

MINUTES OF REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF NELIGH, NEBRASKA
July 19, 2022

The regular meeting of the City Council of the City of Neligh was held at the City Council Chambers on Tuesday, July 19, 2022 at 7:00 P.M. Present were Council Members Ted Hughes, Dale Wilkinson, Brent Pickrel. Absent was Leonard Miller and Mayor Joe Hartz. Also in attendance were City Attorney James McNally, Generation Supervisor Josh Capler, Deputy Clerk Rhonda Heithoff, Steph Lundgren, Nathan Hughes, Brett Arehart, News Reporter Carrie Pitzer, Ted Rethmeier and Police Officer Darin Ternus. Notice of this meeting was given in advance thereof by publication in the Antelope County News on July 13, 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. 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. Deputy Clerk Rhonda Heithoff recorded the minutes. The Pledge of Allegiance was recited.

APPROVAL OF MINUTES

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

TREASURER REPORT

Council member Pickrel moved to approve the June 2022 Treasurer's report as presented. Seconded by Wilkinson. Roll call votes in favor were Hughes, Pickrel, Wilkinson. Opposed: None. Absent: Miller. Motion carried.

ORDINANCE 640 TO VACATE ALLEY IN BLOCK 29

Council Member Wilkinson introduced the following alley vacation ordinance entitled as follows:

AN ORDINANCE OF THE CITY OF NELIGH, ANTELOPE COUNTY, NEBRASKA, VACATING THE NORTH/SOUTH ALLEY IN BLOCK 29 OF THE CITY OF NELIGH; PROVIDING FOR RETAINMENT OF UTILITY RIGHTS; ASCERTAINMENT OF DAMAGES; PROVIDING AN EFFECTIVE DATE; AND REPEALING ALL ORDINANCES IN CONFLICT.

And moved that the statutory rule requiring reading on three different times be suspended. Council Member Pickrel seconded the motion to suspend the rules and upon roll call vote on the motion, the following Council Members voted YEA: Hughes, Pickrel, Wilkinson. The following voted NAY: None. Absent: Miller. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter, Council member Pickrel moved for final passage of the ordinance, which motion was seconded by Council member Wilkinson. Council President Hughes then stated the question, "Shall Ordinance No. 640 be passed and adopted?" Upon roll call vote, the following Council Members voted YEA: Hughes, Pickrel, Wilkinson. The following voted NAY: None. Absent: Miller. The passage and adoption of said ordinance, having been concurred in by three-fourths of all members of the City Council President Hughes declared the ordinance was adopted and approved of the same and affixed his signature thereto and ordered the City Clerk to publish said ordinance one time as prescribed by law.

ORDINANCE 641 AMENDING THE ORDINANCE FOR DOG BITES

Council Member Wilkinson introduced the following ordinance entitled as follows:

AN ORDINANCE OF THE CITY OF NELIGH, ANTELOPE COUNTY, NEBRASKA; AMENDING SECTIONS 2-308 AND 2-310 OF THE REVISED ORDINANCES OF THE CITY PERTAINING TO CAPTURING AND KILLING VICIOUS OR RABID ANIMALS; REPEALING

And moved that the statutory rule requiring reading on three different times be suspended. Council Member Pickrel seconded the motion to suspend the rules and upon roll call vote on the motion, the following Council Members voted YEA: Hughes, Pickrel, Wilkinson. The following voted NAY: None. Absent: Miller. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule was declared suspended for consideration of said ordinance.

Council member Pickrel voiced concerns about the number of days. City Attorney Jim McNally stated that this ordinance is for vaccinated dogs only.

Said ordinance was then read by title and thereafter, *Council member Wilkinson moved for final passage of the ordinance*, which motion was seconded by Council member Pickrel. Council President Hughes then stated the question, "Shall Ordinance No. 641 be passed and adopted?" Upon roll call vote, the following Council Members voted YEA: Hughes, Wilkinson, Pickrel. The following voted NAY: None. Absent: Miller. The passage and adoption of said ordinance, having been concurred in by three-fourths of all members of the City Council President, Hughes declared the ordinance was adopted and approved of the same and affixed his signature thereto and ordered the City Clerk to publish said ordinance one time as prescribed by law.

CONDITION OF RESIDENCE LOCATED AT 801 EAST 3RD STREET

Discussion was held for the home at 801 East 3rd Street owned by Linda Mack. City Attorney McNally stated that he has not sent any letters. City Policeman Darin Ternus stated that he has contacted Linda. He has sent her an abatement notice so that she would clean up the property. The City and Linda have mowed. Pictures have been taken and supplied to Council. McNally suggested to follow with the process of taking pictures and sending an abatement. Council member Wilkinson stated that he would like the matter tabled because there are more problem properties. McNally said that this is a police matter and it was tabled.

RESOLUTION 2022-5 DETERMINING DANGEROUS BUILDING LOCATED ON MAINT STREET IN LOT 5 BLOCK 21

Discussion was held for the main street building owned by Matt Klabenes. It is considered a dangerous building. City Attorney Jim McNally stated that the owner has been given notice and that the City has the rights to tear it down. He advised to tear it down and file suit for the cost of demolition.

Council member Pickrel introduced and moved for passage Resolution 2022-5 determining dangerous building located on Main Street in Lot 5 Block 21. Seconded by Wilkinson. Roll call votes in favor were Hughes, Pickrel and Wilkinson. Opposed: None. Absent: Miller. President Hughes declared Resolution 2022-5 adopted.

