

MINUTES OF REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF NELIGH, NEBRASKA
October 11, 2022

The regular meeting of the Mayor and City Council of the City of Neligh was held at the City Council Chambers on Tuesday, October 11, 2022 at 7:00 P.M. Present were Mayor Joe Hartz and Council Members Dale Wilkinson, Leonard Miller, Ted Hughes and Brent Pickrel. Also in attendance were City Attorney James McNally, City Supt. Dan Donaldson, Generation Supervisor Josh Capler, Economic Development Director Lauren Sheridan-Simonsen, City Clerk Danielle Klabenes, City Engineer John Zwingman, News Reporter Kelli Garcia, Melissa Buller, Steph Lundgren, Lyle Juracek, Nick and Wendy Henn, Blake Mooney and Joshua Mitchell. Notice of this meeting was given in advance thereof by publication in the Antelope County News on October 5, 2022. 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. 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. City Clerk Danielle Klabenes recorded the minutes. The Pledge of Allegiance was recited.

APPROVAL OF MINUTES

Council member Wilkinson moved to approve the September 13th regular meeting and September 6th special meeting minutes as presented. Seconded by Hughes. Roll call votes in favor were Wilkinson, Hughes, Pickrel, Miller. Opposed: None. Motion carried.

TREASURER REPORT

Clerk Klabenes reported on the annual treasurer's report and noted the bond balance summary listed at the bottom. She reported the September treasurer report presented a fiscal year review and the bank summary report noted the investments and checking or savings account balances per department ending September 30th. She reported on an update received from FEMA following an onsite inspection for the Flood 2019 where the federal government increased the 75% reimbursement to a 90% reimbursement. She reported the Park was estimated to receive an additional \$34,000 and the fire department was estimated to receive an approximate additional amount of \$4,000. She reported the administrative reimbursement from former City Supt. Dean Bly and current City Supt. Dan Donaldson and the city clerk's work on the disaster was received the prior week for \$1,086. *Council member Hughes moved to approve to approve the September 2022 Treasurer's report, annual treasurer's report and annual bank summary report for 2021-2022 as presented. Seconded by Wilkinson. Roll call votes in favor were Miller, Wilkinson, Hughes, Pickrel. Opposed: None. Motion carried.*

UPDATE ON WATER AND SEWER PROJECT FOR EAST HIGHWAY 275

City Engineer John Zwingman reported the Davis Bacon and Buy American regulations were formally approved for the grant and loan combination financing with SRF and USDA. He reported the Environmental Study was finished with no significant findings. He reported he would bring plans and specs for the November meeting for the City Council to review and consider a bid letting date. No action was taken.

NELIGH HOUSING AUTHORITY CULVERT AND PARKING

Wendy Henn from the Neligh Housing Authority requested consideration for a new culvert install on the south side of the housing complex for the 600 through 800 apartment buildings with concrete parking for the tenants. City Supt. Donaldson reported how the request began with a new culvert install and developed into paving above the culvert which would require an engineer. City Engineer Zwingman reported that the city was not obligated to do the culvert or paving, but if the city choose to proceed with the project, an improvement district could be set up or the city could pay for a portion of the project on their own. Engineer Zwingman reported that the city has not provided private parking for any city entity in the past. He reported that the city can do a culvert without engineering but if a parking lot is decided and if using federal housing funds, the parking

would need to be engineered. Discussion was held whether HUD had any programs available to do the project and report back to the city. Wendy Henn will check on HUD programs, check on an engineer and check back with the city. No action was taken.

NELIGH YOUNG MEN'S CLUB HALLOWEEN EVENT

Blake Mooney and Josh Mitchell requested permission to use the east side of Penn Park for a Halloween gel blaster event for kids and adults. Mooney reported the water absorbed gels would be used to shoot at targets and NYMC members with safety glasses worn. City Attorney McNally reported that the ordinance prohibited shooting sports that were solid, cause damage and hurt people and that the gel blaster would not cause injury and not a lethal projectile. *Hughes moved to approve the Neligh Young Men's Club to conduct a gel blaster event for Halloween on October 28 & 29 in Penn Park.* Seconded by Miller. Roll call votes in favor were Miller, Pickrel, Wilkinson, Hughes. Opposed: None. Motion carried.

