

MINUTES OF REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF NELIGH, NEBRASKA
December 8, 2020

The regular meeting of the Mayor and City Council of the City of Neligh was held at the City Council Chambers on Tuesday, December 8, 2020 at 7:00 P.M. Present were Council Members Leonard Miller, Dale Wilkinson, Ted Hughes and Brent Pickrel. Also in attendance were City Attorney James McNally, City Clerk Danielle Klabenes, Economic Development Director Lauren Sheridan-Simonsen, City Supt. Dan Donaldson, Generation Supervisor Josh Capler, Police Chief Mike Wright, Al Stelling, DeManda McGowen and Don Zegers. Notice of this meeting was given in advance thereof by publication in the Antelope County News on December 2, 2020. 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 Hughes moved to approve the November 10th regular and November 19th special meeting minutes as presented. Seconded by Wilkinson. Roll call votes in favor were Wilkinson, Miller, Pickrel, Hughes. Opposed: None. Motion carried.

TREASURER'S REPORT

Clerk Klabenes reported an update on FEMA reimbursement for the Penn Park riverbank stabilization was still awaited. *Council member Wilkinson moved to approve the November 2020 Treasurers report as presented.* Seconded by Pickrel. Roll call votes in favor were Miller, Wilkinson, Pickrel, Hughes. Opposed: None. Motion carried.

AIRPORT REGULATIONS

City Clerk Klabenes requested a January public hearing date be set as the notice of publication had not been published. *Pickrel moved to set a public hearing date for January 12, 2021 at 7:00PM.* Seconded by Miller. Roll call votes in favor were Pickrel, Wilkinson, Hughes, Miller. Opposed: None. Motion carried.

NELIGH AREA COMMUNITY FOUNDATION

Al Stelling presented information from the Nebraska Community Foundation annual report which included the summer internship from Lydia Behnk with half of the intern's wages paid by the Foundation. He reported on the \$300,000 challenge to an Unrestricted Endowment Fund with approximate interest of 4% would provide about \$13,500 annually to the Neligh Foundation to community organizations. He reported about \$82,000 was collected in donations and pledges collectively. Discussion was held for the current balance of lottery funds and eligibility for community betterment. Discussion was held that the lottery governing board had advised that specific details for the use of lottery funds had to be shared for further advisement whether lottery funds were going to a community betterment project, thus an unrestricted endowment fund did not comply with specific details for the use of a donation. Discussion was held that utility funds could not go into an unrestricted fund. Stelling reported on an alternative project that could accept donations for a restricted purpose that would not go into the Unrestricted Endowment Fund nor be eligible for the matching challenge donation. No action was taken.

MODIFIED BUILDING APPLICATION FOR SHOUSE STRUCTURES AND A RECREATIONAL PERGOLA

City Attorney McNally reported on three items that will affect the zoning regulations which included distances between buildings for fire protection, large storage structures for square footage of living space and

storage space and a recreational gazebo or pergola structure. The City Attorney recommended the items be referred to the Planning Commission for the appropriate meeting and hearings required by state statute before recommendation to the City Council for proper placement in the ordinances of the zoning regulations. Discussion was held for shouse structures to consider public hearings with neighbors, consideration of zoning districts to allow or prohibit such structures and consideration for within in or outside city limits. Discussion was held for having a joint meeting with the Planning Commission and City Council to discuss further details and clarification. *Wilkinson moved to refer three items proposed for inclusion under the zoning regulations to the Planning Commission for a joint meeting with the City Council.* Seconded by Pickrel. Roll call votes in favor were Miller, Wilkinson, Pickrel, Hughes. Opposed: None. Motion carried.

LB840 REPORT FROM CITIZEN ADVISORY REVIEW COMMITTEE

DeManda McGowen from the Citizen Advisory Review Committee reported the LB840 fund had received \$44,824.05 in sales tax revenues since May 2020. She reported that online sales tax sales had supported the LB840 sales during COVID-19 online shopping transactions. She reported that while no new loans had been approved since May 2020, that two loans were pending submission. She reported the committee was pleased with the revolving loan fund balance of approximately \$59,000 to assist new and existing businesses. She reported the committee had one new member appointed with Jill Kallhoff. She reported the committee found the LB840 program to be spent in a manner appropriate with state statutes. *Pickrel moved to approve the Citizens Advisory Review Committee report on the LB840 program as presented by DeManda McGowen.* Seconded by Hughes. Roll call votes in favor were Wilkinson, Hughes, Miller, Pickrel. Opposed: None. Motion carried.

