

MINUTES OF REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF NELIGH, NEBRASKA
May 12, 2020

The regular meeting of the Mayor and City Council of the City of Neligh was held at the City Council Chambers on Tuesday, May 12, 2020 at 7:00 P.M. Present were Mayor Joe Hartz and Council Members Dale Wilkinson, Brent Pickrel, Leonard Miller and Ted Hughes. Also in attendance were City Attorney Jim McNally, City Clerk Danielle Klabenes and News Reporter Carrie Pitzer. Adam Mortensen for the Neligh Young Men's Club and Janet Koinzan for the Elgin Economic Development entered and exited the meeting. The department heads who entered and exited the meeting one at a time to present their reports were Economic Development Director Lauren Sheridan-Simonsen, Police Chief Mike Wright, City Supt. Dean Bly and Electric Generation Supervisor Josh Capler. Notice of this meeting was given in advance thereof by publication in the Antelope County News on May 6, 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 hereafter shown were taken while the convened meeting was open by video streaming through Antelope County News. Mayor Hartz presided over the meeting and noted that parts of the Open Meeting Act was waived by the Governor's Executive Order No. 20-03 and that the public could participate by telephone, 402-887-4066, if they so desired. Mayor Hartz noted a copy of the Open Meetings Law was located on the east wall of the City Council Chambers. City Clerk Klabenes recorded the minutes. The Pledge of Allegiance was recited.

APPROVAL OF MINUTES

Council member Hughes moved to approve the April 14th regular and April 22nd special meeting minutes as submitted. Seconded by Wilkinson. Roll call votes in favor were Hughes, Pickrel, Miller, Wilkinson. Opposed: None. Motion carried.

TREASURER'S REPORT

Clerk Klabenes reported notice that FEMA had approved the Penn Park riverbank stabilization project by obligating approximately \$125,000 federal funds. Discussion was held that NEMA funds should also contribute to the project at 12.5%. City Attorney McNally reported on his research of the statute that the LB840 sales tax receipts and loan payment receipts could be placed in the same checking account together. Discussion was held for obtaining the auditor comments and placing the action to combine the accounts on the next meeting agenda for one LB840 checking account holding both sales tax receipts and loan payment receipts with a subclass listing the total of each on monthly treasurer reports as currently reported. Discussion was held for financial impacts of COVID-19 on various departments. *Council member Hughes moved to approve the April 2020 Treasurer's report as presented.* Seconded by Miller. Roll call votes in favor were Wilkinson, Hughes, Miller, Pickrel. Opposed: None. Motion carried.

CITY EMPLOYEE RETIREMENT PLAN WITH GALLOWAY FINANCIAL ADVISORS

Clerk Klabenes reported that the Finance Committee of Council members Wilkinson and Miller had participated in a conference call with Terry Galloway of Galloway Financial Advisors. (GFA) She reported the former auditor had retired from the public accounting field, started a financial business and presented a retirement plan. She reported the fee difference between the current retirement plan with Union Bank and the presented plan with GFA included an increase from 1% to 1.4% fees which took the fiduciary responsibility off of the mayor and clerk and the option for both pre-tax and post-tax customized retirement contributions. Discussion was held for the individual employee counseling on investments offered, the increase of .4% in fees for additional services and no contractual agreement with Union Bank. *Miller moved to approve the retirement proposal of Galloway Financial Advisors upon no binding contract with Union Bank.* Seconded by Hughes. Roll call votes in favor were Wilkinson, Pickrel, Miller, Hughes. Opposed: None. Motion carried.

SPECIAL DESIGNATED LIQUOR LICENSES

Wilkinson moved to approve the special designated liquor licenses for Antelope County Ag Society in Riverside Park for the Antelope County Fair July 30-August 2 and the American Legion Post 172 at the Antelope County Fair Building for wedding receptions July 4, July 18, August 29, September 19 and October 10. Seconded by Hughes. Roll call votes in favor were Pickrel, Hughes, Wilkinson, Miller. Opposed: None. Motion carried.

