

MINUTES OF REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF NELIGH, NEBRASKA
November 13, 2018

The regular meeting of the Mayor and City Council of the City of Neligh was held at the City Council Chambers on Tuesday, November 13, 2018 at 7:00 P.M. Present were Council Members Leonard Miller, Dale Wilkinson, Steph Wanek and Ted Hughes. Also in attendance were City Attorney Jim McNally, City Supt. Dean Bly, Generation Supervisor Josh Capler, Economic Development Director Gabriel Steinmeyer, Assistant ED Director Lauren Sheridan-Simonsen, Police Chief Michael Wright, City Clerk Danielle Klabenes, News Reporters Jenna Hemenway and Carrie Pitzer, Library Director Jennifer Norton, Whitney Abbott, Boyd Pedersen, George & Ruth Strassler, Ray Ahrens, Stephanie Stuhr, Tedd Adams and Brian Schlote. Notice of this meeting was given in advance thereof by publication in the Neligh News and Leader on November 7, 2018. Notice of this meeting was given to the Mayor and all members of the Council and a copy of their acknowledgment of receipt of notice and the agenda is attached to the minutes. Availability of the agenda was communicated in the advance notice and in the notice to the Council of this meeting. Mayor Hartz offered a prayer before opening the meeting. All proceedings thereafter shown were taken while the convened meeting was open to the attendance of the public. Mayor Hartz presided over the meeting and noted that a copy of the Open Meetings Law, located on the east wall of the City Council Chambers was available to the public. Clerk Klabenes recorded the minutes. The Pledge of Allegiance was recited.

APPROVAL OF MINUTES

Council member Wilkinson moved to approve the October 2nd and 30th special meeting minutes as submitted and the October 9th regular meeting minutes with two corrections. The first correction was in the Economic Directors report for the Resolution 2018-16 second by Wanek instead of Hughes. The second correction was the approval of the September police report not listed in the October 9th minutes. Seconded by Hughes. Roll call votes in favor were Wilkinson, Hughes, Wanek, Miller. Opposed: None. Motion carried.

TREASURER'S REPORT

Clerk Klabenes reported the first month of the fiscal year shows a weaker general fund cash balance with the receipts of downtown revitalization funds received on the last day of the month before a transfer to reimburse general fund could be made. She reported several department expenses show higher than one month of the fiscal year expenses due to the annual insurance premium paid in the first month of the fiscal year. *Wanek moved to approve the October 2018 Treasurer's report as presented. Seconded by Wilkinson. Roll call votes in favor were Wilkinson, Wanek, Hughes and Miller. Opposed: None. Motion carried.*

NORTH CENTRAL DISTRICT HEALTH DEPT. COMPLIANCE CHECK REPORT

Whitney Abbott reported on a 9 county compliance check for tobacco and alcohol retailers through federal and state grants. She reported the goal is to reduce substance abuse in youth through the 9 counties. She reported if the compliance checks would show unsatisfactory numbers, then her department would look to the City Council to consider a resolution or ordinance to further train retailers. She reported Neligh had a 100% compliance check. She also reported on a reward and reminder program approved through the County Attorney for a training opportunity.

ENGINEERING CONTRACT FOR 2019 INTERSECTION IMPROVEMENTS

Clerk Klabenes reported on the contract presented for 7th and P Street as budgeted for the 2019 capital improvement project. *Hughes moved to approve the engineering contract with Advanced Consulting Engineering Services for 2019 street intersection paving improvements for \$3,500. Seconded by Miller. Roll call votes in favor were Wanek, Miller, Wilkinson. Hughes. Opposed: None. Motion carried.*

PLANS, SPECS AND COST ESTIAMTE FOR 2019 INTERSECTION IMPROVEMENTS

Clerk Klabenes reported the city engineer had referenced beginning plans and specs at this time to get on

board with the contractor's spring schedule. *Wilkinson moved to authorize City Engineer Zwingman to prepare plans, specs and a cost estimate for street intersection paving improvements of 7th and P Street for the December meeting.* Seconded by Wanek. Roll call votes in favor were Wilkinson, Wanek, Hughes, Miller. Opposed: None. Motion carried.

PRESERVATION OF HISTORIC DOWNTOWN BUILDINGS

Boyd Pederson requested a check and balance system be considered with demolition permits prior to a building torn down. He referenced the former dealership demolition prior in the year where some buildings may deem demolition but to consider contacting the Antelope County Historical Society for any artifacts that may be of value to preserve before a demo proceeds. He reported of interest to place a plaque on downtown buildings with who constructed the building and the construction date, with the owner's consent. He reported possible matching funds with the Historical Society to purchase the plaques estimated at \$100. Discussion was held for adding a line item to the current demolition permit application for contacting the Historical Society prior to approval of a demolition permit.

