Treasurer - \$2,400; City Clerk - \$2,700

**August 1, 2022 Disbursements**

Gross Wages - July	115112.92
Amazon Capital Services (books, supplies)	562.59
Beck Tree Service (service)	250.00
Blue Cross Blue Shield of NE (insurance)	36764.08
Bomgaars (supplies)	374.17
Cardmember Svcs (meals, education, postage, hotel, fees)	579.10
Cengage Learning (books)	39.57
Charter/Spectrum (service)	239.96
Chesterman Company (supplies)	87.90
City Health Deductible Savings (insurance)	6534.00
City of St. Paul 125 Plan (insurance)	140.00
COR Managed Services (service)	1039.96
Custer County Recycling (Service)	16.70
Danko Emergency Equip (repair)	1200.08
Don's Pioneer Uniform (equipment)	4847.63
Eakes Office Solutions (contract)	270.99
Ebsco Mags (magazines)	262.37
Egan Supply (supplies)	79.63
GB Auto Service (tires)	882.14
Hach Company (supplies)	133.21
Heartland Disposal (service)	850.00
Hometown Market (supplies)	674.09
Howard Co. Register of Deeds (fee)	10.00
Howard Co. Treasurer (Dispatch Fee)	3122.42
Jarecke Motors (service)	72.36
John Deere Financial (supplies)	188.80
Kanter, Linda (summer rec)	195.00
LARM (insurance)	69.67
Levander Auto (repair)	64.00
Loup Valley Supply (supplies)	35.60
Madison Nat'l Life (insurance)	182.58
Meinecke, Mike (summer rec)	370.00
Meyer, Nathan (meal, mileage)	132.31
Mutual of Omaha (insurance)	213.12
Olsson (engineering)	16958.34
Petty Cash (postage, supplies)	28.63
POAN (membership)	30.00
Regional Care (insurance)	88.00
S E Smith & Sons (supplies)	119.93
Servi-Tech (lab)	144.25
SOS Inc (service)	1450.00
St Paul Fire Dept Trust Fund (reimb)	5508.14
St Paul Public School (supplies)	3386.00
State of NE Central Svcs (telephone)	187.50
Van Diest (chemicals)	229.95
Verizon Wireless (service)	142.39

**Non-General Disbursements**

TIF: S. Squared Enterprises: TIF Proceeds from #8652 & #8659	1010.38
Keno: 2% Gross Revenue April - June 2022	8602.00
Sales Tax to Street Motor Vehicle Tax July 2022 (May 2022)	3932.41
Sales Tax to 25% Infrastructure July 2022 (May 2022)	8527.77
Sales Tax: St. Paul Development Corp. (Final Operating Funds)	35000.00

**\*Check Detail Register©**

Batch: Disb Aug1

Check #	Check Date	Vendor Name	Amount	Invoice	Comment
<b>11100 CHECKING</b>					
68898	08/01/22	AMAZON CAPITAL SERVICES			
E 44-20-322		PROGRAM EXPENSE	\$9.05	11C7-1Y96-7	Lib - paper bags
E 44-20-242		BOOKS	\$95.55	11C7-1Y96-7	Lib - books
E 44-20-242		BOOKS	\$30.01	1CMM-X6FF-	Lib - books
E 44-20-242		BOOKS	\$427.98	1JGX-N1QK-	Lib - books
		Total	\$562.59		
68899	08/01/22	BECK TREE SERVICE LLC			
E 42-20-270		UTILITY R & M	\$150.00		Park - grind tree stumps in City parks
E 34-20-270		UTILITY R & M	\$100.00		Cem - grind tree stumps in Cemetery
		Total	\$250.00		
68900	08/01/22	BLUE CROSS BLUE SHIELD OF NE			
E 02-10-130		INSURANCE	\$3,488.94	2377905	Wtr - health insurance (July)
E 10-10-130		INSURANCE	\$3,202.52	2377905	Gen - health insurance (July)
E 01-10-130		INSURANCE	\$3,098.39	2377905	Lgts - health insurance (July)
E 42-10-130		INSURANCE	\$1,510.14	2377905	Park - health insurance (July)
E 32-10-130		INSURANCE	\$2,551.62	2377905	Pol - health insurance (July)
E 21-10-130		INSURANCE	\$3,020.29	2377905	Strs - health insurance (July)
E 03-10-130		INSURANCE	\$1,510.14	2377905	Swr - health insurance (July)
E 02-10-130		INSURANCE	\$3,488.94	2438017	Wtr - health insurance (Aug)
E 10-10-130		INSURANCE	\$3,202.52	2438017	Gen - health insurance (Aug)
E 01-10-130		INSURANCE	\$3,098.39	2438017	Lgts - health insurance (Aug)
E 42-10-130		INSURANCE	\$1,510.14	2438017	Park - health insurance (Aug)
E 32-10-130		INSURANCE	\$2,551.62	2438017	Pol - health insurance (Aug)
E 21-10-130		INSURANCE	\$3,020.29	2438017	Strs - health insurance (Aug)
E 03-10-130		INSURANCE	\$1,510.14	2438017	Swr - health insurance (Aug)
		Total	\$36,764.08		
68901	08/01/22	BOMGAARS SUPPLY INC			
E 21-20-272		TOOLS	\$10.39	43807006	Strs - saw blade set
E 01-20-270		UTILITY R & M	\$22.34	43807165	Lgts - paint scraper, shop towels
E 01-20-272		TOOLS	\$4.25	43807404	Lgts - chopsaw wheel
E 21-20-231		CITY GAS & OIL	\$11.98	43808523	Strs - oil
E 31-20-271		VEHICLE R & M	\$11.99	43808721	Fire - silicone sealant #51
E 42-20-270		UTILITY R & M	\$19.27	43809003	Park - proties, toilet bowl cleaner, nut/screw
E 32-20-272		TOOLS	\$31.98	43809588	Pol - AA batteries
E 02-20-270		UTILITY R & M	\$7.12	43809814	Wtr - mouse traps
E 21-20-270		UTILITY R & M	\$6.99	43809957	Strs - trash bags
E 01-20-270		UTILITY R & M	\$10.64	43811073	Lgts - 9 volt batteries
E 32-20-271		VEHICLE R & M	\$3.29	43811166	Pol - #95 splices
E 21-20-270		UTILITY R & M	\$24.28	43811441	Strs - proties, nylon rope
E 02-20-272		TOOLS	\$10.64	43811549	Wtr - nitrile gloves
E 32-20-271		VEHICLE R & M	\$3.29	43811790	Pol - #95 splices
E 42-20-270		UTILITY R & M	\$16.04	43812148	Park - pruning sealer, Windex, cut-off riser
E 42-20-270		UTILITY R & M	\$5.34	43812159	Park - risers, riser extensions
E 31-20-271		VEHICLE R & M	\$44.99	43813961	Fire - #50 halogen bulbs
E 01-20-270		UTILITY R & M	\$3.39	43814006	Lgts - fasteners