STORAGE CONTAINERS

City Attorney McNally reported the ordinance presented has modified following last months discussion and now included a provision for storage containers with no visible rust to be allowed in the commercial district for up to 6 months following an application filed and approved. Discussion was held for consideration when completing a building permit that the application state the storage container be set on a 6" concrete pad and allowed for placement in the residential district when in compliance with setbacks and for filing with the County Assessor for real estate taxes. Discussion was held for grandfather rules and the containers serve as a secure unit. Further discussion was held for consideration in a commercial district for painted, non-rusted storage containers placed on a concrete pad but prohibited in residential district. The council requested the City Attorney revise the ordinance for the next meeting. No action was taken and the matter was tabled.

MOVING PERMIT 2020-26 FOR BILL KUESTER GARAGE

Wilkinson moved to approve Moving Permit 2020-26 for a garage for Bill Kuester. Seconded by Pickrel. Roll call votes in favor were Hughes, Pickrel, Miller, Wilkinson. Opposed: None. Motion carried.

RESOLUTION 2020-12 YEAR END CERTIFICATION

Pickrel introduced and moved for passage Resolution 2020-12 authorizing the Mayor to sign a Year End Certification verifying that the City Engineer was appointed in 2020. Seconded by Miller. Roll call votes in favor were Wilkinson, Miller, Hughes, Pickrel. Opposed: None. Motion carried.

MAINTENANCE AGREEMENT WITH NEBRASKA DEPARTMENT OF TRANSPORTATION

Pickrel moved to approve the contract with the Nebraska Department of Transportation for 2021 Maintenance Agreement for \$2,997.30. Seconded by Hughes. Roll call votes in favor were Wilkinson, Pickrel, Miller, Hughes. Opposed: None. Motion carried.

EMPLOYEE HEALTH INSURANCE RENEWAL

Clerk Klabenes reported 3 health insurance estimates and a change to a January 1st renewal instead of February 1st included Blue Cross Blue Shield, United Healthcare and Medica. She reported the current policy

renewal showed an average of 6% increase in premium with same deductible and coinsurance amounts. She reported the less than \$100 in company premium total with United Healthcare compared to Blue Cross Blue Shield was outweighed by the increase in out of pocket costs with United Healthcare. She reported that Medica offered better coinsurance but a higher monthly premium. She reported Medica entered the group health insurance for the first year and suggested monitoring what the company offered the first few years to avoid early low rate attraction followed by a price spike. *Wilkinson moved to approve the Blue Cross Blue Shield HSA21 Silver plan for employee health insurance with a change to a January 1 renewal.* Seconded by Hughes. Roll call votes in favor were Miller, Hughes, Wilkinson, Pickrel. Opposed: None. Motion carried.

CITY PERSONNEL VACATION POLICY

Discussion was held for updating the employee vacation policy by offering an option to pay a set maximum number of days of accrued vacation that would not be required to be taken off with time away from work. Discussion was held for longer tenured employees accrued vacation time occasionally posed scheduling conflicts. Discussion was held that COVID closures posed challenges for employees to take planned vacations for events that were postponed or later closed, thus delayed using the vacation time and created scheduling conflicts. Discussion was held for setting a cap of vacation days to be paid without taking time off from work. Discussion was held for budgeting differently for this change in paid leave in the next fiscal budget. *Hughes moved to approve setting a cap of 5 days of accrued vacation days to be paid out without taking time off from work for all employees regardless of department who have worked two years and over with an effective date of January 1, 2021.* Seconded by Miller. Roll call votes in favor were Wilkinson, Hughes, Pickrel, Miller. Opposed: None. Motion carried.

CHRISTMAS EVE OPERATION HOURS AND EMPLOYEE APPRECIATION CERTIFICATES

Discussion was held for allowing employees to observe Christmas Eve off duty with the day occurring on Thursday this year and due to COVID, not recognizing employee anniversaries and achievements with a recognition banquet. *Pickrel moved to approve closing municipal operations on Thursday, December 24th with employer paid time off for regularly scheduled hours and to approve \$50.00 Chamber of Commerce Big Bucks to each employee for employee appreciation.* Seconded by Wilkinson. Roll call votes in favor were Miller, Wilkinson, Hughes, Pickrel. Opposed: None. Motion carried.

CITY SURPLUS PROPERTY

Discussion was held for a couple of office desks and a file cabinet that were available for sale upon authorization to advertise such items. *Pickrel moved to authorize the City Clerk to advertise for sale the city surplus personal property.* Seconded by Wilkinson. Roll call votes in favor were Hughes, Miller, Pickrel, Wilkinson. Opposed: None. Motion carried.

APPOINTMENT

Mayor Hartz recommended the re-appointment of Nick Ramold and Angie Belitz to the Park Board for a 3-year term and new appointment of Dave Jacobsen to the LB840 Loan Committee for a 4-year term. *Wilkinson moved to approve the appointments as presented.* Seconded by Miller. Roll call votes in favor were Pickrel, Miller, Wilkinson, Hughes. Opposed: None. Motion carried.

