

Board of Parks Commissioners  
Tuesday, May 2, 2023 12:00 PM  
Council Chambers  
2500 14 Street  
Columbus, NE 68601

The Mayor and City Council reserve the right to go into closed session as per Section 84-1410 of the Nebraska Revised Statutes. A current agenda is on file at the office of the city clerk at City Hall, 2500 14 Street, Columbus, Nebraska. For more information, call 402-562-4224 or visit our website at [www.columbusne.us](http://www.columbusne.us).

{{Name: Agenda Item Name}}

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

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**NEBRASKA OPEN MEETINGS ACT**

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**84-1407. Act, how cited.**

Sections 84-1407 to 84-1414 shall be known and may be cited as the Open Meetings Act.

**Source:** Laws 2004, LB 821, § 34.

**84-1408. Declaration of intent; meetings open to public.**

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

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

**Source:** Laws 1975, LB 325, § 1; Laws 1996, LB 900, § 1071; Laws 2004, LB 821, § 35.

**Annotations**

- Nebraska's public meetings laws do not apply to school board deliberations pertaining solely to disputed adjudicative facts. *McQuinn v. Douglas Cty. Sch. Dist. No. 66*, 259 Neb. 720, 612 N.W.2d 198 (2000).
- The primary purpose of the public meetings law is to ensure that public policy is formulated at open meetings. *Marks v. Judicial Nominating Comm.*, 236 Neb. 429, 461 N.W.2d 551 (1990).
- The public meetings law is broadly interpreted and liberally construed to obtain the objective of openness in favor of the public, and provisions permitting closed sessions must be narrowly and strictly construed. *Grein v. Board of Education of Fremont*, 216 Neb. 158, 343 N.W.2d 718 (1984).
- Although a committee was a subcommittee of a natural resources district board, it was not subject to the Open Meetings Act because there was never a quorum of board members in attendance and the committee did not hold hearings, make policy, or take formal action on behalf of the board. *Koch v. Lower Loup NRD*, 27 Neb. App. 301, 931 N.W.2d 160 (2019).
- A county board of equalization is a public body whose meetings shall be open to the public. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (2009).

**84-1409. Terms, defined.**

For purposes of the Open Meetings Act, unless the context otherwise requires:

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

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

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

(3) Virtual conferencing means conducting or participating in a meeting electronically or telephonically with interaction among the participants subject to subsection (2) of section 84-1412.

**Source:** Laws 1975, LB 325, § 2; Laws 1983, LB 43, § 1; Laws 1989, LB 429, § 42; Laws 1989, LB 311, § 14; Laws 1992, LB 1019, § 124; Laws 1993, LB 635, § 1; Laws 1996, LB 1044, § 978; Laws 1997, LB 798, § 37; Laws 2004, LB 821, § 36; Laws 2007, LB296, § 810; Laws 2011, LB366, § 2; Laws 2021, LB83, § 11; Laws 2022, LB922, § 12.

**Operative Date: July 21, 2022**

**Annotations**

- A township is a political subdivision, and as such, a township board is subject to the provisions of the public meetings laws. *Steenblock v. Elkhorn Township Bd.*, 245 Neb. 722, 515 N.W.2d 128 (1994).
- A county agricultural society is a public body to which the provisions of the Nebraska public meetings law are applicable. *Nixon v. Madison Co. Ag. Soc'y*, 217 Neb. 37, 348 N.W.2d 119 (1984).
- Failure by a public governing body, as defined under section 84-1409, R.R.S.1943, to take and record a roll call vote on an action, as required by section 84-1413(2), R.S.Supp.,1980, grants any citizen the right to sue for the purpose of

having the action declared void. In this case such failure could not be later corrected by a nunc pro tunc order because there was no showing that a roll call vote on the disputed action was actually taken, and even if it was the record showed it was not recorded until over a year later. Sections 23-1301, R.R.S.1943, and 23-1302, R.R.S.1943, make it the duty of the county clerk to record proceedings of the board of county commissioners. *State ex rel. Schuler v. Dunbar*, 208 Neb. 69, 302 N.W.2d 674 (1981).

- Although a committee was a subcommittee of a natural resources district board, it was not subject to the Open Meetings Act because there was never a quorum of board members in attendance and the committee did not hold hearings, make policy, or take formal action on behalf of the board. *Koch v. Lower Loup NRD*, 27 Neb. App. 301, 931 N.W.2d 160 (2019).
- Although the Open Meetings Act does not define "subcommittee," a subcommittee is generally defined as a group within a committee to which the committee may refer business. *Koch v. Lower Loup NRD*, 27 Neb. App. 301, 931 N.W.2d 160 (2019).
- The Open Meetings Act does not require policymakers to remain ignorant of the issues they must decide until the moment the public is invited to comment on a proposed policy. By excluding nonquorum subgroups from the definition of a public body, the Legislature has balanced the public's need to be heard on matters of public policy with a practical accommodation for a public body's need for information to conduct business. *Koch v. Lower Loup NRD*, 27 Neb. App. 301, 931 N.W.2d 160 (2019).
- As an administrative agency of the county, a county board of equalization is a public body. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (2009).
- The electors of a township at their annual meeting are a public body under the Open Meetings Act. *State ex rel. Newman v. Columbus Township Bd.*, 15 Neb. App. 656, 735 N.W.2d 399 (2007).
- The meeting at issue in this case was a "meeting" within the parameters of subsection (2) of this section because it involved the discussion of public business, the formation of tentative policy, or the taking of any action of the public power district. *Hansmeyer v. Nebraska Pub. Power Dist.*, 6 Neb. App. 889, 578 N.W.2d 476 (1998).
- Informational sessions in which the governmental body hears reports are briefings. *Johnson v. Nebraska Environmental Control Council*, 2 Neb. App. 263, 509 N.W.2d 21 (1993).

**84-1410. Closed session; when; purpose; reasons listed; procedure; right to challenge; prohibited acts; chance meetings, conventions, or workshops.**

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

(a) Strategy sessions with respect to collective bargaining, real estate purchases, pending litigation, or litigation which is imminent as evidenced by communication of a claim or threat of litigation to or by the public body;

(b) Discussion regarding deployment of security personnel or devices;

(c) Investigative proceedings regarding allegations of criminal misconduct;

(d) Evaluation of the job performance of a person when necessary to prevent needless injury to the reputation of a person and if such person has not requested a public meeting;

(e) For the Community Trust created under section 81-1801.02, discussion regarding the amounts to be paid to individuals who have suffered from a tragedy of violence or natural disaster; or

(f) For public hospitals, governing board peer review activities, professional review activities, review and discussion of medical staff investigations or disciplinary actions, and any strategy session concerning transactional negotiations with any referral source that is required by federal law to be conducted at arms length.