CITY OF ST PAUL

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Check #	Check Date	Vendor Name	Amount	Invoice	Comment
E 41-20-270		UTILITY R & M	\$30.38	43814036	Pool - clip, fasteners, cables
E 01-20-270		UTILITY R & M	\$6.38	43814284	Lgts - Gorilla glue
E 01-20-270		UTILITY R & M	\$9.57	43814361	Lgts - #16 bulb
E 42-20-270		UTILITY R & M	\$21.98	43814405	Park - fluorescent bulbs
E 21-20-270		UTILITY R & M	\$25.07	43814998	Strs - caution tape
E 01-20-271		VEHICLE R & M	\$7.44	43815152	Lgts - #16 Gorilla glue
E 01-20-270		UTILITY R & M	\$4.50	43815987	Lgts - fasteners
E 01-20-270		UTILITY R & M	\$20.64	43816592	Lgts - photoelectric controls
Total			\$374.17		
<b>68902</b>	08/01/22	<b>CARDMEMBER SERVICE</b>			
E 32-20-313		POSTAGE	\$22.14	0998	Pol- postage for nuisance letters
E 32-20-210		PROF&SCHOOLS	\$13.07	117	Pol - meal during training at LETC
E 36-20-210		PROF&SCHOOLS	\$229.90	3413	EMS - hotel for Nathan Meyer during EMS training
E 01-20-264		ACH FEE Heritage	\$14.99	5769	Lgts - fee to email utility bills
E 01-20-313		POSTAGE	\$90.67	6789	Lgts - postage
E 02-20-313		POSTAGE	\$90.67	6789	Wtr - postage
E 03-20-313		POSTAGE	\$90.66	6789	Swr - postage
E 32-20-271		VEHICLE R & M	\$9.00	7382	Pol - car wash
E 32-20-271		VEHICLE R & M	\$9.00	9468	Pol - car wash
E 32-20-271		VEHICLE R & M	\$9.00	9484	Pol - car wash
Total			\$579.10		
<b>68903</b>	08/01/22	<b>CENGAGE LEARNING INC / GALE</b>			
E 44-20-242		BOOKS	\$39.57	78155627	Lib - books
Total			\$39.57		
<b>68904</b>	08/01/22	<b>CHARTER/SPECTRUM</b>			
E 10-20-220		COMMUNICATION	\$109.98	3710072522	Gen - internet service
E 31-20-220		COMMUNICATION	\$129.98	3710072522	Fire - internet service
Total			\$239.96		
<b>68905</b>	08/01/22	<b>CHESTERMAN COMPANY</b>			
E 41-20-321		CONCESSIONS	\$87.90	10824758	Pool - cases of pop
Total			\$87.90		
<b>68906</b>	08/01/22	<b>CITY HEALTH DEDUCTIBLE SAVINGS</b>			
E 42-10-130		INSURANCE	\$363.00		Park - health savings
E 03-10-130		INSURANCE	\$726.00		Swr - health savings
E 01-10-130		INSURANCE	\$1,452.00		Lgts - health savings
E 21-10-130		INSURANCE	\$726.00		Strs - health savings
E 02-10-130		INSURANCE	\$1,089.00		Wtr - health savings
E 10-10-130		INSURANCE	\$726.00		Gen - health savings
E 32-10-130		INSURANCE	\$1,452.00		Pol - health savings
Total			\$6,534.00		
<b>68907</b>	08/01/22	<b>CITY OF ST PAUL 125 PLAN</b>			
E 32-10-130		INSURANCE	\$10.00		Pol - life insurance
E 01-10-130		INSURANCE	\$40.00		Lgts - life insurance
E 02-10-130		INSURANCE	\$20.00		Wtr - life insurance

**\*Check Detail Register©**

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Check #	Check Date	Vendor Name	Amount	Invoice	Comment
E 03-10-130		INSURANCE	\$20.00		Swr - life insurance
E 21-10-130		INSURANCE	\$20.00		Strs - life insurance
E 10-10-130		INSURANCE	\$20.00		Gen - life insurance
E 42-10-130		INSURANCE	\$10.00		Park - life insurance
		Total	\$140.00		
<b>68908</b>	08/01/22	<b>COR MANAGED SERVICES</b>			
E 32-20-309		COMPUTER	\$1,039.96	48039	Pol - set up new computer system for Police cars
		Total	\$1,039.96		
<b>68909</b>	08/01/22	<b>CUSTER COUNTY RECYCLING</b>			
E 04-20-325		Recycle Delivery	\$16.70	452	Lndfl - recycling trailer
		Total	\$16.70		
<b>68910</b>	08/01/22	<b>DANKO EMERGENCY EQUIP</b>			
E 31-20-271		VEHICLE R & M	\$1,200.08	124912	Fire - #51 rebuild tank to pump, tank fill, and left aux intake valves
		Total	\$1,200.08		
<b>68911</b>	08/01/22	<b>DON'S PIONEER UNIFORMS</b>			
E 32-20-272		TOOLS	\$2,953.52	67075	Pol - equipment for Officer Stethem
E 32-20-272		TOOLS	\$1,894.11	67094	Pol - equipment for Officers Grooms and Robinson
		Total	\$4,847.63		
<b>68912</b>	08/01/22	<b>EAKES OFFICE SOLUTIONS</b>			
E 44-20-520		BLDG/ R & M	\$56.33	INV372867	Lib - copier contract (June)
E 02-20-520		BLDG/ R & M	\$15.00	INV377560	Wtr - copier contract (June)
E 10-20-520		BLDG/ R & M	\$199.66	INV377563	Pol - copier contract (June)
		Total	\$270.99		
<b>68913</b>	08/01/22	<b>EBSCO MAGS</b>			
E 44-20-234		MAGAZINE & PAPER	\$262.37	R569714	Lib - magazines
		Total	\$262.37		
<b>68914</b>	08/01/22	<b>EGAN SUPPLY CO.</b>			
E 41-20-270		UTILITY R & M	\$79.63	355191	Pool - soap for showers
		Total	\$79.63		
<b>68915</b>	08/01/22	<b>GB AUTO SERVICE, INC</b>			
E 01-20-271		VEHICLE R & M	\$882.14	2998	Lgts - #14W tires
		Total	\$882.14		
<b>68916</b>	08/01/22	<b>HACH COMPANY</b>			
E 02-20-270		UTILITY R & M	\$133.21	13150334	Wtr - testing reagents
		Total	\$133.21		
<b>68917</b>	08/01/22	<b>HEARTLAND DISPOSAL INC</b>			
E 10-20-520		BLDG/ R & M	\$850.00	139611	Gen - sanitation hauling for GCA Days celebration
		Total	\$850.00		
<b>68918</b>	08/01/22	<b>HOMETOWN MARKET</b>			
E 41-20-321		CONCESSIONS	(\$32.80)	0575	Pool - credit for returned candy

CITY OF ST PAUL

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Check #	Check Date	Vendor Name	Amount	Invoice	Comment
E 41-20-321		CONCESSIONS	\$229.76	4380	Pool - frozen treats, candy, chips, corn dogs, garbage bags
E 41-20-321		CONCESSIONS	\$99.69	4984	Pool - frozen treats, ice, candy, bottled water
E 41-20-321		CONCESSIONS	\$73.40	5373	Pool - frozen treats, corn dogs
E 41-20-321		CONCESSIONS	\$5.78	6171	Pool - ice
E 41-20-321		CONCESSIONS	\$160.59	6515	Pool - frozen treats, chips, candy
E 41-20-321		CONCESSIONS	\$59.78	7200	Pool - ice, candy bars
E 41-20-321		CONCESSIONS	\$77.89	7928	Pool - frozen treats, ice
		Total	\$674.09		
<b>68919</b>	08/01/22	<b>HOWARD CO REGISTER OF DEEDS</b>			
E 34-20-216		RECORDING FEE	\$10.00		Cem - Rickertsen recording fee
		Total	\$10.00		
<b>68920</b>	08/01/22	<b>HOWARD COUNTY TREASURER (CCCC)</b>			
E 32-20-214		DISPATCHER	\$3,122.42		Pol - dispatcher pay
		Total	\$3,122.42		
<b>68921</b>	08/01/22	<b>JARECKE MOTORS INC</b>			
E 31-20-271		VEHICLE R & M	\$72.36	14024	Fire - #50 oil change
		Total	\$72.36		
<b>68922</b>	08/01/22	<b>JOHN DEERE FINANCIAL</b>			
E 21-20-270		UTILITY R & M	\$188.80	3203490	Strs - blades for shredder
		Total	\$188.80		
<b>68923</b>	08/01/22	<b>KANTER, LINDA</b>			
E 43-10-121		Rec. Class Teach.	\$195.00	SPCC-SR22-	Rec - Summer Rec instructor for sewing class
		Total	\$195.00		
<b>68924</b>	08/01/22	<b>LARM</b>			
E 32-20-250		CITY INSURANCE	\$69.67	105343	Pol - add computer systems for Police vehicles
		Total	\$69.67		
<b>68925</b>	08/01/22	<b>LEVANDERS AUTOMOTIVE</b>			
E 31-20-271		VEHICLE R & M	\$64.00	3881	Fire - #51 repair to door
		Total	\$64.00		
<b>68926</b>	08/01/22	<b>LOUP VALLEY SUPPLY, INC.</b>			
E 42-20-521		GROUNDS / R & M	\$32.10	67191	Park - mole repellent
E 42-20-270		UTILITY R & M	\$3.50	67193	Park - rope for blower
		Total	\$35.60		
<b>68927</b>	08/01/22	<b>MADISON NATIONAL LIFE</b>			
E 42-10-130		INSURANCE	\$10.74	1510850	Park - life insurance
E 03-10-130		INSURANCE	\$21.48	1510850	Swr - life insurance
E 01-10-130		INSURANCE	\$32.22	1510850	Lgts - life insurance
E 21-10-130		INSURANCE	\$21.48	1510850	Strs - life insurance
E 02-10-130		INSURANCE	\$32.22	1510850	Wtr - life insurance
E 10-10-130		INSURANCE	\$21.48	1510850	Gen - life insurance
E 32-10-130		INSURANCE	\$42.96	1510850	Pol - life insurance