NELIGH YOUNG MEN'S CLUB FIREWORKS AND STREET CLOSURE

Adam Mortensen of the Neligh Young Men's Club requested consideration for a fireworks donation and a donation for a new wireless fireworks system which provided the club members to run the fireworks show from safer setback distances. He reported the planning for the Neligh Mill Days on July 4th were moving forward until new directed health measures provided further guidance on crowd activities. He reported the fireworks show would operate again from Penn Park and requested a street closure on Wylie Drive from P Street to Highway 14 which may use only one lane. He also requested a letter of authorization for the Neligh Young Men's Club to display fireworks for the City of Neligh as the letter was required by the fireworks vendor. *Hughes moved to approve a \$4,500 donation from the Electric fund as budgeted for fireworks and a \$2,500 donation from the Lottery fund for the wireless equipment system, a street closure on Wylie Drive from P Street to Highway 14 and the use of Penn Park for the 4th of July fireworks show and a letter of authorization to display fireworks for the city. Seconded by Wilkinson. Roll call votes in favor were Hughes, Miller, Pickrel, Wilkinson. Opposed: None. Motion carried.*

APPOINTMENTS

Mayor Hartz recommended the appointments of re-appointed Lauri Huffman to the Tree Board 3-year term, re-appointed Koryn Koinzan to the LB840 Loan Committee 4-year term, re-appointed DeManda McGowen and appointed new member Jill Kallhoff both to LB840 Citizens Advisory Review Committee 4-year terms. *Hughes moved to approve the appointments as presented. Seconded by Wilkinson. Roll call votes in favor were Wilkinson, Hughes, Miller, Pickrel. Opposed: None. Motion carried.*

ECONOMIC DIRECTORS REPORT

Economic Development Director Lauren Sheridan-Simonsen reported 25 applications were distributed for the LB840 Emergency Grant with 11 grants presented totaling \$16,200 for consideration. She reported \$8,800 remained available for businesses to apply for. *Pickrel moved to approve 11 grants recommended by the Economic Development Board as presented for the LB840 Emergency Grant program. Seconded by Hughes. Roll call votes in favor were Wilkinson, Hughes, Miller, Pickrel. Opposed: None. Motion carried.*

Discussion was held for a drafted electric incentive ordinance for startup, expansion, attraction and transition businesses receiving utility discounts in the first couple of years of operation. Discussion was held for section two listing a qualifications for a minimum number of part-time and full-time employees which may not be applicable to all businesses. Discussion was held for consideration of including expanding businesses and two levels of investment for the incentive before adopting the ordinance. Discussion was held for making application within 90 days of opening a business. It was the consensus of the council to table the ordinance to the next meeting. No action was taken.

Director Sheridan-Simonsen also reported the ED Assistant Director position was offered to Brianna Brugman upon the recommendation of the hiring committee. The Director reported Brugman would begin June 1st. *Pickrel moved to approve the hiring committee recommendation for Brianna Brugman as the Assistant Economic Development Director at \$14.50 an hour pending pre-employment drug testing. Seconded by Hughes. Roll call votes in favor were Miller, Pickrel, Wilkinson, Hughes. Opposed: None. Motion carried.*

Sheridan-Simonson reported the current micro façade funds remaining from the DTR grant of \$25,000 were available for digital façade and could be used opportunities made known from COVID-19. She reported some of the eligible expenses included e-commerce, point of sale, online ordering and digital marketing. Discussion was held that businesses must commit to several of the social media terms rather than all of them listed in the program. She reported on a gift card match to stimulate retail sales with the budgeted \$10,000 Grow Neligh program funds in the LB840 account. She reported on two options with \$50 increment gift cards with a different match by the

Grow Neligh program up to a limit of \$1,500 in certificates to businesses. Discussion was held that businesses would opt in to participate and the gift card match gave both the purchaser and business direct incentives. *Wilkinson moved to approve the Economic Development board recommendation of Option 1 for the gift card match program of \$10,000 from the Grow Neligh funds budgeted in LB840.* Seconded by Pickrel. Roll call votes in favor were Miller, Hughes, Pickrel, Wilkinson. Opposed: None. Motion carried.

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

POLICE REPORT

Chief Wright reported the department has seen an increase in activity since COVID-19. Discussion was held for permanent flashing speed signs along east Highway 275, west Highway 275 by Bomgaars and north entrance to town on Highway 14. Chief Wright reported he was in contact with state officials to mitigate the speed issue outside of the speed limit signs. The Chief reported he was working on additional options including a speed limit reduction within the city limits. *Wilkinson moved to approve the April police report of 370 calls.* Seconded by Miller. Roll call votes in favor were Pickrel, Wilkinson, Hughes, Miller. Opposed: None. Motion carried.