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

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

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

(4) Nothing in this section shall be construed to require that any meeting be closed to the public. No person or public body shall fail to invite a portion of its members to a meeting, and no public body shall designate itself a subcommittee of the whole body for the purpose of circumventing the Open Meetings Act. No closed session, informal meeting, chance meeting, social gathering, email, fax, or other electronic communication shall be used for the purpose of circumventing the requirements of the act.

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

**Source:** Laws 1975, LB 325, § 3; Laws 1983, LB 43, § 2; Laws 1985, LB 117, § 1; Laws 1992, LB 1019, § 125; Laws 1994, LB 621, § 1; Laws 1996, LB 900, § 1072; Laws 2004, LB 821, § 37; Laws 2004, LB 1179, § 1; Laws 2006, LB 898, § 1; Laws 2011, LB390, § 29; Laws 2012, LB995, § 17.

**Annotations**

- There is no absolute discovery privilege for communications that occur during a closed session. *State ex rel. Upper Republican NRD v. District Judges*, 273 Neb. 148, 728 N.W.2d 275 (2007).
- If a person present at a meeting observes a public meetings law violation in the form of an improper closed session and fails to object, that person waives his or her right to object at a later date. *Wasikowski v. Nebraska Quality Jobs Bd.*, 264 Neb. 403, 648 N.W.2d 756 (2002).
- The public interest mentioned in this section is that shared by citizens in general and by the community at large concerning pecuniary or legal rights and liabilities. *Grein v. Board of Education*, 216 Neb. 158, 343 N.W.2d 718 (1984).
- Hearing in closed executive session was contrary to this section since there was no showing of necessity or reason under subdivision (1)(a), (b), or (c), but did not result in reversal of board decision. *Simonds v. Board of Examiners*, 213 Neb. 259, 329 N.W.2d 92 (1983).
- Negotiations for the purchase of land need not be conducted at an open meeting but the deliberations of a city council as to whether an offer to purchase real estate

should be made should take place in an open meeting. *Pokorny v. City of Schuyler*, 202 Neb. 334, 275 N.W.2d 281 (1979).

- Public meeting law was not violated where the Board of Regents of the University of Nebraska voted to hold a closed session to consider the university president's resignation, and also discussed the appointment of an interim president during such session. *Meyer v. Board of Regents*, 1 Neb. App. 893, 510 N.W.2d 450 (1993).

**84-1411. Meetings of public body; notice; method; contents; when available; right to modify; duties concerning notice; virtual conferencing authorized; requirements; emergency meeting without notice; appearance before public body.**

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

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

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

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

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

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

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

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

(e) Such notice shall contain an agenda of subjects known at the time of the publicized notice or a statement that the agenda, which shall be kept continually current, shall be readily available for public inspection at the principal office of the public body during normal business hours. Agenda items shall be sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting. Except for items of an emergency nature, the agenda shall not be altered later than (i) twenty-four hours before the scheduled commencement of the meeting or

(ii) forty-eight hours before the scheduled commencement of a meeting of a city council or village board scheduled outside the corporate limits of the municipality. The public body shall have the right to modify the agenda to include items of an emergency nature only at such public meeting.

(2)(a) The following entities may hold a meeting by means of virtual conferencing if the requirements of subdivision (2)(b) of this section are met:

(i) A state agency, state board, state commission, state council, or state committee, or an advisory committee of any such state entity;

(ii) An organization, including the governing body, created under the Interlocal Cooperation Act, the Joint Public Agency Act, or the Municipal Cooperative Financing Act;

(iii) The governing body of a public power district having a chartered territory of more than one county in this state;

(iv) The governing body of a public power and irrigation district having a chartered territory of more than one county in this state;

(v) An educational service unit;

(vi) The Educational Service Unit Coordinating Council;

(vii) An organization, including the governing body, of a risk management pool or its advisory committees organized in accordance with the Intergovernmental Risk Management Act;

(viii) A community college board of governors;

(ix) The Nebraska Brand Committee;

(x) A local public health department;

(xi) A metropolitan utilities district;

(xii) A regional metropolitan transit authority; and

(xiii) A natural resources district.

(b) The requirements for holding a meeting by means of virtual conferencing are as follows:

(i) Reasonable advance publicized notice is given as provided in subsection (1) of this section, including providing access to a dial-in number or link to the virtual conference;

(ii) In addition to the public's right to participate by virtual conferencing, reasonable arrangements are made to accommodate the public's right to attend at a physical site and participate as provided in section 84-1412, including reasonable seating, in at least one designated site in a building open to the public and identified in the notice, with: At least one member of the entity holding such meeting, or his or her designee, present at each site; a

recording of the hearing by audio or visual recording devices; and a reasonable opportunity for input, such as public comment or questions, is provided to at least the same extent as would be provided if virtual conferencing was not used;

(iii) At least one copy of all documents being considered at the meeting is available at any physical site open to the public where individuals may attend the virtual conference. The public body shall also provide links to an electronic copy of the agenda, all documents being considered at the meeting, and the current version of the Open Meetings Act; and

(iv) Except as otherwise provided in this subdivision or subsection (4) of section 79-2204, no more than one-half of the meetings of the state entities, advisory committees, boards, councils, organizations, or governing bodies are held by virtual conferencing in a calendar year. In the case of an organization created under the Interlocal Cooperation Act that sells electricity or natural gas at wholesale on a multistate basis or an organization created under the Municipal Cooperative Financing Act, the organization may hold more than one-half of its meetings by virtual conferencing if such organization holds at least one meeting each calendar year that is not by virtual conferencing. The governing body of a risk management pool that meets at least quarterly and the advisory committees of the governing body may each hold more than one-half of its meetings by virtual conferencing if the governing body's quarterly meetings are not held by virtual conferencing.

(3) Virtual conferencing, emails, faxes, or other electronic communication shall not be used to circumvent any of the public government purposes established in the Open Meetings Act.

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

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

(6) A public body may allow a member of the public or any other witness to appear before the public body by means of virtual conferencing.