COMMUNITY NEEDS AND ASSESSMENT LIBRARY SURVEY

Library Director Jennifer Norton reported 124 respondents to the survey with 78% over the age of 35 years old. She reported comments for items of interest that are not currently available at the library included larger meeting spaces for events and presenters and classes in computer, photography, crafts and pottery and technologies of Innovation Studio. She reported the survey was the beginning step to continue a conversation for expanding programs and the library building. She reported a building expansion does not equate to a tax burden but other options to explore.

Director Norton reported on new programs approaching with a Teen Night for 7th – 12 graders scheduled for November. She reported the 3 hour event will be tried once a month with the doors locked after a set time and cell phones set aside for the youth to interact in miniature golf, minute to win-it games, crafts and food. She also reported on a public screening of the feature *Neither Wolf nor Dog* later in November and reported the book was available to read prior to the public screening.

RESOLUTION 2018-17 COMMITTING FUNDS FOR TRANSIT VEHICLE PURCHASE

Clerk Klabenes reported on the application to purchase a van for Dial-A-Ride through the federal and state grants. She reported a 7 passenger van under state contract at \$22,000 would require a local contribution from the city of \$2,300 as budgeted from the Lottery fund for a community betterment expense. She reported the application required a resolution from the council approving and signifying the local contribution to the purchase. *Wilkinson introduced and moved for passage Resolution 2018-17 approving the application for financial assistance from federal and state grant funds for the purchase of a Dial-A-Ride van with \$2,300 from the Lottery fund.* Seconded by Wanek. Roll call votes in favor were Miller, Wilkinson, Wanek, Hughes. Opposed: None. Motion carried. Thereupon Mayor Hartz declared Resolution 2018-17 adopted.

Discussion was held for the sale of the current 2004 Chevrolet Ventura van through Antelope County Exchange with the right to accept or reject any bid. *Wanek moved to advertise the 2004 Chevrolet Ventura van for sale online after the arrival of the replacement van.* Seconded by Hughes. Roll call votes in favor were Hughes, Miller, Wilkinson, Wanek. Opposed: None. Motion carried.

PUBLIC HEARING FOR CASEY'S GENERAL STORE CLASS D LIQUOR LICENSE

Mayor Hartz opened a public hearing for support and opposition for Casey's Retail Company Class D Liquor License. Time: 7:47 P.M. Clerk Klabenes reported Casey's was applying to change the liquor license from a Class B to a Class D license which meant the store was applying to sell wine and distilled spirits off sale in addition to the current beer inventory. Discussion was held that as one local business was closing with local ownership and local profits and that both convenience stores currently sell off site with both non-locally owned businesses and profits leaving town.

There being no comments or objections heard, Mayor Hartz declared the public hearing closed at 7:49

P.M. Miller introduced and moved for passage Resolution 2018-18 approving the application for a Class D Liquor License for Casey's Retail Company. Seconded by Wanek. Roll call votes in favor were Hughes, Wilkinson, Miller, Wanek. Opposed: None. Motion carried. Thereupon Mayor Hartz declared Resolution 2018-18 adopted.

THRIFTWAY MARKET SPECIAL DESIGNATED LIQUOR LICENSE

Clerk Klabenes reported Thriftway Market had filed an application for a Holiday Tasting event on December 6th. Wanek moved to approve the special designated liquor license for Thriftway Market on December 6th for a Holiday Tasting event. Seconded by Wilkinson. Roll call votes in favor were Wilkinson, Wanek, Miller, Hughes. Opposed: None. Motion carried.

RESOLUTION 2018-19 APPRECIATING AED DONATION FROM DIANE TASLER

City Supt. Bly reported Diane (Kallhoff) Tasler, originally from Neligh, donated 7 Automated External Defibrillators (AED's) to different communities following her husband's death due to a heart attack. He reported Neligh was one of the donation recipients. He reported the unit was placed in the Council Chambers and would be placed in the park during the Antelope County Fair or at the swimming pool and any other event to be available. Mayor Hartz read the resolution of appreciation and thanked Diane for her generous donation. Hughes introduced and moved for passage Resolution 2018-19 offering and extending appreciation to Diane Tasler for the AED donation to the City of Neligh. Seconded by Wilkinson. Roll call votes in favor were Miller, Hughes, Wanek, Wilkinson. Opposed: None. Motion carried. Thereupon Mayor Hartz declared Resolution 2018-19 adopted.