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Check #	Check Date	Vendor Name	Amount	Invoice	Comment
Total			\$182.58		
<b>68928</b>	08/01/22	<b>MEINECKE, MIKE</b>			
E 43-10-121		Rec. Class Teach.	\$370.00	SPCC-SR22-	Rec - Summer Rec instructor for Board Game Day class
Total			\$370.00		
<b>68929</b>	08/01/22	<b>MEYER, NATHAN</b>			
E 36-20-210		PROF&SCHOOLS	\$14.18		EMS - meal during EMS training in Kearney
E 36-20-210		PROF&SCHOOLS	\$118.13		EMS - mileage for EMS training in Kearney
Total			\$132.31		
<b>68930</b>	08/01/22	<b>MUTUAL OF OMAHA</b>			
E 42-10-130		INSURANCE	\$7.20	1387841789	Park - life insurance (July)
E 03-10-130		INSURANCE	\$14.40	1387841789	Swr - life insurance (July)
E 01-10-130		INSURANCE	\$16.56	1387841789	Lgts - life insurance (July)
E 21-10-130		INSURANCE	\$14.40	1387841789	Strs - life insurance (July)
E 02-10-130		INSURANCE	\$18.00	1387841789	Wtr - life insurance (July)
E 10-10-130		INSURANCE	\$21.60	1387841789	Gen - life insurance (July)
E 32-10-130		INSURANCE	\$21.60	1387841789	Poi - life insurance (July)
E 42-10-130		INSURANCE	\$7.20	1391991879	Park - life insurance (Aug)
E 03-10-130		INSURANCE	\$14.40	1391991879	Swr - life insurance (Aug)
E 01-10-130		INSURANCE	\$16.56	1391991879	Lgts - life insurance (Aug)
E 21-10-130		INSURANCE	\$14.40	1391991879	Strs - life insurance (Aug)
E 02-10-130		INSURANCE	\$18.00	1391991879	Wtr - life insurance (Aug)
E 10-10-130		INSURANCE	\$7.20	1391991879	Gen - life insurance (Aug)
E 32-10-130		INSURANCE	\$21.60	1391991879	Poi - life insurance (Aug)
Total			\$213.12		
<b>68931</b>	08/01/22	<b>OLSSON</b>			
E 03-20-213		ENGINEER FEES	\$16,958.34	426282	Swr - WWTF improvements
Total			\$16,958.34		
<b>68932</b>	08/01/22	<b>PETTY CASH, CITY OF ST PAUL</b>			
E 32-20-313		POSTAGE	\$4.33		Pol - postage
E 21-20-270		UTILITY R & M	\$6.66		Strs - wasp spray
E 01-20-272		TOOLS	\$17.64		Lgts - bags for handheld meters
Total			\$28.63		
<b>68933</b>	08/01/22	<b>POAN</b>			
E 32-20-211		ADM. & DUES	\$30.00	3783	Pol - annual membership for Officers Grooms and Stump
Total			\$30.00		
<b>68934</b>	08/01/22	<b>REGIONAL CARE, INC</b>			
E 42-10-130		INSURANCE	\$5.50	58458	Park - health reimbursement
E 03-10-130		INSURANCE	\$11.00	58458	Swr - health reimbursement
E 01-10-130		INSURANCE	\$22.00	58458	Lgts - health reimbursement
E 21-10-130		INSURANCE	\$11.00	58458	Strs - health reimbursement
E 02-10-130		INSURANCE	\$16.50	58458	Wtr - health reimbursement
E 10-10-130		INSURANCE	\$11.00	58458	Gen - health reimbursement

CITY OF ST PAUL

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Check #	Check Date	Vendor Name	Amount	Invoice	Comment
E 32-10-130		INSURANCE	\$11.00	58458	Pol - health reimbursement
		Total	\$88.00		
<b>68935</b>	08/01/22	<b>S E SMITH AND SONS</b>			
E 42-20-270		UTILITY R & M	\$29.49	655520	Park - elastic cord for garbage barrels
E 01-20-520		BLDG/ R & M	\$15.92	655670	Lgts - downspout
E 01-20-520		BLDG/ R & M	\$42.59	655752	Lgts - paint for North yard buildings
E 02-20-520		BLDG/ R & M	\$12.77	655856	Wtr - sealant for City office roof
E 02-20-520		BLDG/ R & M	\$19.16	655860	Wtr - fascia for WTP
		Total	\$119.93		
<b>68936</b>	08/01/22	<b>SERVI-TECH INC</b>			
E 03-20-232		LAB SAMPLE	\$144.25	H984670	Swr - lab sample #3987
		Total	\$144.25		
<b>68937</b>	08/01/22	<b>SOS PORTABLE TOILETS INC</b>			
E 10-20-273		PUBLIC MAINTENANCE	\$1,450.00	48278	Gen - portable toilets for GCA Days
		Total	\$1,450.00		
<b>68938</b>	08/01/22	<b>ST PAUL FIRE DEPT TRUST</b>			
E 31-20-665		Reimbursement	\$5,508.14		Fire - federal reimb for mutuai aid on wildfires
		Total	\$5,508.14		
<b>68939</b>	08/01/22	<b>ST PAUL PUBLIC SCHOOL</b>			
E 10-20-211		ADM. & DUES	\$3,386.00		Gen - reimbursement of liquor & tobacco licenses and fines
		Total	\$3,386.00		
<b>68940</b>	08/01/22	<b>STATE OF NEBRASKA CENTRAL SERV</b>			
E 42-20-220		COMMUNICATION	\$19.17	1328451	Park - telephone service
E 41-20-220		COMMUNICATION	\$20.11	1328451	Pool - telephone service
E 02-20-220		COMMUNICATION	\$129.05	1328451	Wtr - DSL telephone service
E 02-20-220		COMMUNICATION	\$19.17	1328451	Wtr - telephone service
		Total	\$187.50		
<b>68941</b>	08/01/22	<b>VAN DIEST SUPPLY CO, INC</b>			
E 21-20-270		UTILITY R & M	\$179.00	248832	Strs - weed sterilant
E 21-20-270		UTILITY R & M	\$50.95	248833	Strs - dye
		Total	\$229.95		
<b>68942</b>	08/01/22	<b>VERIZON WIRELESS LLC</b>			
E 32-20-220		COMMUNICATION	\$142.39	9911591576	Pol - cell phones
		Total	\$142.39		
		<b>11100 CHECKING</b>	<b>\$88,757.16</b>		

**\*Check Detail Register©**

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Check #	Check Date	Vendor Name	Amount	Invoice	Comment
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**Fund Summary**

<b>11100 CHECKING</b>					
01	LIGHTS		\$8,929.22		
02	WATER		\$8,608.39		
03	SEWER		\$21,020.81		
04	LANDFILL		\$16.70		
10	GENERAL		\$13,207.96		
21	STREETS		\$7,351.98		
31	FIREMEN		\$7,031.54		
32	POLICE		\$16,019.57		
34	CEMETERY		\$110.00		
36	AMBULANCE		\$362.21		
41	POOL		\$892.11		
42	PARK		\$3,720.81		
43	RECREATION		\$565.00		
44	LIBRARY		\$920.86		
			<b>\$88,757.16</b>		

**CITY OF ST. PAUL, NEBRASKA**

ORDINANCE NO. 1029

An ordinance of the City of St. Paul, Nebraska to amend Sections 4-302 through 4-309 of the St. Paul Municipal Code.

WHEREAS, the City of St. Paul desires to amend Sections 4-302 through 4-309 St. Paul Municipal Code.

BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF ST. PAUL, NEBRASKA THAT:

Section 1. That Sections 4-302 through 4-309 St. Paul Municipal Code shall be amended to read as provided in the attached amended code section. **See attached.**

Section 3. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 4. This ordinance shall be in full force and take effect from and after its passage, approval and publication as required by law.

Passed and approved this 1<sup>st</sup> day of August, 2022.

\_\_\_\_\_  
Joel M. Bergman, Mayor

Attest:

\_\_\_\_\_  
Connie Jo Beck, City Clerk

*NUISANCES Ordinance #1029*

*DATED: AUGUST 1, 2022*

*AMENDED Sections 4-302 through 4-309*

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NEW 4-302 to 4-309

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**§4-302 DEFINITION.**

(A) *General definition.* For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

*NUISANCE.* Consists in doing any unlawful act, or omitting to perform a duty, or suffering or permitting any condition or thing to be or exist, which act, omission, condition or thing either:

- (a) Injures or endangers the comfort, repose, health, or safety of others;
- (b) Offends decency;
- (c) Is offensive to the senses;
- (d) Unlawfully interferes with, obstructs, tends to obstruct, or renders dangerous for passage any stream, public park, parkway, square, street, or highway in the city;
- (e) In any way renders other persons insecure in life or the use of property; or
- (f) Essentially interferes with the comfortable enjoyment of life and property, or tends to depreciate the value of the property of others.