(7)(a) Notwithstanding subsections (2) and (5) of this section, if an emergency is declared by the Governor pursuant to the Emergency Management Act as defined in section 81-829.39, a public body the territorial jurisdiction of which is included in the emergency declaration, in whole or in part, may hold a meeting by virtual conferencing during such emergency if the

public body gives reasonable advance publicized notice as described in subsection (1) of this section. The notice shall include information regarding access for the public and news media. In addition to any formal action taken pertaining to the emergency, the public body may hold such meeting for the purpose of briefing, discussion of public business, formation of tentative policy, or the taking of any action by the public body.

(b) The public body shall provide access by providing a dial-in number or a link to the virtual conference. The public body shall also provide links to an electronic copy of the agenda, all documents being considered at the meeting, and the current version of the Open Meetings Act. Reasonable arrangements shall be made to accommodate the public's right to hear and speak at the meeting and record the meeting. Subsection (4) of this section shall be complied with in conducting such meetings.

(c) The nature of the emergency shall be stated in the minutes. Complete minutes of such meeting specifying the nature of the emergency and any formal action taken at the meeting shall be made available for inspection as provided in subsection (5) of section 84-1413.

(8) In addition to any other statutory authorization for virtual conferencing, any public body not listed in subdivision (2)(a) of this section may hold a meeting by virtual conferencing if:

(a) The purpose of the virtual meeting is to discuss items that are scheduled to be discussed or acted upon at a subsequent non-virtual open meeting of the public body;

(b) No action is taken by the public body at the virtual meeting; and

(c) The public body complies with subdivisions (2)(b)(i) and (2)(b)(ii) of this section.

**Source:** Laws 1975, LB 325, § 4; Laws 1983, LB 43, § 3; Laws 1987, LB 663, § 25; Laws 1993, LB 635, § 2; Laws 1996, LB 469, § 6; Laws 1996, LB 1161, § 1; Laws 1999, LB 47, § 2; Laws 1999, LB 87, § 100; Laws 1999, LB 461, § 1; Laws 2000, LB 968, § 85; Laws 2004, LB 821, § 38; Laws 2004, LB 1179, § 2; Laws 2006, LB 898, § 2; Laws 2007, LB199, § 9; Laws 2009, LB361, § 2; Laws 2012, LB735, § 1; Laws 2013, LB510, § 1; Laws 2017, LB318, § 1; Laws 2019, LB212, § 5; Laws 2020, LB148, § 3; Laws 2021, LB83, § 12; Laws 2022, LB742, § 1; Laws 2022, LB908, § 1; Laws 2022, LB922, § 13.

**Note:** The Revisor of Statutes has pursuant to section 49-769 correlated LB742, section 1, with LB908, section 1, and LB922, section 13, to reflect all amendments.

**Note:** Changes made by LB742 and LB908 became effective July 21, 2022. Changes made by LB922 became operative July 21, 2022.

### Cross References

- **Intergovernmental Risk Management Act**, see section 44-4301.
- **Interlocal Cooperation Act**, see section 13-801.
- **Joint Public Agency Act**, see section 13-2501.

- **Municipal Cooperative Financing Act**, see section 18-2401.

#### **Annotations**

- Under subsection (1) of this section, the Legislature has imposed only two conditions on the public body's notification method of a public meeting: (1) It must give reasonable advance publicized notice of the time and place of each meeting and (2) it must be recorded in the public body's minutes. *City of Elkhorn v. City of Omaha*, 272 Neb. 867, 725 N.W.2d 792 (2007).
- An emergency is "(a)ny event or occasional combination of circumstances which calls for immediate action or remedy; pressing necessity; exigency; a sudden or unexpected happening; an unforeseen occurrence or condition." *Steenblock v. Elkhorn Township Bd.*, 245 Neb. 722, 515 N.W.2d 128 (1994).
- An agenda which gives reasonable notice of the matters to be considered at a meeting of a city council complies with the requirements of this section. *Pokorny v. City of Schuyler*, 202 Neb. 334, 275 N.W.2d 281 (1979).
- When notice is required, a notice of a special meeting of a city council posted in three public places at 10:00 p.m. on the day preceding the meeting is not reasonable advance publicized notice of a meeting as is required by this section. *Pokorny v. City of Schuyler*, 202 Neb. 334, 275 N.W.2d 281 (1979).
- Teacher waived right to object to lack of public notice in board of education employment hearing by voluntary participation in the hearing without objection. *Alexander v. School Dist. No. 17*, 197 Neb. 251, 248 N.W.2d 335 (1976).
- A county board of commissioners and a county board of equalization are not required to give separate notices when the notice states only the time and place that the boards meet and directs a citizen to where the agendas for each board can be found. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (2009).
- A county board of equalization is a public body which is required to give advanced publicized notice of its meetings. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (2009).
- Notice of recessed and reconvened meetings must be given in the same fashion as the original meeting. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (2009).
- True notice of a meeting is not given by burying such in the minutes of a prior board proceeding. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (2009).
- An agenda notice which merely stated "work order reports" was an inadequate notice under this section because it did not give interested persons knowledge that plans for a 345 kv transmission line through the district was going to be discussed and voted upon at the meeting. Inadequate agenda notice under this section meant there was a substantial violation of the public meeting laws; however, later actions by the board of directors cured the defects in notice, and such actions were in substantial compliance with the statute. *Hansmeyer v. Nebraska Pub. Power Dist.*, 6 Neb. App. 889, 578 N.W.2d 476 (1998).

**84-1412. Meetings of public body; rights of public; public body; powers and duties.**

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

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

(3) No public body shall require members of the public to identify themselves as a condition for admission to the meeting nor shall such body require that the name of any member of the public be placed on the agenda prior to such meeting in order to speak about items on the agenda. The body shall require any member of the public desiring to address the body to identify himself or herself, including an address and the name of any organization represented by such person unless the address requirement is waived to protect the security of the individual.

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

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

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

(a) A member entity of the public body is located outside of this state and the meeting is in that member's jurisdiction;

(b) All out-of-state locations identified in the notice are located within public buildings used by members of the entity or at a place which will accommodate the anticipated audience;

(c) Reasonable arrangements are made to accommodate the public's right to attend, hear, and speak at the meeting, including making virtual conferencing available at an in-state location to members, the public, or the press, if requested twenty-four hours in advance;

(d) No more than twenty-five percent of the public body's meetings in a calendar year are held out-of-state;

(e) Out-of-state meetings are not used to circumvent any of the public government purposes established in the Open Meetings Act; and

(f) The public body publishes notice of the out-of-state meeting at least twenty-one days before the date of the meeting in a legal newspaper of statewide circulation.

