

MINUTES OF REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF NELIGH, NEBRASKA

June 8, 2021

The regular meeting of the Mayor and City Council of the City of Neligh was held at the City Council Chambers on Tuesday, June 8, 2021 at 7:00 P.M. Present were Mayor Hartz and Council Members Brent Pickrel, Leonard Miller, Ted Hughes and Dale Wilkinson. 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, Library Director Jennifer Norton, News Reporter Kelli Garcia and Brian Beach, Jill Kallhoff and Joe & Roxanne McNally. Notice of this meeting was given in advance thereof by publication in the Antelope County News on June 2, 2021. 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.

RESOLUTION 2021-55 CITY ATTORNEY 55 YEARS OF SERVICE

Council Member Pickrel introduced and moved for passage Resolution 2021-55 recognizing James McNally for 55 years of service as City Attorney. Seconded by Hughes. Roll call votes in favor were Miller, Wilkinson, Pickrel, Hughes. Opposed: None. Mayor Hartz declared Resolution 2021-55 adopted. Mayor Hartz presented City Attorney James McNally with a commemorative stained glass vase. A round of applause was given to honor James McNally.

APPROVAL OF MINUTES

Council member Wilkinson moved to approve the May 11th regular meeting minutes as presented. Seconded by Hughes. Roll call votes in favor were Wilkinson, Hughes, Pickrel, Miller. Opposed: None. Motion carried.

TREASURERS REPORT

Clerk Klabenes reported that a special meeting may need to be considered later in the month for a water and sewer funding package upon release of notice of award from the United States Department of Agriculture and the Waste Water Action Committee. She reported final financial questions were submitted earlier that week. She reported notice from NEMA for a 75% of project cost payment in route for the Penn Park Riverbank stabilization project. She reported notice was sent from NEMA that FEMA may be increasing their contribution for project costs and she was awaiting further guidance. *Council member Hughes moved to approve the May treasurers report as presented.* Seconded by Pickrel. Roll call votes in favor were Miller, Pickrel, Wilkinson, Hughes. Opposed: None. Motion carried.

SEMI-ANNUAL LIBRARY REPORT

Library Director Norton reported Pub Trivia resumed in March at the American Legion allowing the participants to spread out and enjoy the competition. She reported the annual bide rodeo was held May 28th with the support of AMH, EMT's, Police Department, State Farm Insurance, Antelope County Extension and Women of Neligh among others in providing bike safety tips, an obstacle course and snacks on the go. She reported the Summer reading program began that day and shared a flyer for the Adult Reading program given the name Scratch Read and Win. She reported the library received 3 grants totaling \$5,600 from the Nebraska Library Commission and the American Library Association providing laptops, wi-fi extenders for access outside the library building and virtual book discussions. She reported the library received a generous increase from Antelope County this year and a request was made to the County Commissioners earlier that day for a budget increase for the next fiscal year. She reported the Children's Director had completed her last day of employment on May 28th. *Hughes moved to approve the semi-annual statistical library report.* Seconded by Pickrel. Roll call votes in favor were Hughes, Miller, Wilkinson, Pickrel. Opposed: None. Motion carried.

LIBRARY DIRECTOR LETTER OF RESIGNATION

Director Norton reported she had submitted a letter of resignation to pursue a position in Lexington, Nebraska as the Library Director. Mayor Hartz thanked Norton for her job as a Library Director and extended best wishes for the future. A round of applause was given in appreciation for her service. *Council member Hughes moved to accept and approve a letter of resignation for Library Director Jennifer Norton with regrets.* Seconded by Wilkinson. Roll call votes in favor were Wilkinson, Hughes, Pickrel, Miller. Opposed: None. Motion carried.

