

June 27, 2022

### I ROUTINE BUSINESS

A meeting of the Mayor and Council of Superior, Nebraska was convened in open and public session on the 27<sup>th</sup> day of June 2022 in the Conference Room of the City/Utility Building at 7:30 p.m., opening with the Pledge of Allegiance. Present were council members Fox, Disney, Lemke, Foote, Loucks. Absent: Flores (Military Duty). Notice of the meeting was given in advance thereof by posting in the City Clerk's Office, Municipal Library and Public Safety Building, the designated method of giving notice. Availability of the proceedings hereafter shown was taken while the convened meeting was open to the public. Mayor Peterson presided and noted that a copy of the Open Meetings Act was posted on the west wall and available for public review.

### II PUBLIC HEARING(S)

7:30 p.m. 1. Preliminary Plat of Kottmeyer North Industrial Park Subdivision, a tract of land located in the Southeast quarter of section 25, township 1 north, range 7 west of the 6<sup>th</sup> P.M., Nuckolls County, Nebraska. Said tract is generally located on the between 6<sup>th</sup> Street and 8<sup>th</sup> Street, east of Hartley Street and west of Canal Street. Said tract is currently zoned I-2, Heavy Industrial District. (*Applicant/Owner: City of Superior / Economic Development Review Committee; Case No. PC-22/01*)

Mayor Peterson asked Derek Clark to conduct the hearing(s). Derek said this went to the Planning Commission last month. This is in the east side of town, 19 acres. It is an industrial preliminary plat and is currently unplatted so it needs to be subdivided prior to any selling of the lots. The City of Superior owns this property and the City is proposing this. It would be a six-lot subdivision, two big lots and lots bordering it. Derek said that at the Planning Commission meeting, they did recommend denial of the preliminary plat which was based on the fact that is Heavy Industrial. After Derek Clark's presentation, Mayor Peterson asked if there were any comments or questions. There being none, Mayor Peterson closed the public hearing at 7:33 p.m.

2. An amendment to the Superior Zoning Ordinance 1171, to include Article 5: Districts, Section 5.17 I-2, Heavy Industrial District, Subsection 5.16.03 Permitted Conditional Uses to add "Sandblasting" as a permitted conditional use with restrictions and to amend Article 2: Section 2.0 Definitions to add and define the aforementioned use. (*Case No. PC-ZA22-01*)

Mayor Peterson opened hearing #2 at 7:33 p.m. with Derek Clark conducting the hearing. Derek said that this is a regulatory amendment and it addresses abrasive blasting/sand blasting as a conditional use in the I2 District. He said the I2 District is everything east of Hartley, in the industrial park area all the way out to Aurora East. After Derek Clark's presentation, Mayor Peterson asked if anyone had any questions or comments. There being none, Mayor Peterson closed the public hearing at 7:41 p.m.

3. An amendment to the Superior Zoning Ordinance 1171, to include Article 4: General Provisions, Section 4.06 Lot, Subsection 4.06.02 to add and/or clarify text to require the Conditional Use process as part of the approval. (*Case No. PC-ZA22/03*)

Mayor Peterson opened the public hearing at 7:41 p.m. Derek said this is an additional regulatory amendment – it is the one that requires an additional approval process when you have more than one principal use, principal structure on a lot. Derek said it reads now that if more than one principal building and a single permitted use is on a lot, it requires Planning Commission and city council approval. In order to clean this up, it was recommended by the Planning Commission that we add the text “after public hearings are conducted by both”. So, he said, essentially, a public hearing at the Planning Commission and a public hearing at the city council and a public hearing requires 10 days notification, a sign in the yard. This cleans up the gray area. Mayor Peterson asked if there were any questions or comments. There being none, Mayor Peterson closed the hearing at 7:43 p.m.

### **III UNFINISHED BUSINESS**

None.

### **IV REGULAR AGENDA** **CONSENT AGENDA\***

1. Approve June Utility Claims
2. Approve Minutes from June 13, 2022 City Council Meeting
3. Approve June City Claims

Council by majority vote approved the Consent Agenda including the additional claims.

#### **Utilities Section:**

1. Council by majority vote approved Andrew Brittenham’s request to table action on the Superior-Hardy Water-Wastewater Interlocal.
2. Council by majority vote approved entering into contract negotiations with HEO for engineering regarding design and funding of a water treatment facility.
3. Council by majority vote approved the bid from RSG for the rake shaft and driver gear in the amount of \$89,624.00.
4. Council by majority vote approved the construction contract between City of Superior and Van Kirk Brothers for \$140,956.25 for Montana Meadows II Street & Sanitary Sewer.
5. Council by majority vote approved partial payment for the Phase III water project pay request #3 in the amount of \$128,635.25.
6. Council by majority vote approved advertising for a full-time billing clerk.

#### **City Section:**

1. Council by majority vote approved the request from Horizon Bank to block 3 parking spaces in front of the bank on July 15, 2022 from 8 a.m. to 2 p.m. for their Customer Appreciation.
2. Council by majority vote lifted the nuisance on property at 604 E 5<sup>th</sup> Street.
3. Council by majority vote approved Ordinance 1229, 1<sup>st</sup> reading.