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

(8) Public bodies shall make available at the meeting or the in-state location for virtual conferencing as required by subdivision (6)(c) of this section, for examination and copying by members of the public, at least one copy of all reproducible written material to be discussed at an open meeting, either in paper or electronic form. Public bodies shall make available at least one current copy of the Open Meetings Act posted in the meeting room at a location accessible to members of the public. At the beginning of the meeting, the public shall be informed about the location of the posted information.

**Source:** Laws 1975, LB 325, § 5; Laws 1983, LB 43, § 4; Laws 1985, LB 117, § 2; Laws 1987, LB 324, § 5; Laws 1996, LB 900, § 1073; Laws 2001, LB 250, § 2; Laws 2004, LB 821, § 39; Laws 2006, LB 898, § 3; Laws 2008, LB962, § 1; Laws 2021, LB83, § 13.

**Annotations**

- To preserve an objection that a public body failed to make documents available at a public meeting as required by subsection (8) of this section, a person who attends a public meeting must not only object to the violation, but must make that objection to the public body or to a member of the public body. *Stoetzel & Sons v. City of Hastings*, 265 Neb. 637, 658 N.W.2d 636 (2003).

**84-1413. Meetings; minutes; roll call vote; secret ballot; when; agenda and minutes; required on website; when.**

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

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

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

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

(5) Minutes shall be written or kept as an electronic record and shall be available for inspection within ten working days or prior to the next convened meeting, whichever occurs

earlier, except that cities of the second class and villages may have an additional ten working days if the employee responsible for writing or keeping the minutes is absent due to a serious illness or emergency.

(6) Beginning July 31, 2022, the governing body of a natural resources district, the city council of a city of the metropolitan class, the city council of a city of the primary class, the city council of a city of the first class, the county board of a county with a population greater than twenty-five thousand inhabitants, and the school board of a school district shall make available on such entity's public website the agenda and minutes of any meeting of the governing body. The agenda shall be placed on the website at least twenty-four hours before the meeting of the governing body. Minutes shall be placed on the website at such time as the minutes are available for inspection as provided in subsection (5) of this section. This information shall be available on the public website for at least six months.

**Source:** Laws 1975, LB 325, § 6; Laws 1978, LB 609, § 3; Laws 1979, LB 86, § 9; Laws 1987, LB 663, § 26; Laws 2005, LB 501, § 1; Laws 2009, LB361, § 3; Laws 2015, LB365, § 2; Laws 2016, LB876, § 1; Laws 2021, LB83, § 14; Laws 2022, LB742, § 2.

**Effective Date: July 21, 2022**

**Annotations**

- If a person present at a meeting observes and fails to object to an alleged public meetings laws violation in the form of a failure to conduct rollcall votes before taking actions on questions or motions pending, that person waives his or her right to object at a later date. *Hauser v. Nebraska Police Stds. Adv. Council*, 264 Neb. 944, 653 N.W.2d 240 (2002).
- Subsection (2) of this section does not require the record to state that the vote was by roll call, but requires only that the record show if and how each member voted. Neither does the statute set a time limit for recording the results of a vote, after which no corrections of the record can be made. If no intervening rights of third persons have arisen, a board of county commissioners has power to correct the record of the proceedings had at a previous meeting so as to make them speak the truth, particularly where the correction supplies some omitted fact or action and is done not to contradict or change the original record but to have the record show that a certain action was taken or thing done, which the original record fails to show. *State ex rel. Schuler v. Dunbar*, 214 Neb. 85, 333 N.W.2d 652 (1983).
- Failure by a public governing body, as defined under section 84-1409, R.R.S.1943, to take and record a roll call vote on an action, as required by section 84-1413(2), R.S.Supp.,1980, grants any citizen the right to sue for the purpose of having the action declared void. In this case such failure could not be later corrected by a nunc pro tunc order because there was no showing that a roll call vote on the disputed action was actually taken, and even if it was the record showed it was not recorded until over a year later. Sections 23-1301, R.R.S.1943,

and 23-1302, R.R.S.1943, make it the duty of the county clerk to record proceedings of the board of county commissioners. *State ex rel. Schuler v. Dunbar*, 208 Neb. 69, 302 N.W.2d 674 (1981).

- There is no requirement that a public body make a record of where notice was published or posted. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (2009).

**84-1414. Unlawful action by public body; declared void or voidable by district court; when; duty to enforce open meeting laws; citizen's suit; procedure; violations; penalties.**

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

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

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

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

**Source:** Laws 1975, LB 325, § 9; Laws 1977, LB 39, § 318; Laws 1983, LB 43, § 5; Laws 1992, LB 1019, § 126; Laws 1994, LB 621, § 2; Laws 1996, LB 900, § 1074; Laws 2004, LB 821, § 40; Laws 2006, LB 898, § 4.

**Annotations**

- The Legislature has granted standing to a broad scope of its citizens for the very limited purpose of challenging meetings allegedly in violation of the Open Meetings Act, so that they may help police the public policy embodied by the act. *Schauer v. Grooms*, 280 Neb. 426, 786 N.W.2d 909 (2010).