CITIZEN ADVISORY REVIEW COMMITTEE SEMI-ANNUAL REPORT ON LB840 PROGRAM

Mayor Hartz opened the hearing at 7:20 P.M. Citizen Advisory Review Committee Member Jill Kallhoff reported the committee met in May to review expenses since the prior meeting in November. She reported the

LB840 had received \$37,752 in sales tax revenue since November and as of the end of April, the balance of the LB840 account was \$323,000.00. She reported the expenses since November included a sponsorship for the first job fair/ career fair which is planned to continue as an annual event. She reported community grant programs including emergency COVID grants and digital façade grants totaled \$34,508.00. She reported one loan was issued to River Mill Coffee Company for \$30,000.00. She reported the committee found that the LB840 account was being spent in a manner appropriate with state statutes. Hearing no public comments or questions, Mayor Hartz closed the hearing at 7:22 P.M. *Miller moved to approve the semi-annual LB840 report from the Citizen Advisory Review Committee.* Seconded by Pickrel. Roll call votes in favor were Miller, Pickrel, Wilkinson, Hughes. Opposed: None. Motion carried. Mayor Hartz thanked Kallhoff and the board for their time volunteering and serving on the board.

NELIGH YOUNG MEN'S CLUB STREET CLOSURE FOR CORNHOLE TOURNAMENT

Discussion was held that a cornhole tournament was mentioned last month but without it made known to discuss prior to last month's meeting to have it listed on the agenda, that no action could be taken last month therefore the matter was listed on the June agenda. Council member Pickrel spoke for the Neligh Young Men's Club and reported that he had spoken to Heritage Bank about closing 3rd street in the afternoon as done for previous year's and Heritage Bank had no concerns. Discussion was held that the night depository would be accessible, except the drive through onto 3rd Street. *Hughes moved to approve a street closure on 3rd Street from the alley to Main Street from 12:00 Noon to Midnight for the Neligh Young Men's Club Cornhole tournament on July 3rd.* Seconded by Miller. Roll call votes in favor were Wilkinson, Miller, Hughes, Pickrel. Opposed: None. Motion carried.

LOTTERY COMMUNITY DAY BONUS FOR OLD MILL DAYS

City Clerk Klabenes reported the Nebraska Cooperative Government office for lottery inquired on the event for games of chance to be included in a designated local celebration. She reported Bob Hanson of the Dew Drop Inn has offered and managed the event in the past. *Wilkinson moved to approve July 4th as the Keno Community Day Bonus for the City of Neligh during the annual Old Mill Days Celebration.* Seconded by Pickrel. Roll call votes in favor were Wilkinson, Pickrel, Hughes, Miller. Opposed: None. Motion carried.

RESOLUTION 2021-6 CROSSWALKS AT CITY HALL

Pickrel introduced and moved for passage Resolution 2021-6 approving crosswalks to be installed at City Hall and between the Cowboy Trail on 2nd Street. Seconded by Hughes. Roll call votes in favor were Hughes, Miller, Pickrel, Wilkinson. Opposed: None. Motion carried. Mayor Hartz declared Resolution 2021-6 adopted.

REFINANCE ELECTRIC UTILITY REVENUE BONDS

Clerk Klabenes reported on three options that bonding agent Jay Spearman of Piper Sandler provided as the Electric Utility Revenue Bonds may be refinanced within 90 days of November 2021. She reported on the differences in total savings, net present value benefit and cash flow advantages for the Deferred, Uniform and Accelerated Saving options. Discussion was held that the deferred option offered a first payment in 2022 which would assist with cash flow in repayment of the loan taken out to pay the balance of the winter vortex February 2021 invoice. Discussion was held that the interest rate would not be locked in until the City Council adopted a parameters ordinance if chosen to do so at the following months meeting. *Hughes moved to approve proceeding with the Deferred Saving Solution refinance option for Electric Utility Revenue Bonds at a lower interest rate available for refinancing in November 2021.* Seconded by Miller. Roll call votes in favor were Wilkinson, Pickrel, Hughes, Miller. Opposed: None. Motion carried.

APPOINTMENTS

Mayor Hartz recommended the re-appointment of Dewey Teel to the Board of Adjustment for a 3-year term. He reported he was seeking to fill one vacancy on the Board of Adjustment and asked the public for interest in serving on this board. The Mayor also recommended the appointment of Council Member Leonard Miller to the Northeast Nebraska Economic Development District Council of Officials for a one year term. *Hughes moved to approve the appointments as presented.* Seconded by Pickrel. Roll call votes in favor were Wilkinson, Pickrel, Hughes. Abstain: Miller. Opposed: None. Motion carried.