(B) *Specific definition.* The maintaining, using, placing, depositing, leaving, or permitting of any of the following specific acts, omissions, places, conditions, and things are hereby declared to be *NUISANCES*:

- (1) Any odorous, putrid, unsound, or unwholesome grain, meat, hides, skins, feathers, vegetable matter, or the whole or any part of any dead animal, fish, or fowl;
- (2) Privies, vaults, cesspools, dumps, pits, or like places which are not securely protected from flies or rats, or which are foul or malodorous;
- (3) Filthy, littered, or trash-covered cellars, house yards, barnyards, stable yards, factory yards, mill yards, vacant areas in rear of stores, granaries, vacant lots, houses, buildings, or premises;
- (4) Animal manure in any quantity which is not securely protected from flies and the elements, or which is kept or handled in violation of any ordinance of the city;
- (5) Liquid household waste, human excreta, garbage, butcher's trimmings and offal, parts of fish, or any waste vegetable or animal matter in any quantity; provided, that nothing herein contained shall prevent the temporary retention of waste in receptacles in a manner provided by the health officer of the city, nor the dumping of non-putrefying waste in a place and manner approved by the health officer;
- (6) Tin cans, bottles, glass, cans, ashes, small pieces of scrap iron, wire metal articles, bric-a-brac,

broken stone or cement, broken crockery, broken glass, broken plaster, and all trash or abandoned material, unless the same be kept in covered bins or galvanized iron receptacles;

(7) Trash, litter, rags, accumulations of barrels, boxes, crates, packing crates, mattresses, bedding, excelsior, packing hay, straw, or other packing material, lumber not neatly piled, scrap iron, tin, or other metal not neatly piled, old automobiles or parts thereof, or any other waste materials when any of the articles or materials create a condition in which flies or rats may breed or multiply, or which may be a fire danger, or which are so unsightly as to depreciate property values in the vicinity thereof;

(8) Any unsightly building, billboard, or other structure, or any old, abandoned, or partially destroyed building or structure or any building or structure commenced and left unfinished, which buildings, billboards, or other structures are either a fire hazard, a menace to the public health or safety, or are so unsightly as to depreciate the value of property in the vicinity thereof;

(9) All places used or maintained as junk yards, or dumping grounds, or for the wrecking and disassembling of automobiles, trucks, tractors, or machinery of any kind, or for the storing or leaving of worn-out, wrecked, or abandoned automobiles, trucks, tractors, or machinery of any kind, or of any of the parts thereof, or for the storing or leaving of any machinery or equipment used by contractors or builders or by other persons, which places are kept or maintained so as to essentially interfere with the comfortable enjoyment of life or property by others, or which are so unsightly as to tend to depreciate property values in the vicinity thereof;

(10) Stagnant water permitted or maintained on any lot or piece of ground;

(11) Stockyards, granaries, mills, pig pens, cattle pens, chicken pens, or any other place, building, or enclosure, in which animals or fowl of any kind are confined or on which is stored tankage or any other animal or vegetable matter, or on which any animal or vegetable matter including grain is being processed, when the places in which the animals are confined, or the premises on which the vegetable or animal matter is located, are maintained and kept in such a manner that foul and noxious odors are permitted to emanate therefrom to the annoyance of inhabitants of the city or are maintained and kept in such a manner as to be injurious to the public health; or

(12) All other things specifically designated as nuisances elsewhere in this code.  
Penalty, see § 10.99

#### **§ 4-303 ABATEMENT PROCEDURE.**

(A) The owner or occupant of any real estate within the corporate limits or zoning jurisdiction of the city shall keep such real estate free of nuisances. Except to the extent that conflicting procedures are otherwise provided, the procedures in this section shall apply to abatement of nuisances.

(B) Upon determination by the Board of Health or designated official that the owner or occupant of any such real estate has failed to keep the real estate free of nuisances, notice to abate and remove such nuisance and notice of the right to a hearing before the City Council and the manner in which it may be requested shall be given to each owner or owner's duly authorized agent and to the occupant, if any, by personal service or by certified mail. If notice by personal service or certified mail is unsuccessful, notice shall be given by publication in a newspaper of general circulation in the city or by conspicuously posting the notice on the real estate upon which the nuisance is to be abated and removed. The notice shall describe the condition as found by the Board of Health or designated official and state that the condition has been declared a nuisance and must be remedied at once.

(C) If within 5 days after receipt of such notice or publication or posting, whichever is applicable, the owner

or occupant of the real estate does not request a hearing with the city or fails to comply with the order to abate and remove the nuisance, the city may have such work done.

(D) If within 5 days after receipt of such notice or publication or posting, whichever is applicable, the owner or occupant requests in writing a hearing with the City Council, the Council shall fix a time and place at which a hearing will be held. Notice of the hearing shall be given by personal service or certified mail and require the owner or occupant to appear before the Council to show cause why such condition should not be found to be a nuisance and remedied. The notice shall be given not less than 7 nor more than 14 days before the time of the hearing. Upon the date fixed for the hearing and pursuant to the notice, the Council shall hear all objections made by the owner or occupant and shall hear evidence submitted by the Board of Health or designated official. If after consideration of all the evidence, the City Council finds that the condition is a nuisance, it shall, by resolution, order and direct the owner or occupant to remedy the nuisance at once. If the owner or occupant refuses or neglects to promptly comply with the order to abate and remove the nuisance, the Council may have such work done.

(E) The costs and expenses of any such work shall be paid by the owner. If unpaid for 2 months after such work is done, the city may either:

(1) Levy and assess the costs and expenses of the work upon the real estate so benefitted in the same manner as other special taxes for improvements are levied and assessed; or

(2) Recover in a civil action the costs and expenses of the work upon the real estate and the adjoining streets and alleys.

***Statutory reference:***

*Authority to regulate and abate nuisances, see Neb. RS 18-1720*

*Nuisances prohibited, see Neb. RS 28-1321*

*Similar provisions, see Neb. RS 17-563*

*Zoning jurisdiction, Neb. RS 17-1001*

***Cross reference:***

**§ 4-304 DEAD OR DISEASED TREES.**

(A) (1) It is hereby declared a nuisance for a property owner to permit, allow, or maintain any dead or diseased trees within the right-of-way of streets within the corporate limits of the city.

(2) Notice to abate and remove such nuisance and notice of the right to a hearing and the manner in which it may be requested shall be given to each owner or owner's duly authorized agent and to the occupant, if any, by personal service or certified mail. Within 30 days after the receipt of such notice, if the owner or occupant of the lot or piece of ground does not request a hearing or fails to comply with the order to abate and remove the nuisance, the city may have such work done and may levy and assess all or any portion of the costs and expenses of the work upon the lot or piece of ground so benefitted in the same manner as other special taxes for improvements are levied or assessed.

(Neb. RS 17-555)

(B) It is hereby declared a nuisance for a property owner to permit, allow, or maintain any dead or diseased trees on private property within the corporate limits of the city. The provisions in division (A)(2) shall apply to such nuisances. For the purpose of carrying out the provisions of this section, the city police shall have the authority to enter upon private property to inspect the trees thereon.

**§4-305 WEEDS; LITTER; STAGNANT WATER.**

(A) Lots or pieces of ground within the city shall be drained or filled so as to prevent stagnant water or any other nuisance accumulating thereon.

(B) The owner or occupant of any lot or piece of ground within the city shall keep the lot or piece of ground and the adjoining streets and alleys free of any growth of 12 inches or more in height of weeds, grasses, or worthless vegetation.

(C) The throwing, depositing, or accumulation of litter on any lot or piece of ground within the city is prohibited.

(D) It is hereby declared to be a nuisance to permit or maintain any growth of 12 inches or more in height of weeds, grasses, or worthless vegetation on any lot or piece of ground within the city or on the adjoining streets or alleys or to litter or cause litter to be deposited or remain thereon except in proper receptacles.

(E) Any owner or occupant of a lot or piece of ground shall, upon conviction of violating this section, be guilty of an offense.

(F) (1) Notice to abate and remove such nuisance shall be given to each owner or owner's duly authorized agent and to the occupant, if any, by personal service or certified mail. If notice by personal service or certified mail is unsuccessful, notice shall be given by publication in a newspaper of general circulation in the city or by conspicuously posting the notice on the lot or ground upon which the nuisance is to be abated and removed. Within 5 days after receipt of such notice or publication or posting, whichever is applicable, if the owner or occupant of the lot or piece of ground does not request a hearing with the city or fails to comply with the order to abate and remove the nuisance, the city may have such work done.

(2) The costs and expenses of any such work shall be paid by the owner. If unpaid for 2 months after such work is done, the city may either:

(a) Levy and assess the costs and expenses of the work upon the lot or piece of ground so benefitted in the same manner as other special taxes for improvements are levied and assessed; or

(b) Recover in a civil action the costs and expenses of the work upon the lot or piece of ground and the adjoining streets and alleys.