- Any citizen of the state may commence an action to declare a public body's action void. *City of Elkhorn v. City of Omaha*, 272 Neb. 867, 725 N.W.2d 792 (2007).
- The reading of ordinances constitutes a formal action under subsection (1) of this section. *City of Elkhorn v. City of Omaha*, 272 Neb. 867, 725 N.W.2d 792 (2007).
- If a person present at a meeting observes a public meetings law violation in the form of an improper closed session and fails to object, that person waives his or her right to object at a later date. *Wasikowski v. Nebraska Quality Jobs Bd.*, 264 Neb. 403, 648 N.W.2d 756 (2002).
- Under the Public Meetings Act, a county lacks capacity to maintain an action to declare its official conduct "void" for noncompliance with the act. *County of York v. Johnson*, 230 Neb. 403, 432 N.W.2d 215 (1988).
- When a petitioner under this section is successful in the district court, that court may allow attorney fees. *Tracy Corp. II v. Nebraska Pub. Serv. Comm.*, 218 Neb. 900, 360 N.W.2d 485 (1984).
- Informal discussions between the Tax Commissioner and the State Board of Equalization in which instructions were clarified, with such clarification leading to the amendment of hearing notices, did not constitute a public meeting subject to the provisions of this section. *Box Butte County v. State Board of Equalization and Assessment*, 206 Neb. 696, 295 N.W.2d 670 (1980).
- The right to collaterally attack an order made in contravention of the Public Meeting Act must occur within a period of one year as is specifically provided by this section. *Witt v. School District No. 70*, 202 Neb. 63, 273 N.W.2d 669 (1979).
- Statutory change, requiring "publicized notice" for board of education employment hearings, occurring between dates meeting scheduled and conducted, held not to void proceedings. *Alexander v. School Dist. No. 17*, 197 Neb. 251, 248 N.W.2d 335 (1976).
- Voiding an entire meeting is a proper remedy for violations of the Open Meetings Act. Once a meeting has been declared void pursuant to Nebraska's public meetings law, board members are prohibited from considering any information obtained at the illegal meeting. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (2009).
- Actions by the board of directors were merely voidable under this section, and not void. Pursuant to subsection (3) of this section, the plaintiffs were awarded partial attorney fees because they were successful in having the court declare that the board of directors was in substantial violation of the statute, even though the plaintiffs did not get the relief requested of having the board's actions declared void. *Hansmeyer v. Nebraska Pub. Power Dist.*, 6 Neb. App. 889, 578 N.W.2d 476 (1998).

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Source: [http://nebraskalegislature.gov/laws/display\\_html.php?begin\\_section=84-1407&end\\_section=84-1414](http://nebraskalegislature.gov/laws/display_html.php?begin_section=84-1407&end_section=84-1414)

Date: July 2022

**2. Minutes of April 4, 2023, meeting.**

BOARD OF PARKS COMMISSIONERS  
APRIL 4, 2023

A regular meeting of the Board of Parks Commissioners of the City of Columbus, Nebraska, was convened in open and public session on April 4, 2023, at 12:00 p.m. in the Council Chambers, 1369 25 Avenue, Columbus, Nebraska.

Notice of this meeting was given in advance thereof by publication in the Columbus Telegram on March 30, 2023, with a copy of the proof of publication being on file in the office of the city clerk. Availability of the agenda was communicated in the advance notice to the members of the Board of Parks Commissioners. All proceedings hereafter shown were taken while the convened meeting was open to the public.

1. **STATEMENT OF COMPLIANCE WITH OPEN MEETINGS ACT.** Chair Hansen announced that a copy of the Open Meetings Act is posted in the meeting room. Present were Members Jon Brezenski, Jack Gutierrez, Brad Hansen, Gary Puetz, Bruce Schmidt, and Lynn Sjuts. Members Robbin Cutsor and Sandra Jochens were absent and excused. Member Nick Larson was absent. City staff members included Public Property Director Doug Moore, Park Superintendent Tom Ek, Park and Recreation Manager Betsy Eckhardt, Park and Recreation Coordinator Sydney Winger, Aquatics Park and Recreation Coordinator Joe Krepel, and Account Clerk II/Records Clerk II Linda Nickeson.
2. **MINUTES OF MARCH 7, 2023, MEETING.** The minutes were approved as presented with a motion by Gutierrez and a second by Brezenski. Brezenski, Gutierrez, Hansen, Puetz, Schmidt, and Sjuts voted "Aye" and none voted "Nay". Cutsor, Jochens, and Larson were absent.
3. **COLUMBUS AREA YOUTH FOOTBALL ORGANIZATION ANNUAL REPORT ANNUAL REPORT.** Lamont Braithwait reviewed the report and mentioned that Albion has requested to rejoin the Columbus league after moving their teams to the Norfolk league this past year. He also confirmed that although some interest has been shown, no girls have actually played.
4. **COLUMBUS HAVOC SOFTBALL ANNUAL REPORT.** Melissa Hill and Natalie Holmstedt reviewed the report pointing out that the Fire & Ice and Columbus Bullets teams merged this past year to become Columbus Havoc. It was noted that fundraising money was used to purchase new team uniforms this first year; however, going forward the organization would like to reserve those funds to rent an affordable indoor facility that would help in becoming a more competitive league. They confirmed that registration fees are based on the participant's age and range from \$100 to \$200.
5. **COLUMBUS OUTLAWS BASEBALL ANNUAL REPORT.** Mike Gerber reviewed the report noting that the \$200 player registration fee is used to cover insurance and indoor facility rent and that each player is also asked to seek out a \$300-\$500 sponsorship that is used for team equipment and tournament

entry fees. He stated that the organization is requesting city funding for updated Centennial Park restrooms and batting cages. Moore confirmed that new restrooms are included in future plans and that park maintenance staff will evaluate needed repairs of the batting cages. Eckhardt expressed appreciation for the strong communication from the organization regarding scheduling and cancellations. Moore stated that beginning with the upcoming season, the city will maintain the Centennial Park fields throughout the week and asked that the organization meet with city staff regarding weekend field maintenance.

**6. PUBLIC PROPERTY DIRECTOR REPORT.** Moore noted that the cameras installed in Pawnee Park are motion sensitive and that due to recent vandalism at Gerrard Park staff is considering placing cameras in all parks in the future. He also stated that the city is revisiting plans for Gerrard Park tennis and pickleball courts after receiving complaints from citizens regarding the proposed number of tennis courts. Barbara Masilko voiced the need for more tennis courts and requested that all six of the new courts be used for both tennis and pickleball. She also expressed disappointment that the comment box on the public survey was disabled after two days. Eckhardt stated that city staff did not remove the comment box nor was she notified of the issue and explained that she continued to receive public feedback from the survey as recently as this week. She stated that in addition to contacting Tim Kwapnioski, who verified that four courts are sufficient to accommodate the high school tennis team, she has reached out to several individuals over the past couple years and continues to struggle finding anyone interested in providing tennis lessons to young kids; however, the interest in pickleball is strong and participants would like designated playing areas that do not require the nets be lowered each time they play. Moore pointed out that interest has been shown for spec tennis which is also played on a pickleball court.

**7. ADJOURNMENT.** The meeting adjourned at 1:14 p.m.

OFFICE OF THE CITY CLERK

: Linda Nickeson

**3. Request of American Legion Hartman Post #84 to construct a memorial wall at Pawnee Park baseball field.**

## Pawnee Park Legion Field "Wall of Hero's"

Park Board Members

4/10/2023

The initial concept of designing a Veterans Memorial Wall began with a \$2,500 donation to the American Legion Athletic Committee from the family of Bill Jackson following his passing last year.

