

VILLAGE OF CLEARWATER, NEBRASKA
MINUTES OF SPECIAL JOINT MEETING
FEBRUARY 26, 2024

The Board of Trustees of the Village of Clearwater met for a special joint meeting Monday, February 26, 2024 at 7 p.m., in the fire hall meeting room. Purpose of the meeting was to take action on liquor license applications and discuss the library and village office building remodel with the library board. Meeting opened at 7 p.m. Notice of meeting was given in advance by publication in *Summerland Advocate-Messenger*, was posted at US Post Office in Clearwater, Clearwater Market, and Cornerstone Bank-Clearwater and was given to board members prior to meeting. Public was informed of location of Open Meeting Act poster.

Present: Kelly Kerkman, Marsha Hart, Cody Kester, Jeff Schlecht, Brian King, Clerk Angie Hupp, Facilitator Bobbi Pettit, Village Engineer John Zwingman, Library Board members LuAnn Schindler, Jolene Timm, Natalie McKillip and Librarian Kathy Feusse.

Motion by Hart, seconded by Kester, to approve a Class C liquor license addition for permanent outdoor beer garden for The Waterhole at 510 Main St. Voting aye: Hart, Kester, Kerkman, King, Schlecht. Voting nay: none.

Motion by Schlecht, seconded by Kester, to approve a Class C liquor license addition of café building and permanent outdoor beer garden for the American Legion Post 267 at 509 Main St. Voting aye: Schlecht, Kester, Hart, King. Voting nay: none. Abstain: Kerkman.

A Class C liquor license application for Two Bills Steakhouse was postponed until the regular March 11 meeting as the paperwork did not arrive before the Feb. 26 meeting.

Library Board President LuAnn Schindler opened the library board meeting at 7:01 p.m. with members Schindler, Jolene Timm and Natalie McKillip present. Absent: Chellie Dixon, Dawn Curtis and Nichole Sanne.

Bobbi Pettit, owner of Five Rule Rural Planning and licensed facilitator, introduced herself and explained that she offered her assistance for the meeting since she is familiar with Clearwater through the DTR planning project. Everyone introduced themselves and what board/position they were representing.

Pettit asked the group to explain their ideal outcome. Schindler stated a timeline, plans for fundraising and discussion of dedicated funds from both the Village and the library. The construction steps included moving the village office from its current location to the west end of the ambulance bay, finishing work in the rest of the bay, removing interior walls in the library and finally, the exterior façade.

Engineer John Zwingman explained the regulations when hiring a licensed architect is required. He stated that not only are there size regulations - 3,000 square feet for a business, which the village building falls well below; there is a price point as well. He wasn't certain but he believed it was around \$38,000. He explained that a Request for Proposals (RFP) should be as concise and detailed as possible. This means less work for the contractors to figure out what needs to be included and when bids are opened, the board can compare apples to apples instead of apples to onions. As a public entity and municipality, the Village is held to regulations to accept the lowest presented bid, unless there are extenuating circumstances such as the lowest bid contractor cannot meet the deadlines set or there is established knowledge that their work is subpar.

Pettit explained there are two ways the boards can go: design/build or design/bid/build. In design/build, bids are requested at the beginning of the project, and the architect and other professionals work through its entirety. In design/bid/build, an architect is hired to do the conceptual work, then bidding is done for the specifications and construction. Zwingman suggested Clearwater would be better off going with the second option.

Brian King asked about fire suppression. Zwingman stated it's based on square footage and occupancy and he believed the building fell below that. Kelly Kerkman said the Legion building, which is currently being remodeled, did not require one so there was no reason to believe the library would. Timm asked if the bathrooms would be grandfathered in or if they would be required to remodel them as they are not ADA accessible. Zwingman couldn't answer the question outright, but there's a chance the remodel is extensive enough that new bathrooms will be required, which could halt plans as there is no easy way to make them ADA accessible. That was a question Zwingman said the architect would be better equipped to answer. Discussion was held regarding whether bids were required for the architect. Zwingman told them that generally professional services are exempt from requiring bids unless grant funds are involved. It was suggested that Hupp ask Village Attorney Kyle Petersen what the village's requirements are but Zwingman reminded them that bids weren't requested for hiring a new village attorney or engineer.

Motion by Timm, seconded by McKillip, for the library board to approve moving forward with hiring an architect to create conceptual drawings for the library/village office building remodel. Voting aye: Timm, McKillip, Schindler. Voting nay: none. Absent: Dixon, Curtis, Sanne.

Motion by Kerkman, seconded by Schlecht, for the village board to approve moving forward with hiring an architect to create conceptual drawings for the library/village office building remodel. Voting aye: Kerkman, Schlecht, Hart, Kester, King. Voting nay: none.

Jolene Timm asked Zwingman if Patrick Moore of Goodlife Architecture, who had provided a proposal for the design portion, would be a good option. Zwingman and Pettit have both worked quite a lot with Moore and have been happy with his work. Pettit also stated she felt there weren't many architects who were willing to bid only the first part of the project. Most would want to be guaranteed the contract throughout. The \$6,800 proposal from Goodlife Architecture would get the Village the conceptual drawings that would be sufficient to send to the State Fire Marshal.

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Motion by McKillip, seconded by Timm, for the library board to approve hiring Goodlife Architecture. Voting aye: Timm, McKillip, Schindler. Voting nay: none. Absent: Dixon, Curtis, Sanne.

Motion by Kester, seconded by Hart, for the village board to approve hiring Goodlife Architecture, pending advice from legal counsel. If required, an RFP will be sent. Voting aye: Kester, Hart, Schlecht, King, Kerman. Voting nay: none.

Discussion held regarding whether to split the cost of the architect. Kerkman asked if the money was in the budget for the year. Hupp mentioned that money can be rearranged if needed, and that \$8,000 was set in the general fund for repairs and maintenance and if those won't be used this year, the money can be used to pay the architect. The Kester stated that in his opinion, he felt the village could absorb the full initial cost of the architect then the library can do fundraising and everyone can apply for grants to help pay for the project. Schindler stated they have been applying for grants already. Zwingman pointed out that there should be price estimations available in time to set next year's budget.

Motion by Kester, seconded by King, for the village board to approve paying the full \$6,800 bill for the architect. Voting aye: Kester, King, Schlecht, Hart, Kerkman. Voting nay: none.

Motion by Timm, seconded by McKillip, to adjourn the library board meeting at 8:08 p.m. Voting aye: Timm, McKillip, Schindler. Voting nay: none. Absent: Dixon, Curtis, Sanne.

Motion by Kerkman, seconded by Kester, to adjourn the village board meeting at 8:08 p.m. Voting aye: Kerkman, Kester, Hart, King, Schlecht. Voting nay: none.

Meeting adjourned at 8:08 p.m.

Chairperson Kelly Kerkman

Clerk Angie Hupp