(G) For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**LITTER.** Includes but is not limited to:

- (a) Trash, rubbish, refuse, garbage, paper, rags, and ashes;
- (b) Wood, plaster, cement, brick, or stone building rubble;
- (c) Grass, leaves, and worthless vegetation except when used as ground mulch or in a compost pile;
- (d) Offal and dead animals; and

(e) Any machine or machines, vehicle or vehicles, or parts of a machine or vehicle which have lost their identity, character, utility, or serviceability as such through deterioration, dismantling, or the ravages of time, are inoperative or unable to perform their intended functions, or are cast off, discarded, or thrown away or left as waste, wreckage, or junk.

**WEEDS.** Include, but are not limited to: bindweed (*Convolvulus arvensis*), puncture vine (*Tribulus terrestris*), leafy spurge (*Euphorbia esula*), Canada thistle (*Cirsium arvense*), perennial peppergrass (*Lepidium draba*), Russian knapweed (*Centaurea picris*), Johnson grass (*Sorghum halepense*), nodding or musk thistle, quack grass (*Agropyron repens*), perennial sow thistle (*Sonchus arvensis*), horse nettle (*Solanum carolinense*), bull thistle (*Cirsium lanceolatum*), buckthorn (*Rhamnus sp.*) (tourn), hemp plant (*Cannabis sativa*), and ragweed (*Ambrosiaceae*).  
(Neb. RS 17-563)

#### **§ 4-306 GARBAGE AND REFUSE.**

(A) The owner, duly authorized agent, or tenant of any lot or land within the corporate limits or zoning jurisdiction of the city shall remove garbage or refuse found upon the lot or land or upon the streets, roads, or alleys abutting the lot or land which constitutes a public nuisance.

(B) Notice that removal of garbage or refuse is necessary shall be given to each owner or owner's duly authorized agent and to the tenant if any. The notice shall be provided by personal service or by certified mail. After providing the notice, the city through its proper offices shall, in addition to other proper remedies, remove the garbage or refuse, or cause it to be removed, from the lot or land and streets, roads, or alleys.

(C) If the Mayor declares that the accumulation of garbage or refuse upon any lot or land constitutes an immediate nuisance and hazard to public health and safety, the city shall remove the garbage or refuse, or cause it to be removed, from the lot or land within 48 hours after notice by personal service or following receipt of a certified letter in accordance with division (B) of this section if the garbage or refuse has not been removed.

(D) Whenever the city removes any garbage or refuse, or causes it to be removed, from any lot or land pursuant to this section, it shall, after a hearing conducted by the City Council, assess the cost of the removal against the lot or land. The costs and expenses of any such work shall be paid by the owner. If unpaid for 2 months after such work is done, the city may either:

(a) Levy and assess the costs and expenses of the work upon the lot or piece of ground so benefitted in the same manner as other special taxes for improvements are levied and assessed; or

(b) Recover in a civil action the costs and expenses of the work upon the lot or piece of ground and the adjoining streets and alleys.

(Neb. RS 18-1752)

**Sections 4-307 Through 4-309 are hereby reserved.**

## **18-1720. Nuisances; definition; prevention; abatement; joint and cooperative action with county.**

(1) All cities and villages in this state may by ordinance define, regulate, suppress, and prevent nuisances, declare what constitutes a nuisance, and abate and remove such nuisances. Every city and village may exercise such power and authority within its corporate limits and extraterritorial zoning jurisdiction.

(2) Any city or village may enter into an interlocal agreement pursuant to the Interlocal Cooperation Act with a county in which the extraterritorial zoning jurisdiction of the city or village is located to provide for joint and cooperative action to abate, remove, or prevent nuisances within such extraterritorial zoning jurisdiction. The governing body of such city or village and the county board of such county shall first approve such interlocal agreement by ordinance or resolution.

**Source:** Laws 1939, c. 10, § 1, p. 77; C.S.Supp.,1941, § 19-1201; R.S.1943, § 19-1201; Laws 1969, c. 115, § 1, p. 529; Laws 2019, LB11, § 1; Laws 2021, LB163, § 103.

### **Cross References**

**Interlocal Cooperation Act**, see section 13-801.

### **Annotations**

A city of the primary class possesses authority to sue and suppress nuisances. *City of Lincoln v. ABC Books, Inc.*, 238 Neb. 378, 470 N.W.2d 760 (1991).

## **28-1321. Maintaining a nuisance; penalty; abatement or removal.**

(1) A person commits the offense of maintaining a nuisance if he erects, keeps up or continues and maintains any nuisance to the injury of any part of the citizens of this state.

(2) The erecting, continuing, using, or maintaining of any building, structure, or other place for the exercise of any trade, employment, manufacture, or other business which, by occasioning noxious exhalations, noisome or offensive smells, becomes injurious and dangerous to the health, comfort, or property of individuals or the public; the obstructing or impeding, without legal authority, of the passage of any navigable river, harbor, or collection of water; or the corrupting or rendering unwholesome or impure of any watercourse, stream, or water; or unlawfully diverting any such watercourse from its natural course or state to the injury or prejudice of others; and the obstructing or encumbering by fences, building, structures or otherwise of any of the public highways or streets or alleys of any city or village, shall be deemed nuisances.

(3) A person guilty of erecting, continuing, using, maintaining or causing any such nuisance shall be guilty of a violation of this section, and in every such case the offense shall be construed and held to have been committed in any county whose inhabitants are or have been injured or aggrieved thereby.

(4) Maintenance of nuisances is a Class III misdemeanor.

(5) The court, in case of conviction of such offense, shall order every such nuisance to be abated or removed.

**Source:** Laws 1977, LB 38, § 305.

### **Cross References**

**Nebraska Right to Farm Act**, see sections 2-4401 to 2-4404.

**17-563. Lots; drainage; weeds or litter; nuisance; noncompliance by owner; notice; hearing; special assessment; violation; penalty; civil action.**

(1) A city of the second class or village by ordinance (a) may require lots or pieces of ground within the city or village or within its extraterritorial zoning jurisdiction to be drained or filled so as to prevent stagnant water or any other nuisance accumulating on such lot or piece of ground, (b) may require the owner or occupant of any lot or piece of ground within the city or village or within its extraterritorial zoning jurisdiction to keep the lot or piece of ground and the adjoining streets and alleys free of excessive growth of weeds, grasses, or worthless vegetation, and (c) may prohibit and control the throwing, depositing, or accumulation of litter on any lot or piece of ground within the city or village or within its extraterritorial zoning jurisdiction.

(2) Any city of the second class or village may by ordinance declare it to be a nuisance to permit or maintain excessive growth of weeds, grasses, or worthless vegetation or to litter or cause litter to be deposited or remain thereon except in proper receptacles. The city or village shall establish by ordinance the height at which weeds, grasses, or worthless vegetation are a nuisance.

(3) Any owner or occupant of a lot or piece of ground shall, upon conviction of violating any ordinance authorized under this section, be guilty of a Class V misdemeanor.

(4) Notice to abate and remove such nuisance shall be given to each owner or owner's duly authorized agent and to the occupant, if any. The city or village shall establish the method of notice by ordinance. If notice is given by first-class mail, such mail shall be conspicuously marked as to its importance. Within five days after receipt of such notice, the owner or occupant of the lot or piece of ground may request a hearing with the city or village to appeal the decision to abate or remove a nuisance by filing a written appeal with the office of the city clerk or village clerk. A hearing on the appeal shall be held within fourteen days after the filing of the appeal and shall be conducted by an elected or appointed officer as designated in the ordinance. The hearing officer shall render a decision on the appeal within five business days after the conclusion of the hearing. If the appeal fails, the city or village may have such work done. Within five days after receipt of such notice, if the owner or occupant of the lot or piece of ground does not request a hearing with the city or village or fails to comply with the order to abate and remove the nuisance, the city or village may have such work done. The costs and expenses of any such work shall be paid by the owner. If unpaid for two months after such work is done, the city or village may either (a) levy and assess the costs and expenses of the work upon the lot or piece of ground so benefited as a special assessment in the same manner as other special assessments for improvements are

levied and assessed or (b) recover in a civil action the costs and expenses of the work upon the lot or piece of ground and the adjoining streets and alleys.