ECONOMIC DEVELOPMENT DIRECTORS REPORT

Economic Development Director Sheridan-Simonsen reported notice on May 26th that the city was awarded a \$21,000 grant for the walking tour app. She reported a QR Code will upload to an app for a tour of the community. She extended thanks of appreciation to Assistant Director O'Brien and Antelope County Museum Curator Westlake for their teamwork and development of the project. She reported the grant agreement requires a consultant to be hired for the development of the app and technology for the project using GPS locations to pull up the historical sites and narratives of the community. She reported the grant included the cost of the consultant and a budget for promotion, printing, photocopying and video. *Pickrel moved to approve hiring a consultant for the mobile tour app as part of the requirements with the Certified Local Government grant.* Seconded by Miller. Roll call votes in favor were Pickrel, Hughes, Miller, Wilkinson. Opposed: None. Motion

carried.

The Director requested consideration for the Economic Development Board to be authorized to hire a consultant for the walking tour app since the city did not have a certified local government board established yet. She reported the ED Board had spearheaded and offered to review the Request for Proposals in selecting a consultant. *Pickrel moved to authorize the ED Board to approve a request for proposal for hiring a consultant for the mobile tour app as part of the grant requirements for the Certified Local government grant.* Seconded by Hughes. Roll call votes in favor were Miller, Hughes, Wilkinson, Pickrel. Opposed: None. Motion carried.

Director Sheridan-Simonsen also thanked Amanda Elder for the landscape plans she provided for the Rainbow Fountain facelift and the Neligh-Oakdale FFA and Advisor for their assistance with the plantings. She reported other volunteers were Supt. Donaldson, Brian Christiansen, Laurel Miller and the ED office personnel. She reported the new welcome banners had arrived and options for attachment to the downtown lights were being worked on. She reported of a new city personnel marketing plan called "What it Takes to Run a City" with Park Supt. Rachel Shrader recently featured on the City Facebook page. She reported that Neligh would host the July Northeast Nebraska Network Meeting where Gloria Christiansen will speak on the One Room Schoolhouse and Lindsey Ottis from AMH will speak about identifying and addressing workplace burnout. *Wilkinson moved to approve the Economic Development Director report.* Seconded by Pickrel. Roll call votes in favor were Pickrel, Miller, Hughes, Wilkinson. Opposed: None. Motion carried.

POLICE REPORT

Police Chief Wright was absent to attend a class. City Attorney McNally reported he was working with the police department on nuisance cases and filing complaints. He requested if a property was of concern to share it with him and the police department to address. Discussion was held for a dog not on a leash. City Attorney McNally reported he had also filed a complaint on this case. *Wilkinson moved to approve the May police report of 356 calls.* Seconded by Pickrel. Roll call votes in favor were Hughes, Wilkinson, Pickrel, Miller. Opposed: None. Motion carried.

CITY SUPT. REPORT

City Supt. Donaldson began his report with a thank you to Park Supt. Rachel Shrader, the park team and the County Sheriff Bob Moore and prisoner help for all the groundwork prep prior to Memorial Day. He reported the pool opening went well but due to limited staff available the past weekend, reduced hours were in place but the rest of the month staffing looked good. He reported he spoke with the paving contractor, Elkhorn Paving, who will finish the final alley this week and then begin on 6th Street in front of the high school. He reported both ends of the high school block will be blocked off. He reported a pump on a lift station went out near Jonny Dodge. He reported a mop head had been flushed down the line and following a rebuilt in Omaha would be reinstalled this week. He reported the Road Grader expense included in the bills from Kayton International was the result of an injector, injector pump and head valve replaced. He reported when the Payloader returned from a repair a hydraulic leak was detected so it returned to the shop for o-ring replacement at no cost to the city. Discussion was held for repairs to the fountain at Rainbow Fountain. He reported he was going to consult with former City Supt. Juracek for the design of the fountain as he looked to repair the Rainbow Fountain head and sprinklers. City Attorney McNally reported that a trust he manages would help with a donation for the repairs.

