

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

August 10, 2021

The regular meeting of the City Council of the City of Neligh was held at the City Council Chambers on Tuesday, August 10, 2021 at 7:00 P.M. Present were Council Members Dale Wilkinson, Leonard Miller, Ted Hughes and Brent Pickrel. Mayor Hartz was absent. 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, City Engineer John Zwingman, News Reporters Kelli Garcia and Dennis Koch. Notice of this meeting was given in advance thereof by publication in the Antelope County News on August 4, 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. All proceedings thereafter shown were taken while the convened meeting was open to the attendance of the public. Council President Hughes 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 July 13<sup>th</sup> regular meeting minutes as presented. Seconded by Pickrel. Roll call votes in favor were Hughes, Miller, Wilkinson, Pickrel. Opposed: None. Motion carried.*

## **TREASURER REPORT**

Clerk Klabenes reported the city received the first “tranche” payment from the American Rescue Plan Act in July and noted where it was recorded on the treasurer’s report. She reported the interest rate for the refunding of the electric utility revenue bonds was locked in at 1.122% with a net savings of \$100,381.67. *Council member Pickrel moved to approve the July treasurers report as presented. Seconded by Miller. Roll call votes in favor were Wilkinson, Pickrel, Miller, Hughes. Opposed: None. Motion carried.*

## **WATER AND SEWER IMPROVEMENT PROJECT FINANCING PACKAGE**

City Engineer John Zwingman reported on 3 funding packages offered by USDA Rural Development and SRF State Revolving Fund for 5 combined water and sewer projects. He reported on the interest rate and loan term differences, and noted the offer was effective for 30 days from July dated receipt. He reported the buy American requirements were placed on both USDA and SRF offers, while the Davis Bacon was only a requirement of the SRF offer. He reported project #2 was the biggest project that must be completed of the 5 projects and would probably be the main bid with the other 4 projects listed as attachments. Discussion was held for a possible timeline to include consideration of engineer’s contract for the project in September followed by a special meeting to approve plans and specs and possible bid letting in October. *Wilkinson moved to approve the recommendation for funding package #3 with both USDA and SRF funding offers for the Highway 275 water and sewer project and to authorize the City Clerk and City Engineer to contact the Water and Wastewater Advisory Committee point of contact. Seconded by Pickrel. Roll call votes in favor were Miller, Hughes, Pickrel, Wilkinson. Opposed: None. Motion carried.*

## **MUTUAL FINANCE ORGANIZATION INTER-LOCAL AGREEMENT**

City Attorney McNally reported the agreement had been modified following last months discussion and recommended the council approve the Mutual Finance Organization Inter-Local which enabled the City Fire Dept. to receive \$10,000 and the Rural Fire Dept to receive \$10,000 each year. *Pickrel moved to approve the Mutual Finance Organization inter-local agreement between the Neligh Fire Dept. and the Rural Fire. Seconded by Miller. Roll call votes in favor were Hughes, Pickrel, Miller, Wilkinson. Opposed: None. Motion carried.*

*Pickrel moved to appoint Fire Chief Mike Mortensen as representative and Assistance Fire Chief Dave Jacobsen as alternate to the Mutual Finance Organization board. Seconded by Wilkinson. Roll call votes in favor were Pickrel, Wilkinson, Miller, Hughes. Opposed: None. Motion carried.*

## **CASEY’S RETAIL COMPANY MANAGER APPLICATION**

*Wilkinson moved to approve the manager application presented for Casey’s Retail Company. Seconded by Miller. Roll call votes in favor were Pickrel, Hughes, Wilkinson, Miller. Opposed: None. Motion carried.*

## **RESOLUTION 2021-7 CITY INSURANCE RENEWAL WITH LARM FOR 2021-22 FISCAL YEAR**

Discussion was held for the 1–3-year commitments at 2-5% discounted rates for the city insurance. Discussion was held for the prior year’s comparison in policy amounts and the process to gradually step down over 3 years when bidding the city insurance. Discussion was held for LB851 with increased training for law enforcement and the abundance of classes LARM offers for law enforcement to fulfill the education requirements. Discussion was held for cyber security coverage that has expanded. Council President Hughes read the resolution. *Moved by Council Member Pickrel to introduce and move for passage Resolution 2021-7*

approving a 3-year commitment with a 5% discount for an annual premium of \$93,099 for the city insurance policy for the 2021-2022 fiscal year. Seconded by Wilkinson. Roll call votes in favor were Miller, Hughes, Pickrel, Wilkinson. Opposed: None.