(5) For purposes of this section:

(a) Litter includes, but is not limited to: (i) Trash, rubbish, refuse, garbage, paper, rags, and ashes; (ii) wood, plaster, cement, brick, or stone building rubble; (iii) grass, leaves, and worthless vegetation; (iv) dead animals; and (v) any machine or machines, vehicle or vehicles, or parts of a machine or vehicle which have lost their identity, character, utility, or serviceability as such through deterioration, dismantling, or the ravages of time, are inoperative or unable to perform their intended functions, or are cast off, discarded, or thrown away or left as waste, wreckage, or junk; and

(b) Weeds includes, but is not limited to, bindweed (*Convolvulus arvensis*), puncture vine (*Tribulus terrestris*), leafy spurge (*Euphorbia esula*), Canada thistle (*Cirsium arvense*), perennial peppergrass (*Lepidium draba*), Russian knapweed (*Centaurea picris*), Johnson grass (*Sorghum halepense*), nodding or musk thistle, quack grass (*Agropyron repens*), perennial sow thistle (*Sonchus arvensis*), horse nettle (*Solanum carolinense*), bull thistle (*Cirsium lanceolatum*), buckthorn (*Rhamnus* sp.) (toun), hemp plant (*Cannabis sativa*), and ragweed (*Ambrosiaceae*).

**Source:** Laws 1879, § 71, p. 219; R.S.1913, § 5137; C.S.1922, § 4312; C.S.1929, § 17-503; R.S.1943, § 17-563; Laws 1991, LB 330, § 2; Laws 1995, LB 42, § 3; Laws 2004, LB 997, § 2; Laws 2009, LB495, § 8; Laws 2013, LB643, § 2; Laws 2015, LB266, § 12; Laws 2015, LB361, § 35; Laws 2017, LB133, § 187.

**17-1001. Suburban development; zoning ordinances; building regulations; public utility codes; extension; notice to county board.**

(1) Except as provided in section 13-327 and subsection (2) of this section, the extraterritorial zoning jurisdiction of a city of the second class or village shall consist of the unincorporated area one mile beyond and adjacent to its corporate boundaries.

(2) For purposes of sections 70-1001 to 70-1020, the extraterritorial zoning jurisdiction of a city of the second class or village shall consist of the unincorporated area one-half mile beyond and adjacent to its corporate boundaries.

(3) Any city of the second class or village may apply by ordinance any existing or future zoning regulations, property use regulations, building ordinances, electrical ordinances, and plumbing ordinances within its extraterritorial zoning jurisdiction, with the same force and effect as if such area was within its corporate limits. No such ordinance shall be extended or applied so as to prohibit, prevent, or interfere with the conduct of existing farming, livestock operations, businesses, or industry. The fact that the extraterritorial zoning jurisdiction or part thereof is located in a different county or counties than some or all portions of the municipality shall not be construed as affecting the powers of the city or village to apply such ordinances.

(4)(a) A city of the second class or village shall provide written notice to the county board of the county in which the extraterritorial zoning jurisdiction of the city or village is located when proposing to adopt or amend a zoning ordinance which affects the extraterritorial zoning jurisdiction of the city or village within such county. The written notice of the proposed change to the zoning ordinance shall be sent to the county board or its designee at least thirty days prior to the final decision by the city or village. The county board may submit comments or recommendations regarding the change in the zoning ordinance at the public hearings on the proposed change or directly to the city or village within thirty days after receiving such notice. The city or village may make its final decision (i) upon the expiration of the thirty days following the notice or (ii) when the county board submits comments or recommendations, if any, to the city or village prior to the expiration of the thirty days following the notice.

(b) Subdivision (4)(a) of this section does not apply to a city of the second class or a village (i) located in a county with a population in excess of one hundred thousand inhabitants as determined by the most recent federal decennial census or the most recent revised certified count by the United States Bureau of the Census or (ii) if the city or village and the county have a joint planning commission or joint planning department.

**Source:** Laws 1957, c. 37, § 1, p. 204; Laws 1967, c. 70, § 3, p. 232; Laws 1967, c. 75, § 4, p. 244; Laws 1983, LB 71, § 4; Laws 2002, LB 729, § 10; Laws 2016, LB295, § 2; Laws 2017, LB113, § 20; Laws 2017, LB133, § 306.

### **Annotations**

Notwithstanding section 24-517, the district court has jurisdiction in injunctive actions to enforce zoning ordinances. *Village of Springfield v. Hevelone*, 195 Neb. 37, 236 N.W.2d 811 (1975).

Section empowers cities of the second class and villages to extend existing ordinances to the one-half mile area surrounding the municipal limits and authorize inclusion of this area in all future ordinances. *City of Syracuse v. Farmers Elevator, Inc.*, 182 Neb. 783, 157 N.W.2d 394 (1968).

# JUSTIA

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## **2015 Nebraska Revised Statutes Chapter 17 - CITIES OF THE SECOND CLASS AND VILLAGES**

### **17-555 Streets and sidewalks; removal of obstructions; trees; declaration of nuisance; procedure; special assessment.**

**Universal Citation:** NE Code § 17-555 (2015)

17-555.

**Streets and sidewalks; removal of obstructions; trees; declaration of nuisance; procedure; special assessment.**

(1) Cities of the second class or villages may remove all obstructions from the sidewalks, curbstones, gutters, and crosswalks at the expense of the person placing them there or at the expense of the city or village and require and regulate the planting and protection of shade trees in and along the streets and the trimming and removing of such trees.

(2) Cities of the second class or villages may by ordinance declare it to be a nuisance for a property owner to permit, allow, or maintain any dead or diseased trees within the right-of-way of streets within the corporate limits or within its one-mile zoning jurisdiction of the city or village. Notice to abate and remove such nuisance and notice of the right to a hearing and the manner in which it may be requested shall be given to each owner or owner's duly authorized agent and to the occupant, if any, by personal service or certified mail. Within thirty days after the receipt of such notice, if the owner or occupant of the lot

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or piece of ground does not request a hearing or fails to comply with the order to abate and remove the nuisance, the city or village may have such work done and may levy and assess all or any portion of the costs and expenses of the work upon the lot or piece of ground so benefited as a special assessment.

(3) Cities or villages may regulate the building of bulkheads, cellar and basement ways, stairways, railways, windows, doorways, awnings, hitching posts and rails, lampposts, awning posts, all other structures projecting upon or over and adjoining, and all other excavations through and under the sidewalks in the city or village.

#### Source

- Laws 1879, § 69, XXIV, p. 215;
- Laws 1881, c. 23, § 8, XXIV, p. 183;
- Laws 1885, c. 20, § 1, XXIV, p. 174;
- Laws 1887, c. 12, § 1, XXIV, p. 303;
- R.S.1913, § 5129;
- C.S.1922, § 4304;
- C.S.1929, § 17-453;
- R.S.1943, § 17-555;
- Laws 1994, LB 695, § 6;
- Laws 2015, LB266, § 11.
- Laws 2015, LB361, § 33.
- **Effective Date: August 30, 2015**
- **Note:** The Revisor of Statutes has pursuant to section 49-769 correlated LB266, section 11, with LB361, section 33, to reflect all amendments.

#### Annotations

- City could not authorize use of part of street for private garage purposes. *Michelsen v. Dwyer*, 158 Neb. 427, 63 N.W.2d 513 (1954).
- Where rubbish mixed with ice and snow had been permitted to accumulate and remain on public street, the question of the negligence of the village in failing to remove such obstruction is one for the jury. *Pinches v. Village of Dickens*, 127 Neb. 239, 254 N.W. 877 (1934).
- City of second class has authority by ordinance to regulate and prevent use of sidewalks and streets and to remove obstructions therefrom, but such body cannot

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act arbitrarily and deny one citizen privileges which it grants to another. City of Pierce v. Schramm, 116 Neb. 263, 216 N.W. 809 (1927).

- Where village permitted one party to occupy part of public street in operation of gasoline pump, it could not arbitrarily deny similar privilege to another party. Kenney v. Village of Dorchester, 101 Neb. 425, 163 N.W. 762 (1917).
- City ordinance granting franchise to telephone company is not exclusive unless so indicated in ordinance. City of Plattsmouth v. Nebraska Tel. Co., 80 Neb. 460, 114 N.W. 588 (1908).
- Abutting property owner is entitled to damages for destruction of trees planted along street in front of his property. Bronson v. Albion Telephone Co., 67 Neb. 111, 93 N.W. 201 (1903).

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## **18-1752. Removal of garbage or refuse; authorized; procedure; costs.**

(1) Any city or village may provide for the collection and removal of garbage or refuse found upon any lot or land within its corporate limits or extraterritorial zoning jurisdiction or upon the streets, roads, or alleys abutting such lot or land which constitutes a public nuisance. The city or village may require the owner, duly authorized agent, or tenant of such lot or land to remove the garbage or refuse from such lot, land, streets, roads, or alleys.