SPECIAL EVENTS POLICY FOR SUMMER PROGRAMS

City Attorney McNally reported he amended the draft policy to include 4 summer events discussed last month. Discussion was held for consideration of changing the listing of part-time workers to summer or seasonal part-time workers. Discussion was held for adding verbiage to the policy for additional events as needed and as designated by the City Council, such as Neligh's 150th next year. No action was taken and the matter was tabled to next month.

RESOLUTION 2022-11 SETTING RATES AND FEES FOR MUNICIPAL SERVICES FOR 2022-2023

Clerk Klabenes reported the updated electric, water and sewer rates were recorded in the Schedule of Fees which is annually approved after the budget is approved. *Hughes introduced and moved for passage Resolution 2022-11 setting rates and fees for municipal services in the 2022-2023 Schedule of Fees.* Seconded by Miller. Roll call votes in favor were Miller, Pickrel, Hughes, Wilkinson. Opposed: None. Thereupon Mayor Hartz declared Resolution 2022-11 adopted.

TOWN HALL MEETING FOR SALES TAX BALLOT QUESTION

Mayor Hartz reported he would like to hold a town hall meeting to discuss and share information about the sales tax ballot question posed on the November ballot for street improvements. *Moved by Hughes to set a town hall meeting for Wednesday, October 19, 2022 at 7:00PM at the Senior Citizens Center for information on the sales tax ballot question for street improvements and public infrastructure.* Seconded by Miller. Roll call votes in favor were Pickrel, Wilkinson, Hughes, Miller. Opposed: None. Motion carried.

NEW MOON THEATER MANAGEMENT AGREEMENT

City Attorney McNally reported he had drafted an agreement to allow the New Moon Theater Board to operate the theater and still enable the theater to work with the Economic Development office to submit applications for grants and financial assistance. He reported the city will still retain ownership, that the Theater Board will be required to submit a budget to the City Council, and improvements to the theater will require consent from the city before proceeding. Discussion was held for the option for a Council Member to serve as a liaison from the Theater Board to the City Council. Discussion was held for presenting the draft to the Theater Board and bring the agreement back to the council next month.

APPOINTMENTS

Mayor Hartz recommended the re-appointments of Tyler Pederson, Andy Elder and Al Stelling to the Economic Development Board and Neligh Development Agency each for 3-year terms. *Hughes moved to approve the appointments as presented.* Seconded by Pickrel. Roll call votes in favor were Wilkinson, Miller, Hughes, Pickrel. Opposed: None. Motion carried.

ZERO TOLERANCE POLICY FOR DIAL-A-RIDE WITH NEBRASKA DEPT. OF TRANSPORTATION

Clerk Klabenos reported the updates made to the policy were with definitions for safety sensitive employees that the Dial-A-Ride employees are categorized as. She reported the policy did not change the zero-tolerance policy for drug tests. *Pickrel moved to approve of the updated zero tolerance policy for safety sensitive functions for Dial-A-Ride with NDOT.* Seconded by Miller. Roll call votes in favor were Pickrel, Hughes, Wilkinson, Miller. Opposed: None. Motion carried.

HIRING OF ASSISTANT ECONOMIC DEVELOPMENT DIRECTOR

Wilkinson moved to approve the hiring of Sara Borer as Assistant Economic Development Director effective August 31st at \$17 an hour following pre-employment testing. Seconded by Miller. Roll call votes in favor were Pickrel, Wilkinson, Hughes, Miller. Opposed: None. Motion carried.

ECONOMIC DEVELOPMENT DIRECTORS REPORT

Economic Development Director Sheridan-Simonson reported on a marketing tool called Placer.ai that tracks a cell phone to locations visited in the community to provide data on what attractions or businesses were frequented. She reported on pricing options ranging from \$13,000 to \$16,000 annually. She reported she was researching options to split the cost with the County and regionally in the Northeast Nebraska Economic Development Network. The Director reported a preliminary report on the Housing Study was presented to the ED Board the previous evening with a presentation to the City Council planned for the November meeting. She reported she continued to work with the Neligh 150th planning committee and she had recently presented information on LB840 to the City of Tilden. She reported Assistant Director Borer was doing well as she familiarized herself with dual Chamber and ED tasks and was focusing on the upcoming Novemberfest event. The Director reported Clearwater would be celebrating a groundbreaking ceremony on October 27th for a housing duplex. Mayor Hartz thanked Director Sheridan-Simonson for her organization and assistance with the sales tax information while the mayor met with the Chamber of Commerce Board. *Council member Hughes moved to approve the Economic Development Director report.* Seconded by Pickrel. Roll call votes in favor were Hughes, Miller, Wilkinson, Pickrel. Opposed: None. Motion carried.