When it was decided to remove two sets of bleachers down the right field baseline (see pictures) prior to the start of the High School season, an idea of Tom Ek, and approved by the Legion Athletic Committee, the area was ideal for such a project.

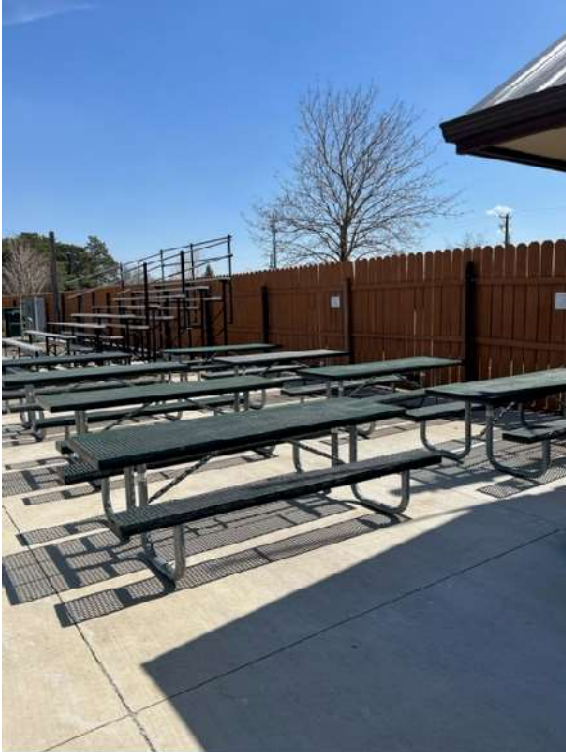
A meeting was held with Scott Jackson and the concept and design (see attached) was presented to him. He discussed this with his mother, and they were both extremely excited and committed to the idea.

It was presented to the Athletic Committee Board and approved.

The design was then presented to and approved by the American Legion Hartman Post #84 Executive Committee as well as Legion members at the Post meeting.

A handwritten signature in black ink, appearing to read 'Ken Robinson', followed by a long horizontal line extending to the right.

Ken Robinson  
American Legion Hartman Post #84  
Athletic Committee Chairman





**Columbus**

**American**

**Legion**

**Baseball**

**Wall**

**of**

**Hero's!**



**Coaches**



Thank you, Army Veterans!



Thank you, Marine Corps Veterans!



Thank you, Navy Veterans!



Thanks Coach, we made a great team!  
Coach Bill Nelson, Southport, NC 28586



Thank you, Air Force Veterans!



Thank you, Space Force Veterans!



Thank you, Coast Guard Veterans!



**Legion**



**Umpires**



Coach

*Thanks Coach, we  
made a great team!*

**Coach Bill Jackson Southpaw Flat 25K**

#### **4. Aquatics and Parks and Recreation fees.**

## **AQUATICS**

The Public Property Director shall establish recreation program fees for miscellaneous sales, programming, special events, and promotion.

Passholders may receive a discounted price for some programs. The discount will reflect that the passholder is already paying for facility usage and the fee will be for the cost of the program only.

Program fees are non-refundable.

### **AQUATIC CENTER**

#### **Daily Admission**

Individual \$5

#### **Annual Pass**

Individual \$125

Group (Maximum of 6) \$600

#### **Monthly Pass**

Individual \$35

#### **Combo Pass (Aquatic Center & Pawnee Plunge)**

Individual \$175

Household Group up to 6 people (Must reside in the same household) \$600

Each addl person in same household (can include one caregiver) \$90

Non-Household Group (Maximum of 6) \$800

#### **Admission Punch Cards**

50 Punches \$100

25 Punches \$75

10 Punches \$35

5 Punches \$20

#### **Group Swimming Lesson**

Parent/Child \$45

Preschool \$45

Grades 1 through 6 \$60

#### **Private Swimming Lesson**

1 Lesson Package \$35

5 Lesson Package \$175

10 Lesson Package \$300

Swimming lessons are non-refundable.

**Aquatic Therapy** \$75 per 15 minutes  
\*Requires agreement

**Locker Rentals** \$50/year

**Concessionaire Fee** \$16/day  
For anyone wishing to sell goods or services at the facility.

**Facility Rental:**

Private Facility Rental \$100/hr  
Party Room Rental (baptisms, meetings, family reunions, etc.) \$60  
(swimmers will pay daily admission or use pass)

**Birthday Party Packages:**

Cost includes 20 guest admissions (\$5/additional guest), full access to party room including: tables, chairs, refrigerator and more, t-shirt for the Birthday Child, and additional staff.

**Non-Private Party:**

Saturday 12pm (Set Up), 1pm-4pm Party  
Passholder \$100  
Non-Passholder \$125

**Private Party:**

Friday: 4pm (Set Up) 5pm-8pm Party  
Saturday: 4pm (Set Up) 5pm-8pm Party  
Sunday 12pm (Set Up) 1pm-4pm Party  
Passholder \$125  
Non-Passholder \$150

**Lifeguard Class**

Full Class (5 student minimum)  
Employee \$70  
Non-Employee Actual program cost plus administrative fees

**Review Class – includes CPR review (5 student minimum)**

Employee \$40  
Non-Employee Actual program cost plus administrative fees

**CPR Class**

Full Class (5 student minimum)  
Employee \$30  
Non-Employee Actual program cost plus administrative fees

**Review Class (5 student minimum)**

Employee \$15  
Non-Employee Actual program cost plus administrative fees

**Class Materials****Actual cost of materials**

Manual	<del>\$ 50</del>
Mask (first mask is included in the full Water Park class)	<del>\$ 25</del>
Certification Card	<del>\$ 5</del>

**Staff Uniforms**

Tankini	<del>\$ 25</del>
Female Guard Suit	<del>\$ 20</del>
Female Non-Guard Suit	<del>\$ 20</del>
Male Swim Trunks	<del>\$ 20</del>
Aquatic Center T-Shirt	<del>\$ 5</del>
Lanyard	<del>\$ 1</del>
Whistle	<del>\$ 1</del>

## PAWNEE PLUNGE WATER PARK

### Daily Admission

3 yrs. & under	Free
4 yrs. & up	\$10
(Includes both open sessions: 12 p.m. - 5 p.m. and 6:30 p.m. - 8:30 p.m.)	
10 Person group	\$70
5 Person group	\$40
Non-Swimmer (not swimming and not dressed to swim)	\$3
Evenings 6:30 p.m. - 8:30 p.m. Monday through Thursday	\$4