(2) Notice that removal of garbage or refuse is necessary shall be given to each owner or owner's duly authorized agent and to the tenant if any. Such notice shall be provided by personal service or by certified mail. After providing such notice, the city or village shall, in addition to other proper remedies, remove the garbage or refuse, or cause it to be removed, from such lot, land, streets, roads, or alleys.

(3) If the mayor or city manager of such city or chairperson of the village board of trustees of such village declares that the accumulation of such garbage or refuse upon any lot or land constitutes an immediate nuisance and hazard to public health and safety, the city or village shall remove the garbage or refuse, or cause it to be removed, from such lot or land within forty-eight hours after notice by personal service or following receipt of a certified letter in accordance with subsection (2) of this section if such garbage or refuse has not been removed.

(4) Whenever any city or village removes any garbage or refuse, or causes it to be removed, from any lot or land pursuant to this section, such city or village shall, after a hearing conducted by the city council or village board of trustees, assess the cost of the removal against such lot or land.

**Source:** Laws 1988, LB 934, § 1; Laws 2021, LB163, § 114.

**League Association of Risk Management  
2022-23 Renewal Resolution**

RESOLUTION NO. 2022-9

WHEREAS, The City of St. Paul is a member of the League Association of Risk Management (LARM);

WHEREAS, section 8.10 of the Interlocal Agreement for the Establishment and Operation of the League Association of Risk Management provides that a member may voluntarily terminate its participation in LARM by written notice of termination given to LARM and the Nebraska Director of Insurance at least 90 days prior to the desired termination given to and that members may agree to extend the required termination notice beyond 90 days in order to realize reduced excess coverage costs, stability of contribution rates and efficiency in operation of LARM; and

WHEREAS, the Board of Directors of LARM has adopted a plan to provide contribution credits in consideration of certain agreements by members of LARM as provided in the attached letter.

BE IT RESOLVED that the governing body of The City of St. Paul, Nebraska, in consideration of the contribution credits provided under the LARM Board's plan, agrees to:

- Provide written notice of termination at least 180 days prior to the desired termination date, which date shall be no sooner than September 30, 2025. (**180 day and 3 year commitment; 5% discount**)
- Provide written notice of termination at least 180 days prior to the desired termination date, which date shall be no sooner than September 30, 2024. (**180 day and 2 year commitment; 4% discount**)
- Provide written notice of termination at least 180 days prior to the desired termination date, which date shall be no sooner than September 30, 2023. (**180 day notice only; 2% discount**)
- Provide written notice of termination at least 90 days prior to the desired termination date, which date shall be no sooner than September 30, 2025. (**90 day notice and 3 year commitment only; 2% discount**)
- Provide written notice of termination at least 90 days prior to the desired termination date, which date shall be no sooner than September 30, 2024. (**2 year commitment only; 1%**)
- Provide written notice of termination at least 90 days prior to the desired termination date, which date shall be no sooner than September 30, 2023. (**90 day Notice only**)

Adopted this 1<sup>st</sup> day of August, 2022.

Signature: \_\_\_\_\_

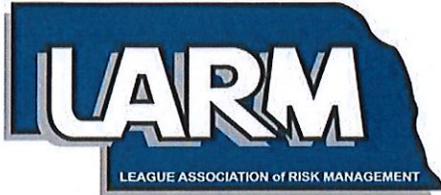
Title: Joel M. Bergman, Mayor

ATTEST: \_\_\_\_\_

Title: Connie Jo Beck, City Clerk/  
Deputy Treasurer

Please email ([customerservice@LARMpool.org](mailto:customerservice@LARMpool.org)) or fax (402.476.4089) the completed resolution to LARM.





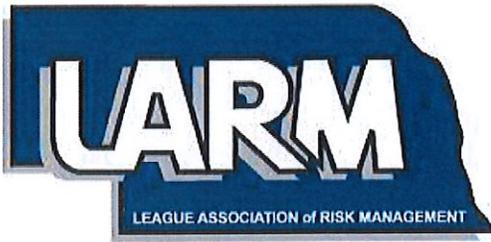
Proposal For: City of St. Paul

Effective Date: 10/1/2022

COVERAGE	LIMITS AND APPLICABLE DEDUCTIBLES	CONTRIBUTION
Worker's Compensation	Statutory Limits \$500,000 Employer Liability	\$26,953
General Liability	\$5,000,000/\$5,000,000 Per Occurrence/Aggregate \$0 Deductible	\$26,515
Errors & Omissions	\$5,000,000/\$5,000,000 Per Occurrence/Aggregate \$2,500 Deductible	\$3,462
Law Enforcement Liability	\$5,000,000/\$5,000,000 Per Occurrence/Aggregate \$2,500 Deductible	\$2,810
Auto Liability	\$5,000,000 Combined Single Limit \$0 Deductible	\$10,187
Auto Physical Damage	40 x Vehicles \$ Varies on Deductible	\$6,864
Commercial Property	\$24,015,270 \$1,000 Deductible	\$101,191
<b>TOTAL ANNUAL CONTRIBUTION:</b>		<b>\$177,982</b>

Contribution Credit Options

	180 Day Notice, 3 Year Commitment	180 Day Notice, 2 Year Commitment	180 Day Notice Only	90 Day Notice, 3 Year Commitment	90 Day Notice, 2 Year Commitment	90 Day Notice Only
Commitment Discount:	5%	4%	2%	2%	1%	0%
Property & Liability:	\$143,478	\$144,988	\$148,008	\$148,008	\$149,519	\$151,029
Workers' Compensation:	\$25,605	\$25,875	\$26,414	\$26,414	\$26,683	\$26,953
Total Contribution:	\$169,083	\$170,863	\$174,422	\$174,422	\$176,202	\$177,982



1335 L. St, Ste 200  
Lincoln, NE 68508  
Phone: (402) 742-2600  
Fax: (402) 476-4089  
[www.larmpool.org](http://www.larmpool.org)

July 1, 2022

Dear LARM Member,

Attached, please find your Renewal Coverage Proposal for the 2022-23 Pool Year. This proposal is itemized by line of coverage to represent your specific limits, deductibles, annualized contributions and to outline LARM's resolution credit options available for the new term.

**This year's inflation has been extremely challenging to balance and to ensure LARM members are adequately covered LARM is increasing overall values. Most members are seeing property values, contents, and property in the open increases of 3-10% depending on if you had a valuation of your properties in the last year. This is also being driven by reinsurance to ensure proper coverage on catastrophic losses.**

To continue the goal of pursuing a strong financial position, the Board formally approved the recommended adjustment to the 2022-2023 Pool Year rate levels as follows:

- + 11% rate adjustment for Property.
- + 5.5% adjustment Level rates for Liability Coverages.
- + 5% rate adjustment for Worker's Compensation.

With increased values, new rates and individual qualities and exposure changes since last year please know that LARM staff and agents are here to assist you with providing optional deductible and other contribution saving opportunities.

Finally, the information presented in this communication packet does not include any potential mono-line insurance placements that are not part of the formal LARM Property, General Liability or Workers' Compensation coverages (such as Bonds, Special Events Coverage, Liquor Liability, etc.) Renewal details for such policies will continue to be provided under separate cover according to their respective effective dates. In addition, please be advised that your proposal may not reflect any endorsements recently processed, and bear in mind, that your final invoice amount may vary from the renewal packet based on such services that require contribution adjustment over the next several weeks.

As always, the LARM Board and staff are very pleased that your community will continue to support LARM as we move into our 27th year of unparalleled commitment to serving our Members. On behalf of each of us, I thank you for making our partnership a mutual success.

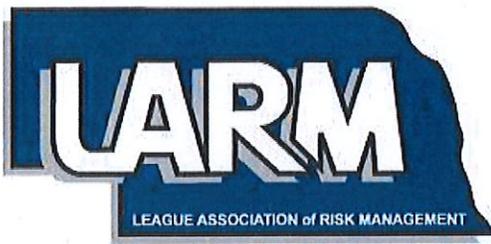
Sincerely,

LEAGUE ASSOCIATION OF RISK MANAGEMENT

A handwritten signature in black ink that reads "Tracy Juranek". The signature is written in a cursive style with a large, stylized initial 'T'.

Tracy Juranek

Customer Service Specialist/Assistant Executive Director



1335 L. St, Ste 200  
Lincoln, NE 68508  
Phone: (402) 742-2600  
Fax: (402) 476-4089  
www.larmpool.org

### **How to process the attached annual renewal resolution**

As always, LARM continues to seek certainty on upcoming Member commitments to allow us to accurately forecast our financial position. Requiring all Members to make annual elections by means of the Renewal Resolution affords us the fiscal confidence to structure a more stable program year-over-year. In return, LARM is able to translate this financial benefit to our Members in the form of corresponding contribution credits. Because predictability is strongest when estimates have future value, completing a new resolution each year delivers the best opportunity for this objective.