ECONOMIC DIRECTORS REPORT

ED Director Sheridan-Simonsen reported the drive thru Santa and Parade of Lights were a success this year with adaption due to COVID rules. She reported Neligh had received 27 small business stabilization, 24 livestock producer and 2 charitable organization grants totaling \$636,000 as part of the Get Nebraska Growing Corona Relief program. She reported that Antelope County received \$2,742,250 in grants with Neligh and Clearwater receiving collectively \$1,236,250. She reported the new banker at Heritage Bank was adjusting well to the community and

welcomed Aaron Hendrickson to the community. *Pickrel moved to approve the Economic Development Director report.* Seconded by Hughes. Roll call votes in favor were Miller, Hughes, Pickrel, Wilkinson. Opposed: None. Motion carried.

POLICE REPORT

Chief Wright reported he was utilizing part-time officers in the current 2-man fulltime officer schedule. *Wilkinson moved to approve the November police report of 185 calls.* Seconded by Hughes. Roll call votes in favor were Wilkinson, Hughes Pickrel, Miller. Opposed: None. Motion carried.

CITY SUPT. REPORT

City Supt. Donaldson reported the budgeted repairs to the west well on the pump, wiring and valve would begin. He reported the Riverside Park cottonwood was removed successfully. He reported the backfill on D Street side edges was finishing while alleys and gravel roads were being graded. He reported the Tree Dump entrance was crowned to allow the water run-off from the edges. He reported city personnel were inventorying functioning street lights. He reported the cabling and wiring upgrades and pricing in the city office for better efficient operations and several points of failure was under review with IT personnel and Council Member Pickrel. He also reported equipment list and insurance values were being reviewed to adjust for items not in use or not needed. *Hughes moved to approve the City Supt. report as presented.* Seconded by Miller. Roll call votes in favor were Miller, Hughes, Wilkinson, Pickrel. Opposed: None. Motion carried.

ELECTRIC REPORT

Electric Generation Supervisor Capler reported tree trimming was underway. He reported a new home north of Cemetery Road was located in the city service area and Neligh Electric would extend the utility line and underground to the new residence. He reported the Mayor saw a demonstration earlier that day on the new vacuum excavator. Discussion was held for setting a rental fee at the January meeting. He reported on two outages due to a tree against a secondary line and a squirrel made contact with equipment on the pole. He reported the generation phone line was placed on a separate designated line to help the fire alarm system work more efficiently. *Hughes moved to approve the Electric report.* Seconded by Miller. Roll call votes in favor were Pickrel, Wilkinson, Hughes, Miller. Opposed: None. Motion carried.

APPROVAL OF BILLS

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

There being no further business to conduct, *Miller moved to adjourn.* Seconded by Pickrel. Roll call votes in favor were Wilkinson, Miller, Hughes, Pickrel. Opposed: None. Thereupon Mayor Hartz declared the meeting adjourned. Time 9:12 P.M.

Sine' Die

City Clerk Danielle Klabenes reviewed the credentials of elected officials and recited the Oath of Office to Council member incumbents Leonard Miller and Dale Wilkinson.

Mayor Hartz declared the meeting open at 9:25 P.M.

Clerk Klabenes called roll as follows: Council members Hughes, Wilkinson, Miller and Pickrel. Absent: None.

COUNCIL PRESIDENT

Wilkinson moved to nominate Ted Hughes as Council President and that nominations cease. Seconded by Miller. Roll call votes in favor were Pickrel, Miller, Wilkinson. Abstain: Hughes. Opposed: None. Motion carried.

APPOINTMENTS

Mayor Hartz asked if the current committees would like to continue with the same committees of Standing Committees:

- Streets & Alleys – Hughes and Pickrel
- Finance – Miller and Wilkinson
- Utilities – Wilkinson and Hughes
- Fire, Park, Buildings, Grounds – Pickrel and Miller
- Human Resources – Hughes and Wilkinson

Miller moved to approve re-appointing the current standing committees as presented. Seconded by Wilkinson. Roll call votes in favor were Miller, Pickrel, Hughes, Wilkinson. Opposed: None. Motion carried.

Moved by Wilkinson and seconded by Miller to adjourn. Roll call votes in favor were Miller, Hughes, Wilkinson, Pickrel. Opposed: None. Thereupon Mayor Hartz declared the meeting adjourned. Time: 9:27 P.M.

City of Neligh

Joe Hartz, Mayor

ATTEST

Danielle Klabenes, City Clerk

CERTIFICATION

I, the undersigned, City Clerk of the City of Neligh, Nebraska, hereby certify that on December 8, 2020; 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 for public inspection at least twenty-four hours before the meeting; 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)