### Flow Rider Bracelet

(In addition to daily/season/combo pass)

\$3

### Season Pass

Individual	\$125
Household Group up to 6 people (Must reside in same household)	\$400
Each addl person in same household (can include one caregiver)	\$60
Non-Household Group (Maximum of 6)	\$600

### Combo Pass (Aquatic Center & Pawnee Plunge)

Individual	\$175
Household Group up to 6 people (Must reside in the same household)	\$600
Each addl person in same household (can include one caregiver)	\$90
Non-Household Group (Maximum of 6)	\$800

### Admission Punch Cards

50 Punches	\$200
25 Punches	\$125

### Group Swimming Lesson

Parent/Child	\$45
Preschool	\$45
Grades 1 through 6	\$60

### Private Swimming Lesson

1 Lesson Package	\$35
5 Lesson Package	\$175
10 Lesson Package	\$300

Swimming lessons are non-refundable.

## Facility Rental

Facility exclusive use – Before or After Public Hours  
\$500/hr

(Includes 1 supervisor, 1 office personnel, 14 lifeguards, 4 slides)

*Reservation required with deposit of \$500. Deposit will be applied toward total rate. Cancellations must be received twenty-four hours in advance or deposit will not be refunded.*

Flow Rider exclusive use – Before or After Public Hours \$75/hr  
(Includes 1 supervisor, 1 office personnel, 1 lifeguard)

Lap Pool exclusive use – Before or After Public Hours \$150/hr  
(Includes 1 supervisor, 1 office personnel, 3 lifeguards)

Party Room \$60  
Monday - Thursday, 12:30 p.m. - 4 p.m.  
Friday – Sunday, 12 p.m. - 3:30 p.m. or 3:30 p.m. - 7 p.m.

## Staff Uniforms

Tankini	\$ 25
Female Guard Suit	\$ 20
Female Non-Guard Suit	\$ 20
Male Swim Trunks	\$ 20
Pawnee Plunge T-Shirt	\$ 5
Lanyard	\$ 1
Whistle	\$ 1

## **PARKS AND RECREATION**

All fees are non-refundable.

### **Athletic Field Rentals:**

Recreation Leagues-Baseball/Softball	\$15/field/day - youth \$35/field/day - adult
Organized Leagues (Clubs) Baseball/Softball	\$55/field/day - youth/adult
Tournaments-Baseball/Softball	\$55/field/day - youth/adult
Recreation Practice-Baseball/Softball	No Charge - youth/adult must be scheduled through Parks and Rec or not permitted
Field use by non-local organization	\$155/field/day

*Due to proximity of the track and ball field, no baseball games shall be scheduled at the same time a track meet is in progress. Baseball practice may take place, but limited to a practice where balls do not land in the track and football field area.*

<b>Bleacher rental</b> (five-row only) City will deliver and pick up.	\$93/bleacher/event
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### **Clinics:**

Non-Profit organization	\$60/day
Private organization	\$215/day \$240/day/with lights

<b>Columbus Days event cleanup</b>	\$190/day
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<b>Concessionaire:</b>	\$20/day \$35/month
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*Park Board approval required for those wishing to sell goods and services on property under Park Board jurisdiction.*

### **Concession Stand Rentals:**

Berne Square, Gerrard Park, Centennial Park, Pawnee Park Baseball Field, Bradshaw Park, and Wilderness Park

Non-profit organization	\$130/season
Private organization	\$295/season

**Disc Golf:**

Tournaments	\$35/tournament
League Play once per week/12 consecutive week maximum	\$35/season

**Football:** (Pawnee and Bradshaw Parks)

Scotus & Columbus High Schools	\$800/varsity game
JV, Junior High, Freshman, Middle School and soap scrimmages (no lights)	\$200/game
JV, Junior High, Freshman, Middle School and soap scrimmages (under lights)	\$400/game
Field use by non-local organization	\$1,000/game

**Horseshoe:**

Electricity	\$100/season
Tournaments	\$65/tournament

**Softball:**

High School/College Refuse disposal Electricity	\$70/season 35% of actual usage/season
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**Tennis/Pickleball:**

High School	\$500/school year
Pawnee Park	\$26/court/day \$35 for 6 courts, 2 hours/day \$100 for 6 courts/day
Gerrard Park	\$26/court/day
Tennis Association electricity use	\$275/season

**Track:**

Practice per season, per school (Columbus and Scotus High Schools, Columbus Middle School & Scotus Jr. High)	\$335
Invites and Relays	\$195/meet
Districts or Conference hosted by a Columbus school	\$270/meet
hosted by a non-local school	\$395/meet
Dual/Triangular Meets	\$70/meet
Electronic Timing System	\$210/meet
Special Olympics	\$50/meet

*No track practice can be held when a scheduled track meet is in progress. Due to proximity of the track and ball field, no baseball games shall be scheduled at the same time a track meet is in progress. Baseball practice may take place, but limited to a practice where balls do not land anywhere in the track and football field area.*

*Cost for items such as hurdles, jumping standards, jumping pits, and pole vault boxes will be split between the City, Columbus High School, and Scotus High School.*

**Memorial Stadium Reservations:**

Labor costs will be added to any event requiring additional cleanup by park staff.

Event where no admission is charged or concession used	\$150
Event where admission is charged	\$225
Event where concession is used	\$300
Event where admission and concession are used	\$650
Video board usage	<del>\$25</del> \$50
Marching Band Festival	\$800

**Reservations:**

Glur Park Shelter	\$50/day
Pawnee Park West Shelter	\$25/table/day
Pawnee Park East Shelter	\$50/day
Bark Park	\$35/day
Wedding Reservation (condition of area for wedding is "as is")	<del>\$36</del> \$35 (to match bark park)

Payable at time reservation is made. No refunds.

**Electricity** \$10/day  
Any event in any park where electricity is used

**Any event requiring garbage receptacles being emptied  
by city staff outside normal working hours** \$70/day

**PROGRAMS:**

The Public Property Director shall establish recreation program fees for miscellaneous sales, programming, special events, and promotion.

Program fees are non-refundable.