**If you signed a 3-year resolution last year to receive the 5% discount, you may once again return a new 3-year resolution to continue to receive the 5% discount this year. Any member can opt for the 3-year option at any renewal to receive the maximum available discount.**

**If you are a Member that desires to competitively bid your coverage in the next three (3) years:**

- If you already have a three (3) year Renewal Resolution at the 5% discount;
  - ↳ Execute a two (2) year Renewal Resolution at the 4% discount at the upcoming.
- If you already have a two (2) year Renewal Resolution at the 4% discount;
  - ↳ Execute a one (1) year Renewal Resolution for either the 2% or 0% discount.
- If you already have a one (1) year renewal Resolution, you must provide written notice of termination in accordance with the necessary days identified in the Renewal Resolution prior to the desired termination date.

**If you do not execute/return a Renewal Resolution for the new Pool Year:**

- You will automatically drop to the next lower commitment/contribution credit for that Pool Year (for example: If you were at a three (3) year commitment and do not execute/return a Renewal Resolution for the new Pool Year, you will automatically drop to a two (2) year commitment).

The enclosed Renewal Resolution form for the new term is made available for your use in designating the annual selection for the 2022-23 Pool Year. Once you have elected your contribution credit option, please authorize the Renewal Resolution and return to LARM to the address provided on the form. In order that LARM is able to issue process invoices as quickly as

possible and prior to inception of the 2022-23 Pool Year, LARM requests that the fully executed Renewal Resolution be received no later than **August 15, 2022**. Once the Renewal Resolution has been received by LARM, complete renewal packet materials (invoices, coverage documents, auto ID cards, etc.) will be prepared and delivered to you.

We are happy to review and discuss any questions or concerns you may have regarding this important process; therefore, we encourage you to contact your agent or LARM Customer Service if you need assistance.

**Important Postscript:**

Nebraska Revised Statutes §44-4309(1) requires that any member of a government risk management pool may voluntarily terminate its participation in the pool, but must notify the Director of the Nebraska Department of Insurance and the other members of the pool at least ninety (90) days prior to the desired termination date. **The notification to the Nebraska Department of Insurance and to LARM should be sent via certified mail.** The member's decision to terminate participation in the government risk pool is subject to the approval of the Director of the Nebraska Department of Insurance.

## Connie Beck

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**From:** Tracy Juranek <Tracy.Juranek@larmpool.org>  
**Sent:** Friday, July 1, 2022 4:31 PM  
**To:** Connie Beck; Laura Berthelsen  
**Subject:** St. Paul - LARM 2022-23 Renewal Proposal  
**Attachments:** LARM 2022-23 Renewal Proposal & Instruction Letter.pdf; Renewal Resolution 22-23.docx; St. Paul 2022-23 Renewal Proposal.pdf

**Importance:** High

Attached please find the renewal information for the 2022-23 Pool Year.

**THIS IS NOT AN INVOICE – PLEASE DO NOT PAY.**

The final invoice will be sent in September....keep in mind any endorsements made after today will be reflected on your final invoice.

Please read the renewal letter carefully.

**Please return your signed resolution form to LARM no later than August 15, 2022.**

If you have any questions, please do not hesitate to contact us.

Thank you....we appreciate your membership in LARM! Have a wonderful and safe Independence Day weekend!

**Tracy Juranek** | League Association of Risk Management  
Customer Service Specialist/Assistant Executive Director

1335 L St, Ste 200 | Lincoln NE 68508  
T: 402-742-2604 | [www.larmpool.org](http://www.larmpool.org)



Serving Nebraska public entities since 1995

League Association of Risk Management  
2021-22 Renewal Resolution

RESOLUTION NO. 2021-5

WHEREAS, The City of St. Paul is a member of the League Association of Risk Management (LARM);

WHEREAS, section 8.10 of the Interlocal Agreement for the Establishment and Operation of the League Association of Risk Management provides that a member may voluntarily terminate its participation in LARM by written notice of termination given to LARM and the Nebraska Director of Insurance at least 90 days prior to the desired termination given to and that members may agree to extend the required termination notice beyond 90 days in order to realize reduced excess coverage costs, stability of contribution rates and efficiency in operation of LARM; and

WHEREAS, the Board of Directors of LARM has adopted a plan to provide contribution credits in consideration of certain agreements by members of LARM as provided in the attached letter.

BE IT RESOLVED that the governing body of The City of St. Paul, Nebraska, in consideration of the contribution credits provided under the LARM Board's plan, agrees to:

- Provide written notice of termination at least 180 days prior to the desired termination date, which date shall be no sooner than September 30, 2024. **(180 day and 3 year commitment; 5% discount)**
- Provide written notice of termination at least 180 days prior to the desired termination date, which date shall be no sooner than September 30, 2023. **(180 day and 2 year commitment; 4% discount)**
- Provide written notice of termination at least 180 days prior to the desired termination date, which date shall be no sooner than September 30, 2022. **(180 day notice only; 2% discount)**
- Provide written notice of termination at least 90 days prior to the desired termination date, which date shall be no sooner than September 30, 2024. **(90 day notice and 3 year commitment only; 2% discount)**
- Provide written notice of termination at least 90 days prior to the desired termination date, which date shall be no sooner than September 30, 2023. **(2 year commitment only; 1%)**
- Provide written notice of termination at least 90 days prior to the desired termination date, which date shall be no sooner than September 30, 2022. **(90 day Notice only)**

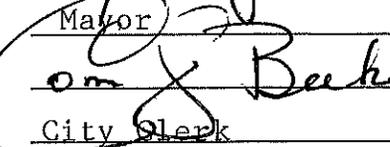
Adopted this 2nd day of August, 2021.

Signature: \_\_\_\_\_

Title: \_\_\_\_\_

ATTEST: \_\_\_\_\_

Title: \_\_\_\_\_

  
\_\_\_\_\_  
Mayor  
  
\_\_\_\_\_  
City Clerk

**VACANCY POSITION ELECTRICAL LINEMAN**

A position of the City of St. Paul Electrical Lineman will be open to current employees. This job will be posted for a period of 10 (ten) working days, during which time all employees will be permitted to apply for the job.

At the end of the 10 (ten) working days, applications will be closed.

Thank You.

Connie Jo Beck,  
City Clerk/Deputy Treasurer.

Dated: June 23, 2022

Deadline Date: July 8, 2022

Posted: City Office, Water Treatment Plant, Park Shop, North Electrical Yards

CITY OF ST. PAUL  
704 6<sup>TH</sup> STREET  
ST. PAUL, NEBRASKA 68873

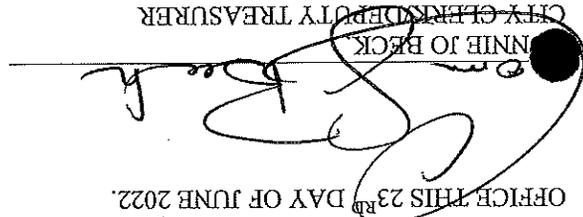
CERTIFICATION OF POSTING (June 23, 2022)

Post City of St. Paul IN-HOUSE Job Vacancy for an Electrical Lineman on Thursday, June 23, 2022 at 9:23 a.m.

I, THE UNDERSIGNED, CITY CLERK OF THE CITY OF ST. PAUL, NEBRASKA, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF WHICH ANNOUNCEMENT WAS POSTED IN FOUR (4) PUBLIC PLACES ON THURSDAY, JUNE 23, 2022

- 1) CITY UTILITIES OFFICE OF CITY OF ST. PAUL
- 2) UNITED STATES POST OFFICE
- 3) HOWARD COUNTY COURT HOUSE
- 4) CITIZENS BANK & TRUST

IN WITNESS WHEREOF, I HAVE HEREBY SET MY HAND OFFICIALLY AND AFFIXED THE SEAL OF MY OFFICE THIS 23<sup>RD</sup> DAY OF JUNE 2022.

  
ANNIE JO BECK  
CITY CLERK/DEPUTY TREASURER

  
MATT HELZER  
UTILITIES SUPERINTENDENT

(Seal)



## **CITY OF ST. PAUL WATER COMMISSIONER JOB VACANCY POSTING**

A position of the City of St. Paul Water Commissioner will be open to current employees. This job will be posted for a period of 10 (ten) working days, during which time all employees will be permitted to apply for the job. At the end of the 10 (ten) working days, applications will be closed.

Thank You.

Connie Jo Beck,  
City Clerk/Deputy Treasurer

Dated: August 2, 2022 (Posted)

Deadline Date: August 17, 2022

Posted: City Office, Water Treatment Plant, Park Maintenance Shop, North Electrical Yards