## **ECONOMIC DEVELOPMENT DIRECTORS REPORT**

Economic Development Director Sheridan-Simonsen reported Adorn Boutique had applied for the electric incentive which was approved and recommended by the Economic Development Board. *Wilkinson moved to approve the AST application for Adorn Boutique for a 10% discount on electric utilities for one year and a 5% discount on electric utilities for a second year for a total of 24 continuous months.* Seconded by Pickrel. Roll call votes in favor were Pickrel, Miller, Wilkinson, Hughes. Opposed: None. Motion carried.

The Director reported the contract with the Village of Clearwater was approved by the Village for a 5% increase and continued at 400 hours to follow the fiscal year. *Pickrel moved to approve to approve the Village of Clearwater contract with Neligh Economic Development at \$13,891.50 for 400 hours for the 2021-2022 fiscal year.* Seconded by Miller. Roll call votes in favor were Miller, Wilkinson, Pickrel, Hughes. Opposed: None. Motion carried.

Sheridan-Simonsen reported the Chamber of Commerce approved a contract renewal for 1000 hours at \$14,708.40 to follow a 2022 calendar year. *Wilkinson moved to approve to approve the Neligh Chamber of Commerce contract with Neligh Economic Development at \$14,708.40 for 1,000 hours for the calendar year of 2022.* Seconded by Miller. Roll call votes in favor were Hughes, Pickrel, Miller, Wilkinson. Opposed: None. Motion carried.

The Economic Director reported the Neligh Flower Shop was approved by the Economic Development Board for a digital façade grant of \$1,000 on a \$2,175.00 project to include a new multi-page website, monthly newsletter and website calendar. *Pickrel moved to approve the digital façade grant of \$1,000 to Neligh Flower Shop.* Seconded by Wilkinson. Roll call votes in favor were Wilkinson, Pickrel, Hughes, Miller. Opposed: None. Motion carried.

The Director reported on a façade grant program for the exterior façade of new and existing businesses within the city limits enabling more businesses to be eligible beyond the downtown district from the previous downtown revitalization program. She reported the façade grant program requires a 50/50 match from the business with a maximum funding request of \$1,000. The director thanked City Attorney McNally for his assistance in reviewing the program. *Wilkinson moved to approve the Façade Grant Program recommended by the Economic Development board for businesses within the city limits.* Seconded by Pickrel. Roll call votes in favor were Miller, Hughes, Pickrel, Wilkinson. Opposed: None. Motion carried.

The Director also reported that a down payment for the CLG app will be made in the current budget before September 30<sup>th</sup> to get the project started as the timeline did not allow all funds to be expended in the next fiscal year budget. She reported on an irrigation system was being researched for \$1200 for the newly renovated landscape around the Economic Development office. She reported Stealth Broadband had opened an office in the former Neligh News and Leader building to teach people how to stream and Creekwood Chiropractic had returned to Neligh offering weekly chiropractic services. She reported the ED office would be replacing some flooring before mid-September and office staff would be painting the interior office. She reported an estimated 870 people were served at the Chamber barbeque during the Antelope County Fair. She complimented the Assistant Director Bri O'Brien on her cheerful attribute and a wonderful representative for the community. She reported the network meeting went well and thanked the electric personnel Capler and Knutson for the tour of the Electric Generation plant. *Pickrel moved to approve the Economic Development Director report.* Seconded by Miller. Roll call votes in favor were Miller, Pickrel, Wilkinson, Hughes. Opposed: None. Motion carried.