**An ordinance to amend Section 5.16.03 of the zoning ordinance of the City of Superior, Nebraska, the same being Ordinance No. 1171, to add “Abrasive Blasting / Sand Blasting” as a Permitted Conditional Use in the I-2, Heavy Industrial District and to amend Article 2: Section 2.0 Definitions to add and define “Abrasive Blasting / Sand Blasting”; to provide for the repeal of conflicting ordinances or sections; to provide for the effective date thereof; and order the publication of the ordinance in pamphlet form.**

4. Council by majority vote approved Ordinance 1230, 1<sup>st</sup> reading.  
**An ordinance to amend the Superior Zoning Regulations, the same being Ordinance No. 1171, Article 4: General Provisions, Section 4.06 Lot, Subsection 4.06.02; to provide for the repeal of conflicting ordinances or sections; to provide for the effective date thereof; and order the publication of the ordinance in pamphlet form.**
5. Council by majority vote approved payment to Five Rule Rural Planning in the amount of \$13,500.00 for project services for the 2020 Recreation Master Plan Planning Project.
6. Council by majority vote approved the request for CDBG funds drawdown #5.
7. Council by majority vote approved payment to Black and Burlap for \$7,33354.75 for work on the BOOM Project.
8. Council by majority vote approved payment to Saathoff Construction for \$6,365.24 for Project BOOM.
9. Council by majority vote approved submission of raw #17 upon approval of Draw #16 by DED and receipt of Draw #16 funds by the City.
10. Mayor Peterson read the 4<sup>th</sup> of July Proclamation.
11. No travel requests.
12. Various committee reports were given.
13. Council by majority vote adjourned the meeting.

Christopher D. Peterson, Mayor

ATTEST:

Jan Diehl, City Clerk

June Utilities Claims

American Family Life, Premium – 315.45; Ameritas, Premium – 101.76; Blue Cross Blue Shield, Premium – 22,598.60; Bomgaars Supply, Supplies – 84.64; Bomgaars Supply, Supplies – 25.66; Border States Industries, Supplies – 402.32; GPM, Service – 515.00; Hawkins, Inc, Supplies – 1,303.94; Humana, Premium – 621.16; Nebraska Public Health Laboratory, Service – 15.00; Olsson Associates, Professional Service – 7,955.33; Quill Corp, Supplies – 31.97; RESCO, Supplies – 411.45; S & G Associates, Service – 1,290.00; Standard Insurance, Premium – 788.65; Superior Implement, Parts – 111.80; Van Kirk Bros Contracting, Superior Water Improvements – 68,873.12; Verizon Wireless, Cell Phones – 137.71; Hastings Utilities, Capacity Charge – 18,700.00; Federal Deposit, Withholdings – 6,879.81; One America, Employee Pension W/H – 1,303.17; Andrew Brittenham, Reimbursement – 43.49; Sam Clark, Reimbursement – 35.80; Hillary Grijalva, Reimbursement – 32.45; John Hodge, Legal Fees – 269.50; John Druba, Service – 125.00; Neonlink, Monthly Fee – 134.00; Village Uniform, Uniforms – 510.41; Fairbury Light & Water, Meters – 575.00; League of Nebraska Municipalities, Electric Lineworker Safety Training – 2,600.00; Mutual of Omaha, Premium – 356.58; South Central Public Power, Wheeling Service – 2,784.21; Western Area Power Administration, Electricity Purchased – 4,119.12; Superior Ace Hardware, UPS Shipping – 103.00; Salaries – 22,349.51.

June City Claims

American Family Life, Premium – 498.41; Ameritas Life Insurance, Premium – 87.60; B-Green Lawn Care, Service – 1,971.50; Baker & Sons Disposal, Service – 541.86; Blue Cross & Blue Shield, Premium – 13,330.36; Bomgaars, Supplies – 7.98; Bruce Fullerton, Service – 3,500.00; BSN Sports, Supplies – 298.94; Chamber of Commerce, Donation – 100.00; Consolidated Management, Academy Meals – 169.86; GTA Insurance, Insurance – 52.00; Humana Insurance, Premium – 371.30; John Hodge, Legal Fees – 517.00; Mid-States Organized Crime Information, Membership – 50.00; Nebraska Law Enforcement Training Center, Fees-Dozler – 250.00; SOS Portable Toilets, Rental – 92.00; Standard Insurance, Premium – 428.76; Verizon Wireless, Cell Phones – 246.20; NE State Withdrawal, SIT Payable – May – 1,444.45; Nebraska Child Support Payment Center, Child Support – 508.87; Federal Deposit, Withholdings – 6,503.42; One America, Pension-Employee Contribution – 847.78; City of Superior, ½ W/B Ec Dev – June – 2232.33; City of Superior Ec Dev, Monthly Obligation – 6,250.00; City of Superior, Monthly Obligation – 4,166.67; City of Superior, Motor Vehicle Sales Tax/Street – 4,967.89; Dutton-Lainson Co., BOOM Supplies – 20,258.90; Gilbert Plumbing, BOOM Project – 7,085.00; John Hodge, Attorney, Legal Fees – 703.00; Standard Insurance, Premium – 53.19; City of Superior, ½ W/B Ec Dev – June – 2,232.33; B-Green Lawn Care, Service – 35.00; American Legal Publishing Corp, Supplemental Pages/Code Book – 1,383.90; B-Green Lawn Care, Service – 269.75; Baker & Sons Disposal, Dumpster – 456.58; John Druba, Service – 110.00; Mutual of Omaha, Premium – 293.08; Quill.com, File – 142.30; Sarah Kirchoff, Service – 40.00; Village Uniform, Uniforms – 145.33; Mutual of Omaha, Premium – 5.96; Salaries – 22,910.29.

A complete text of the Minutes, Resolutions and Ordinances are on file in the City Clerk's Office and are available for public inspection during regular business hours.

Please publish July 7, 2022.

Thank you,  
Jan