CONSIDERATION FOR NELIGH CARE & REHAB FEASIBILITY STUDY

Discussion was held for contracting with one of the firms interviewed for a feasibility and market studies. Discussion was held that Great Plains Appraisal and Buckley Consulting Services were contacted for interviews and Great Plains Appraisal offered the best price, was knowledgeable and had a local connection. Discussion was held that an appraisal on the building would be separate from the feasibility and market study on the business. Discussion was held that the general fund would pay for the studies as budgeted and if a bond project proceeded, then the bond would reimburse the general fund. Wilkinson moved to enter into a contract with Great Plains Appraisal for a feasibility and market study for \$12,000. Seconded by Hughes. Roll call votes in favor were Miller, Wilkinson, Wanek, Hughes. Opposed: None. Motion carried.

RESOLUTION 2018-20 APPROVING THE SCHEDULE OF FEES FOR 2018-2019

Clerk Klabenes reported the Schedule of Fees had one update to include the camping fees in the parks. Discussion was held for reviewing the park camping fees since state parks had increased rates. Council Member Wilkinson and Clerk Klabenes will gather rates and provide to the Park Board for further consideration. Discussion was held for a rental fee of the Council Chambers for public meetings not affiliated with the city and opening the rest of city hall to have available restrooms. It was the consensus of the council to provide use of the Council Chambers for public meetings during daytime office hours without a fee and re-evaluate if the inquiry for such meeting space increased frequency. Hughes introduced and moved for passage Resolution 2018-20 approving the 2018-2019 Schedule of Fees. Seconded by Miller. Roll call votes in favor were Wanek, Miller, Wilkinson, Hughes. Opposed: None. Thereupon Mayor Hartz declared Resolution 2018-20 adopted.

BALCONY ADDITION TO MAIN STREET BUILDING

Tedd Adams reported he would like to add a balcony to his main street building with changing the outside windows and replacing the middle window with a glass door for aesthetics and window cleaning. He reported Tom Zwingman was preparing a drawing for the balcony. He reported no supports would connect the balcony to the sidewalk. Discussion was held that 2-3 people could stand on the balcony. City Attorney McNally reported the council could approve without an easement for extending over the public sidewalk. Economic Development Director Steinmeyer reported DTR funds were not allowed for residential buildings, but the project would be eligible for micro-façade funds up to \$1,500 which had been approved already. It was the consensus of the

council to see specs and a sketch before approving. No action was taken and the matter was tabled to the next meeting.

APPOINTMENTS

Tabled to a following month.

OPERATION HOURS FOR CHRISTMAS EVE

Discussion was held for business hours for Christmas Eve this year as the 2018 holiday fell on a Monday. Discussion was held for half day or full day of providing services such as the transit services from Dial-A-Ride and solid waste services. *Hughes moved to authorize to close operations on Christmas Eve at noon with half a day of paid holiday for employees.* Seconded by Wanek. Roll call votes in favor were Wilkinson, Wanek, Hughes, Miller. Opposed: None. Motion carried.

ECONOMIC DIRECTORS REPORT

Economic Development Director Gabriel Steinmeyer reported no new downtown revitalization applications for the month. He reported that businesses were working toward finalizing projects and weather delays postponed completion.

The Director reported about \$23,000 funds were available to apply for projects yet. He requested consideration for extending the DTR grant for one year to complete downtown business construction projects. He reported he was in contact with DED and optimistic about the extension request from DED to allow for completion of the commercial rehabilitation construction projects in downtown Neligh. *Moved by Wanek to authorize the Mayor to sign a letter requesting an extension of CDBG grant 15-DTR-108 until December 22, 2019.* Seconded by Wilkinson. Roll call votes in favor were Hughes, Wilkinson, Miller, Wanek. Opposed: None. Motion carried.

Director Steinmeyer reported both the Chamber of Commerce and Economic Development Board had approved the proposed contract agreement between the Chamber and the Economic Development Board for 2019. *Wanek moved to approve the contract between the Neligh Economic Development and the Chamber of Commerce effective January 1, 2019 of \$13,500.* Seconded by Hughes. Roll call votes in favor were Miller, Wanek, Hughes, Wilkinson. Opposed: None. Motion carried.

The Director reported he had submitted a letter of resignation about two weeks ago effective November 30, 2018. He reported he was offered a career choice to pursue and thanked the City Council, Economic Development Board and people of Neligh for the opportunity, experiences and relationships formed in a great community. *Hughes moved to accept the resignation of the Economic Development Director Gabriel Steinmeyer with regrets.* Seconded by Wilkinson. Roll call votes in favor were Wilkinson, Miller, Hughes, Wanek. Opposed: None. Motion carried. Council members thanked Steinmeyer for his services and extended best wishes in his next endeavor.

Discussion was held for scheduling a special meeting for the Economic Development Board and City Council to discuss the direction and replacement of the director. Discussion was held for checking with ED Board members for a possible November 19th special meeting. Steinmeyer reported he had received 10 letters of support to rehire an Economic Development Director. *Hughes moved to approve the ED Directors report.* Seconded by Wanek. Roll call votes in favor were Hughes, Wilkinson, Miller, Wanek. Opposed: None. Motion carried.