## **POLICE REPORT**

Police Chief Wright reported the new AEDs had arrived and both the Antelope County Sherriff and the Neligh Police Chief were trained and would be training the other officers. Discussion was held for moving the speed signs further north up the hill on highway 14 and the Chief had requested the State Dept. of Transportation to consider the request. Discussion was held for the use of the engine brake on Highway 14 and 275. Discussion was held for placing the speed sign with a solar panel at the top of the Highway 14 hill if a level platform was available for placement. *Wilkinson moved to approve the July police report of 312 calls.* Seconded by Pickrel. Roll call votes in favor were Miller, Pickrel, Hughes, Wilkinson. Opposed: None. Motion carried.

## **CITY SUPT. REPORT**

City Supt. Donaldson reported Elkhorn Paving had completed the alleys and streets and he was real impressed with their work. He reported the park crew did a great job with the park and fairgrounds and he would be attending the closing meeting the follows the county fair. He reported on the challenges the pool faced with season with limited staff to run the pool and gave a shout out to Manager Tia Smith and the lifeguards for the hours they worked at the pool. He reported he was collecting exit interviews from the lifeguards for comments and suggestions to improve the pool.

The Supt. reported on an estimate from the Road Guy to armor coat D Street and requested consideration to lock in the oil prices. He reported the project may be done in September with another project in Petersburg

and billed out in the new fiscal year. He reported the warmer weather would help with the seams and oil application. *Wilkinson moved to approve the \$9,292.41 bid for armor coat of D Street from The Road Guy for project completion in September and payment in the 2021-22 fiscal year.* Seconded by Miller. Roll call votes in favor were Miller, Pickrel, Hughes, Wilkinson. Opposed: None. Motion carried.

Discussion was held for the Riverside Park entrance road and the millings used to patch for the county fair. Discussion was held that the road was included in the one- and six-year street improvement plan. *Miller 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 county fair went well and no major outages were reported during the previous month. He reported that Bauer Underground had finished all the construction for the fiber install for overhead services and the fiber crew was finishing up their work. He reported that now with the county fair completed and as leaves start to fall, tree trimming would be worked on. Discussion was held for looking at a location along E Street. He reported the generation was working well, and while the plant passed the recent tests, he was still waiting for the final paperwork to acknowledge the tests. *Pickrel moved to approve the Electric report.* Seconded by Wilkinson. Roll call votes in favor were Hughes, Pickrel, Miller, Wilkinson. Opposed: None. Motion carried.

#### **MOVING PERMIT 2021-19 FOR KEN HENN**

Discussion was held for moving the blue house at 211 Main Street for Ken Henn. Electric Generation Supervisor Capler reported on the change of route to move down Main Street instead of south of alley to reduce outage time and provide more room for the move. He reported the route would then head west on Wylie Drive to Highway 14. He reported a tentative move date of September 15<sup>th</sup>. *Wilkinson moved to approve the Moving Permit 2021-19 for 211 Main Street for Ken Henn.* Seconded by Pickrel. Roll call votes in favor were Hughes, Miller, Wilkinson, Pickrel. Opposed: None. Motion carried.

#### **APPROVAL OF BILLS**

*Wilkinson moved to approve Pay Application 4 to Elkhorn Paving for 2020 Paving Improvements of \$89,449.28 including Change Order 4.* Seconded by Miller. Roll call votes in favor were Pickrel, Hughes, Wilkinson, Miller. 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 Miller. Roll call votes in favor were Pickrel, Miller, Hughes, Wilkinson. Opposed: None. Motion carried.

#### **ELECTRIC BILL ARBITRATION**

City Attorney McNally reported a counteroffer was presented for consideration to MEAN, however the MEAN management committee would not meet for a couple weeks yet. He reported the current agreement for scheduling services would expire in April 2022 unless renewed. Discussion was held for how other cities were handling their same situation. City Attorney McNally reported Scribner was offering a counter offer like Neligh, but two other cities were not seeking an offer. No action was taken.

There being no further business to conduct, *Miller moved to adjourn.* Seconded by Pickrel. Roll call votes in favor were Pickrel, Wilkinson, Miller, Hughes. Opposed: None. Thereupon Council President Hughes declared the meeting adjourned. Time 8:37 P.M.

City of Neligh

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Ted Hughes, Council President

ATTEST

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Danielle Klabenes, City Clerk

#### **CERTIFICATION**

I, the undersigned, City Clerk of the City of Neligh, Nebraska, hereby certify that on August 10, 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)

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City Clerk