UTILITY COST ALLOCATION OF CITY HALL FOR MUNICIPAL DEPARTMENTS BASED ON SQUARE FOOTAGE

Council viewed documents provided by City Clerk. *Council member Wilkinson moved to approve the utility split costs of City Hall by the square footage used per department for Dial-A- Ride and all municipal departments.* Seconded by Pickrel. Roll call votes in favor were Hughes, Pickrel and Wilkinson. Opposed: None. Absent: Miller. Motion carried.

BASEBALL FIELD RESTROOMS AND COST ESTIMATE

Ball Board representative Brett Arehart gave the Council a cost estimate for a new bathhouse in Riverside Park North field. Current estimate is \$22,000.00. Council gave approval for the City to pay up to \$15,000.00 from the Lottery account. The Ball Board may start the building process. Brett will still look for more sponsors including the Antelope County Fair Board and search for grants to help with the cost. *Council member Wilkinson moved to approve the building with using the Ball Board funds first.* Seconded by Pickrel. Roll call votes in favor were Hughes, Pickrel and Wilkinson. Opposed: None. Absent: Miller. Motion carried.

STREET PROJECTS FOR ONE-AND-SIX YEAR PLAN AND SETTING A PUBLIC HEARING DATE

Discussion was held for street improvement projects to consider in the One-and-Six Year Street Plan and upcoming budget to include working on gravel streets before paved streets such as 4th and 5th Street. Discussion

was held for setting a public hearing date to coincide with the next fiscal year budget. *Pickrel moved to set a public hearing for the One-and-Six Year Plan for September 13th at 7:30PM.* Seconded by Wilkinson. Roll call votes in favor were Hughes, Pickrel, and Wilkinson. Opposed: None. Absent: Miller. Motion carried.

ECONOMIC DEVELOPMENT DIRECTORS REPORT

Director Sheridan-Simonson was not available for the meeting so the Council tabled approving the contract with the Village of Clearwater and the Neligh Chamber of Commerce. *Council member Wilkinson moved to approve the Economic Development Director report.* Seconded by Pickrel. Roll call votes in favor were Hughes, Pickrel and Wilkinson. Opposed: None. Absent: Miller. Motion carried.

POLICE REPORT

Officer Ternus reported that Joe McNally is working with him to obtain administrative duties to obtain police reports. *Pickrel moved to approve the June report of unknown calls as presented.* Seconded by Wilkinson. Roll call votes in favor were Hughes, Pickrel, Wilkinson. Opposed: None. Absent: Miller. Motion carried.

CITY SUPT. REPORT

City Superintendent was absent for the meeting. The board tabled performing water testing for the Village of Clearwater until the next meeting. Electric Generation Supervisor Josh Capler voiced that he was concerned about doing the process for the Village. *Council member Pickrel moved to approve the City Supt. report as presented.* Seconded by Wilkinson. Roll call votes in favor were Hughes, Pickrel and Wilkinson. Opposed: None. Absent: Miller. Motion carried.

ELECTRIC REPORT

Electric Generation Supervisor Capler reported no major items except the transformer on Cemetery Hill. On July 19 Capler had been contacted from Larry Ahrens with NPPD. The City may need to generate because of electric blackouts. It could start at any time. McNally stated that he will talk with NPPD and get a contract signed. He also stated that the City will need to resign from MEAN on December 1, 2022. He will have firm figures at the next meeting. *Council member Wilkinson moved to approve NPPD contract for reimbursement of Electric Generation expenses.* Seconded by Pickrel. Roll call votes in favor were Hughes, Pickrel and Wilkinson. Opposed: None. Absent: Miller. Motion carried. *Pickrel moved to approve the Electric report as presented.* Seconded by Wilkinson. Roll call votes in favor were Hughes, Pickrel and Wilkinson. Opposed: None. Absent: Miller. 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 Hughes, Pickrel and Wilkinson. Opposed: None. Absent: Miller. Motion carried.

DISCUSSION AND POSSIBLE ACTION FOR OPERATION OF NEW MOON THEATER

Tabled until next meeting when they will have a full Council.

AUGUST BUDGET WORKSHOP DATE, 2022-2023 BUDGET PROJECTS, AND COST OF LIVING

Discussion was held for setting a budget workshop date. Discussion was held for consideration of projects for new chairs for the Council room. Discussion was held for a cost-of-living rate to be considered. President Hughes wants to know the cost of our health insurance before deciding. Pickrel and Wilkinson are thinking at least 5%. *Wilkinson moved to set a budget workshop date of August 16th at 5:30P.M.* Seconded by Pickrel. Roll call votes in favor were Hughes, Pickrel and Wilkinson. Opposed: None. Absent: Miller. Motion carried.

SET A BUDGET HEARING DATE

Discussion was held for setting a budget hearing date as required by statute. *Wilkinson moved to set a budget hearing date of Tuesday, September 6th at 4:30 P.M.* Seconded by Pickrel. Roll call votes in favor were Hughes, Pickrel and Wilkinson. Opposed: None. Absent: Miller. Motion carried.

There being no further business to conduct, *Wilkinson moved to adjourn.* Seconded by Pickrel. Roll call votes in favor were Hughes, Pickrel and Wilkinson. Opposed: None. Absent: Miller. Thereupon Council President, Hughes declared the meeting adjourned. Time 8:30 P.M.

City of Neligh

Ted Hughes, City Council President

ATTEST

Rhonda Heithoff, Deputy Clerk

CERTIFICATION

I, the undersigned, City Deputy Clerk of the City of Neligh, Nebraska, hereby certify that on July 19, 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)

Deputy Clerk