## **5. Public Property Director report.**



# The City of Columbus

## PUBLIC PROPERTY DEPARTMENT

Director (402) 562-4240

Fax (402) 562-4265

May 2023

### Monthly report

Have started budget process in all departments

#### Park Department

Pawnee Park baseball field lights are now operational  
Repairing and painting some benches in Frankfort Square that have been chipped  
Currently doing playground equipment repairs  
Completed repairs to some areas of the Frankfort Square stage  
Working on dead tree removal  
New Wilderness Park signs has been installed  
Placing signs in parks reminding patrons that parks are closed from 12:00 a.m. to 5:00 a.m.  
Camera installation in Pawnee Park is complete. Park Department, Park and Rec and Police Department can monitor the videos  
Possible fiber installation at Pawnee Plunge, Berne Square, Pawnee Park baseball  
Shade covers at Centennial Park and Bradshaw Park are up  
Recent vandalism at Glur Park (restroom) and Gerrard Park (shelter)  
Federal funding for the Nebraska Forest Service tree program was considerably lower than anticipated. Waiting for information on how much funding the City of Columbus may receive  
City staff, advisory committee met with Confluence on conceptual plans for Pawnee Park, Gerrard Park and Memorial Stadium. Will start setting up meetings with citizens and organizations for input  
Sand Creek Construction completing plans for the Gerrard Park tennis/pickleball court renovations,  
Received four proposals for the Pawnee Park football field turf replacement  
Have started mowing athletic facilities  
Installed information sign for the Loup River water trails behind Ramada  
Having problems with the Pawnee Park tennis court lift station. It also serves Memorial Stadium. Working with Sewer Department to find solutions.

#### Golf report

Superintendent Keith Kline will be retiring on May 1  
Shawn Riedmiller has accepted the Golf Superintendent position  
Justin Miller has accepted the Golf Course Crew Leader position  
Quail Run is open, waiting on course to dry up before allowing carts  
Replaced a number of batteries on golf carts  
Koch Excavating has completed seeding around the lake  
Grosch Drilling has completed replacing the irrigation pumps.  
Concrete work around clubhouse has been completed  
Re-installed air pumps in irrigation lake  
Working with Brent and staff on some pro shop improvements at Van Berg.  
Received matching grant for pro shop work from Platte County Visitors Bureau  
Reel sharpener has been repaired and all reels have been sharpened



## Columbus Parks and Recreation

<http://columbusne.us/571/Parks-Recreation> | 402-562-4261

### Aquatic Center Attendance

- January: 1120
- February: 1347
- March: 1739 (reflects that last few days of March that were not reflected in last report due to time of report)
- April (as of April 26): 1206

Membership Count: Note- *Joe will be in attendance to speak on membership count.*

- January: 582
- February: 571
- March: 515 (reflects that last few days of March that were not reflected in last report due to time of report)
- April (as of April 26): 497

### April Programs:

Current registration count to date for swim lessons (January -April 26-Does not include summer registrations): 311

Corals Class: Underwater Egg Hunt: 30 kids pre-registered, 25 from Birthday Party

Reef's Dive & Movie: 11 Kids participated, 2 were passholders, 1 pre-registered, 8 paid day of.

### Lifeguard Class

- April 7, 8, 10: had 15 participants

Fitmat Class Noon: 5 Participants (2 open spots)

Aqua Balance Class: 16 Participants-new session starts at plunge.

### Upcoming Events/FYI's:

**Summer Brochure published to webpage and all programs are open for registration.**

### Gerrard Park Scoreboards

On April 10<sup>th</sup>, we had a conversation with Sean Martys with IBEW Local 22/Greater Nebraska JATC. He is who is repairing, and donating his resources and time to get the Gerrard Park Scoreboards back up and running. He let us know that he has all the new controllers for the scoreboards. He now just needs to put the repaired circuit boards back into each scoreboard and test them out. He is working with Tom to use our bucket truck to finish the project. We will then plan to work with Communications Manager, Matt Lindberg to do an article on Sean's efforts and generosity in helping to repair the scoreboards at Gerrard once the project is completed.



## Columbus Parks and Recreation

<http://columbusne.us/571/Parks-Recreation> | 402-562-4261

### Gerrard Park Concession Stands

We put out an RFP in Jan/Feb to see if there were interested parties in running the concessions at Gerrard Park. We did not have any interested parties so we are going to be running those through Parks and Recreation again. This year we will run them during tournaments and on “heavy” days of play out at the fields. So far, we have not been open this season. There were a few days that we could have opened but games were cancelled due to weather.

### Aquatics

Since January 1<sup>st</sup> we have had 311 participants take our swim lesson programs. That is a total of 515 participants since we re-opened in August in our swim lesson program.

We have had 7 individual sessions of “Aqua Fitness Classes.” These are paid classes outside of a passholder cost. In those 7 sessions we have had a total of 51 participants. The two Aqua Fitness Classes we currently offer are FitMat Class and Aqua Balance. In the newest session, that started April 6<sup>th</sup>, we have 5 participants in FitMat which means we have 2 openings for participants.

### Upcoming Dates to note:

#### Mariner’s Tournament at Gerrard

- May 6 & 7
- May 13 & 14

#### Kids to Park Day: May 20<sup>th</sup>-11am-1pm

- May 15<sup>th</sup> City Council the Mayor will “Proclaim the Day” for Kids to Park Day.
- West Pawnee Park-over the bridge in the island (behind the plunge). We will have the Neb. Games and Parks Activity Trailer there. This is an event for kids and families.

#### Pawnee Plunge Opens May 27th

Babysitting Clinic: Partners-The Women’s Club, 4H Extension Office-**Sydney will speak about class!**  
June 5 & 6

- Morning Session: Maxed Out-All 30 spots filled
- Afternoon Session: Maxed Out-All 30 Spots Filled-6 on waiting list.

Itty Bitty Camp Starts: June 5<sup>th</sup>- **Sydney will give overview**

Pop Up Rec Starts June 6<sup>th</sup>-**Sydney will give overview**

Flowrider Lessons-**Joe will give vision and overview**

- Lessons Start June 5<sup>th</sup>



## Columbus Parks and Recreation

<http://columbusne.us/571/Parks-Recreation> | 402-562-4261

Swim Team Clinic-**Joe will give vision and overview**

- Clinic starts June 5<sup>th</sup>

Springboard Diving-**Joe will give overview**

- Clinic starts May 31<sup>st</sup>

Movies in the Park start June 2<sup>nd</sup> with the Wizard of Oz at Dusk

Saturday Concert Series starts June 3<sup>rd</sup> with Déjà vu at 7pm

## **6. Adjournment.**