POLICE REPORT

Wilkinson moved to approve the September police report of 142 calls. Seconded by Pickrel. Roll call votes in favor were Pickrel, Miller, Hughes, Wilkinson. Opposed: None. Motion carried. Mayor Hartz thanked Officer Ternus and Sherriff Moore for the additional assistance to help the police department above and beyond the regular duty since Chief Wright's injury.

CITY SUPT. REPORT

City Superintendent Donaldson recognized and thanked employee Chad Kaup for stepping up to help in multiple departments in recycling, solid waste and street while several employees were away at the same time. The Supt. presented pictures of the pool with the caulking and filling in cracks before the first layer of the glass liner began that week. He reported the painting of the grandstands was almost completed and concrete was replaced by the grandstands. He reported he had completed a security grant for the wells to include exhaust fans, door locks and screen doors for approximately \$4,500 reimbursement. He reported on the sewer department pickup that Walt Patras found a bargain for on a ¾ ton pickup with 47,000 miles. He reported on the north well was undergoing electrical repairs and the sewer plant was awaiting VFD parts. Mayor Hartz thanked Walt Patras for the tour of the Wastewater Treatment Plant. Discussion was held for relocating the salvage business at 511 East 2nd Street to an area at the Tree Dump. Lyle Juracek reported on the sign at the Highway 14 and Highway 20 junction needing repair. He reported if a county tourism grant for \$1,750 was awarded that approximately \$2,250 would be needed yet. Discussion was held for further discussion at the November meeting. *Council member Hughes moved to approve the City Supt. report as presented.* Seconded by Pickrel. Roll call votes in favor were Pickrel, Wilkinson, Miller, Hughes. Opposed: None. Motion carried.

ELECTRIC REPORT

Electric Generation Supervisor Capler reported the north well had experienced a power failure where the main disconnect melted. He reported parts were expected to arrive that week and to resume operation and further testing of the motor. He reported of one outage during the last month where a service wire came down on a house. He reported the GIS mapping for the electric only was up and running with a few modifications following employee training and the street light portion was still being worked on. He reported that electric personnel were working on installing power to the new bathrooms at Riverside Park and then would begin tree trimming. He reported that Caterpillar had repaired the motor in the generation plan and test runs were back to normal. He reported that the motor had to be stress tested prior to May but plans were underway to complete the test now so capacity requirements could be known and what power needs may be necessary. *Hughes moved to approve the Electric report as presented.* Seconded by Pickrel. Roll call votes in favor were Pickrel, Miller, Hughes, Wilkinson. Opposed: None. Motion carried.

APPROVAL OF BILLS

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 Wilkinson, Miller, Hughes, Pickrel. Opposed: None. Motion carried.

SPECIAL DESIGNATED LIQUOR LICENSE FOR NOVEMBER 6TH FUNDRAISER AT NELIGH FLOWER SHOP

Clerk Klabenes reported the request for the special designated liquor license on November 6th was for a fundraiser that the Riverside Park inclusive playground project would benefit from. She reported the City Council had approved an ordinance 2 years ago permitting a Police Officer and City Clerk to approve of regular repeated events that have been previously approved by the City Council, but the proposed event was for a new event that planned to be partially held outside of an enclosed structure. *Pickrel moved to approve the special designated liquor license for the Antelope Country Club November 6th event at the Neligh Flower Shop.* Seconded by Hughes. Roll call votes in favor were Wilkinson, Pickrel, Miller, Hughes. Opposed: None. Motion carried.

Mayor Hartz reported the Library Foundation was working with an architect for renovation, expansion and improvements. He reported he was notifying the City Council as the Council will need to be involved in any changes to the building as the city owns the library. He requested the matter be listed on the November agenda.

There being no further business to conduct, *Miller moved to adjourn.* Seconded by Pickrel. Roll call votes in favor were Wilkinson, Hughes, Miller, Pickrel. Opposed: None. Thereupon Mayor Hartz declared the meeting adjourned. Time 8:40 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 October 11, 2022; 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