POLICE REPORT

Chief Wright reported he was taking applications for a police officer. He reported applicants submitting interest were not certified yet. He thanked City Attorney Jim McNally and Officer Kraig Nelson for the work on nuisance properties. *Wanek moved to approve the October Police report of 396 calls.* Seconded by Hughes. Roll call votes in favor were Hughes, Wanek, Wilkinson, Miller. Opposed: None. Motion carried.

CITY SUPT. REPORT

City Supt. Bly updated the Council on the glass recycling. He reported the grant was not available until February 2019 for a Kansas organization to pick up the glass collection. He reported he was visiting with Antelope County. Discussion was held for making application for the program. *Wilkinson moved to authorize the City Supt. to make application for a glass recycling grant.* Seconded by Miller. Roll call votes in favor were Miller, Wanek, Wilkinson, Hughes.

Clerk Klabenes reported the recycling contact from Laurel, Nebraska decided not to continue servicing Neligh and removed the recycling containers and signage. She reported the Laurel company had taken on two communities closer to Laurel with shorter travel distances. Discussion was held that aluminum was going to Alter Metal and contacts with Nebraska Recycling were underway.

Discussion was held for increasing the City Supt. salary for competitive wages. Discussion was held that the City Supt. held the highest water certification available and his employees continued to pursue the sewer certification. *Wanek moved to enter executive session for the prevention of needless injury to the reputation of an individual to discuss salary contract negotiations with the City Superintendent.* Seconded by Hughes. Roll call votes in favor were Wilkinson, Wanek, Hughes, Miller. Opposed: None. Motion carried. Time: 8:53 P.M. Also present were Mayor, City Council, City Attorney Jim McNally and City Clerk Danielle Klabenes. Supt. Bly was invited to attend executive session and did attend the session. Those present for executive session met near the Mayor's office and exited the Council Chambers.

The council reconvened into regular session at 9:03 P.M. *Hughes moved to approve a salary increase for the City Supt. to \$64,000 effective with the next payroll period.* Seconded by Miller. Roll call votes in favor were Wilkinson, Wanek, Hughes, Miller. Opposed: None. Motion carried. Discussion was held for reviewing municipal wages and positions and employee handbook updates in January with Council Members Hughes and Wilkinson.

Discussion was held for a water leak in city hall above the east wall windows. Clerk Klabenes reported the fire department owned an infrared tool to detect heat loss and she would contact a fireman for a reading. Mayor Hartz directed the City Clerk to contact Service Master for cleaning and testing for mold.

Wilkinson moved to approve the Supt. report. Seconded by Miller. Roll call votes in favor were Miller, Wanek, Hughes, Wilkinson. Opposed: None. Motion carried.

ELECTRIC REPORT

Generation Supervisor Capler reported no major outages over the last month. He reported tree trimming would continue for clearing branches from electric lines. He reported Lineman Ellenwood had completed 3 of 4 Merchant books. Council members complimented Ellenwood on his helpful and attentive efforts to other municipal departments as well. Supervisor Capler reported the generation plant was running well. He reported the normal end of month test runs would be performed later in the week as NPPD would be running a meter test and calibrations on their meter performed every 3 years and the generation plant would operate for the one hour test run. He reported he would fill all fuel tanks following the test run in preparation for the cold weather months. *Wanek moved to approve the Electric report.* Seconded by Miller. Roll call votes in favor were Miller, Wanek, Hughes, Wilkinson. Opposed: None. Motion carried.

APPROVAL OF BILLS

Wilkinson moved to approved drawdown #15 for project funds for \$27,729.93 for completed Downtown Revitalization projects. Seconded by Wanek. Roll call votes in favor were Miller, Hughes Wilkinson, Wanek. Opposed: None. Motion carried.

Hughes moved to approve the bills as presented. Seconded by Miller. Roll call votes in favor were Wanek, Wilkinson, Miller, Hughes. Opposed: None. Motion carried.

There being no further business to conduct, *Miller moved to adjourn.* Seconded by Hughes. Roll call votes in favor were Wilkinson, Wanek, Miller, Hughes. Opposed: None. Thereupon Mayor Hartz declared the meeting adjourned. Time 9:15 P.M.

Joe Hartz, Mayor

ATTEST

Danielle Klabenos, City Clerk

CERTIFICATION

I, the undersigned, City Clerk of the City of Neligh, Nebraska, hereby certify that November 13, 2018; that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the office of the City Clerk; that such agenda items were sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes from which the foregoing proceedings have been extracted were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting; and that a current copy of the Nebraska Open Meetings Act was available and accessible to members of the public, posted during such meeting in the room in which such meeting was held.

City Clerk

(SEAL)