The Supt. reported on a proposal to replace the curb and sidewalk approaches at 5th and K Street when one block of 5th Street in front of the Methodist Church was replaced by Elkhorn Paving this summer. Discussion was held that the time to do the improvements would be now while Elkhorn Paving was working on the street. Discussion was held that the proposed sidewalk approaches were in good shape and interest in downtown sidewalk improvement was expressed in place of the sidewalk approach at 5th and K Street. Discussion was held for replacing the north/south sidewalk approaches on 5th Street and leave the east/west approaches alone. *Wilkinson moved to approve proposal #1 for replacing the curb and radius and 2 north/south sidewalk approaches on 5th Street at the 5th and K Street intersection at a proposed estimate of \$5,000.* Seconded by Hughes. Roll call votes in favor were Pickrel, Miller, Wilkinson, Hughes. Opposed: None. Motion carried.

Supt. Donaldson reported Elkhorn Paving had offered to honor the 2 year old proposal for replacing the alley behind Wanek Pharmacy while the contractors were in town. He reported the contractor offered to make the repair after the current street improvements and allow to wait for payment in the next fiscal year after October 1st. He reported the alley was estimated at \$75,000. Discussion was held that this alley was in the worst condition. Discussion was held for not improving anymore alleys after the conclusion of this week's project. *Hughes moved to approve replacement of the alley behind Wanek Pharmacy between 5th and 4th Street west of Main Street.* Seconded by Wilkinson. Roll call votes in favor were Wilkinson and Hughes. Opposed: Miller and Pickrel. Mayor Hartz voted in favor and broke the tie. Motion carried.

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

ELECTRIC REPORT

Electric Generation Supervisor Capler reported the campgrounds were open at Penn Park. He reported the trees would be planted behind each pedestal and the area leveled for crushed concrete to mark the camping

pads. He reported depths and a flow estimate for a dump station at Penn Park would be considered during budget time. He reported no outages during the last month and the locates were starting to slow down. He complimented the contractors working with Stealth Broadband on the fiber optic install with great clean up of the yards, great in verifying information and overall impressed with working with them. He reported an air emissions test was missed at the end of 2020 which received a formal letter of non-compliance. He reported notice was provided to DEQ and the test was scheduled for the end of this month which will bring the generation plant into compliance. *Hughes moved to approve the Electric report.* Seconded by Pickrel. Roll call votes in favor were Hughes, Pickrel, Miller, Wilkinson. Opposed: None. Motion carried.

APPROVAL OF BILLS

Hughes moved to approve Pay Application 2 to Elkhorn Paving for 2020 Paving Improvements of \$70,973.29. Seconded by Miller. Roll call votes in favor were Wilkinson, Miller, Pickrel, Hughes. Opposed: None. Motion carried.

Wilkinson moved to approve the current claims filed and to approve payments made for recurring claims made during the preceding month. Seconded by Pickrel. Roll call votes in favor were Hughes, Wilkinson, Pickrel, Miller. Opposed: None. Motion carried.

CITY EMPLOYEE PERSONNEL POLICY

Council Member Hughes moved to enter into executive session to discuss personnel policy manual changes. Seconded by Wilkinson. Roll call votes in favor were Pickrel, Miller, Hughes, Wilkinson. Opposed: None. Motion carried. Time: 8:37 P.M. Also present were City Attorney Jim McNally and City Clerk Danielle Klabenes. Those present for executive session met in the Council Chambers after the audience exited the room.

The Council reconvened into regular session at 9:45 P.M. No action was taken.

There being no further business to conduct, *Miller moved to adjourn.* Seconded by Pickrel. Roll call votes in favor were Hughes, Wilkinson, Pickrel, Miller. Opposed: None. Thereupon Mayor Hartz declared the meeting adjourned. Time 9:46 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 June 8, 2021; 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.

(SEAL)

City Clerk