CITY SUPT. REPORT

City Supt. Bly reported on the One-and-Ten Year Water study. He reported the first project included a 12 inch water main loop connecting 11th Street to G Street with partial line out of the city limits. Discussion was held for the City Supt to obtain cost estimates. Discussion was also held for two projects to be completed in 2022 that included a water line extending south of D Street under the Belmar Creek to Highway 275 and the water extension east along Highway 275 to the business district. *Wilkinson moved to approve the One-and-Ten Year Water Study as presented.* Seconded by Hughes. Roll call votes in favor were Wilkinson, Hughes, Pickrel, Miller. Opposed: None. Motion carried.

Janet Koinzan for the Elgin Economic Development presented a request to waive the late payment penalties from a December 2018 compactor bill. Discussion was held for why the invoice was not paid in December 2018 or with subsequent payments thereafter. Discussion was held on the city office call to Koinzan in December 2018 and the City Supt call to Koinzan in July 2019. The Council directed the City Clerk to send the current bill to the Elgin Economic Development with payment by the 20th of the month.

Supt. Bly requested authorization for all lifeguards hired last month to work on park projects in addition to the pool managers approved last month. He reported alternate park projects were being considered in case the swimming pool opening is delayed or not open this season due to COVID-19. He requested authorization to hire one person for the park and solid waste assistance at \$10.00 an hour due to COVID-19 not allowing an opportunity for volunteer helpers from Antelope County Law Enforcement Center. *Hughes moved to authorize the City Supt. to hire additional summer help for the park, pool or solid waste at \$10.00 an hour.* Seconded by Pickrel. Roll call votes in favor were Wilkinson, Pickrel, Miller, Hughes. Opposed: None. Motion carried. Discussion was held for summer baseball at Riverside Park following the Governor's guidelines issued earlier in the week for youth sports. *Pickrel moved to approve to allow summer baseball program in the city park under the compliance of the Governor's guidelines.* Seconded by Hughes. Roll call votes in favor were Wilkinson, Hughes, Miller, Pickrel. Opposed: None. Motion carried. Discussion was held for anticipating the governor's guidelines for opening the swimming pool.

The Supt. reported he would be talking to Antelope County to repair D Street from Belmar Creek to Highway 275 with hot oil and gravel to fill potholes. He reported that the agreement for the county and city to share costs on a glass recycling bunker did not go through since the city received enough donations to construct the glass recycling bunker. The Supt. stated he would ask the County to cover half of the D Street improvements in place of the glass bunker agreement. Discussion was held for repairing and protecting the curve on Wylie Drive where millings were breaking away. Discussion was held for bid estimates to armor coat Wylie Drive this fall. *Hughes moved to approve the City Supt. report as presented.* Seconded by Pickrel. Roll call votes in favor were Wilkinson, Miller, Hughes, Pickrel. Opposed: None. Motion carried.

ELECTRIC REPORT

Electric Generation Supervisor Capler reported the electric department was completing a rebuild of electric line north of the Sheriff office. He reported no major outages last month. He reported he had not heard from Stealth for a start date yet. He reported the generation plant was running well. He reported Lineman Knutson had successfully completed the second book of the Merchant program and received a \$.50 raise in the following payroll. *Wilkinson moved to approve the Electric report.* Seconded by Hughes. Roll call votes in favor were Wilkinson, Pickrel, Hughes, Miller. Opposed: None. Motion carried.

APPROVAL OF BILLS

Wilkinson moved to approve the final pay application to Rutjens Construction for \$11,113.16 for the Elkhorn Riverbank stabilization of Penn Park. Seconded by Pickrel. Roll call votes in favor were Miller, Pickrel, Hughes, Wilkinson. Opposed: None. Motion carried.

Wilkinson moved to approve the bills as presented. Seconded by Miller. Roll call votes in favor were Hughes, Wilkinson, Miller, Pickrel. 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, Pickrel, Miller, Hughes,. Opposed: None. Thereupon Mayor Hartz declared the meeting adjourned. Time 9:07 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 May 12, 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, posted during such meeting in the room in which such meeting was held.

(SEAL)

City Clerk