

MINUTES OF REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF NELIGH, NEBRASKA  
November 14, 2023

The regular meeting of the Mayor and City Council of the City of Neligh was held at the City Council Chambers on Tuesday, November 14, 2023, at 7:00 P.M. Present were Council Members Dale Wilkinson, Stephanie Lundgren, Ted Hughes, and Leonard Miller. Also in attendance were City Attorney James McNally, Economic Development Director Lauren Sheridan-Simonsen, City Supt. Dan Donaldson, City Clerk Danielle Klabenes, Police Chief Logan Lawson, City Engineer John Zwingman, Library Director Amy Baker, Library Board Members Laurel Miller and Megan Wingate, News Reporter Kelli Garcia, Asst. Fire Chief Dave Jacobsen, CARC Member Heidi Rethmeier, Manual Parra, and Sara Sanchez. Notice of this meeting was given in advance thereof by publication in the Antelope County News on November 8, 2023. 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. The 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 Klabenes recorded the minutes. The Pledge of Allegiance was recited.

#### **APPROVAL OF MINUTES**

Council member Wilkinson moved to approve the October 10<sup>th</sup> regular meeting minutes as presented. Seconded by Hughes. *Roll call votes in favor were Lundgren, Miller, Wilkinson, and Hughes.* Opposed: none. Motion carried.

#### **TREASURER REPORT**

Clerk Klabenes reported the October Treasurer's report showed larger expenses as annual premiums like the city's insurance were paid in the first month of the new fiscal year. She reported the first loan payment from the Polar Vortex 2021 event was made in October from the electric fund and the payment of the automatic generation controls from the electric generation fund. She reported these two expenses created a larger percentage of outgoing expenses in October than in a regular one-month period of the fiscal year. She also reported on the demolition funds paid from the CDBG de-obligated fund for the 305 L Street project. Discussion was held for the American Rescue Plan funds to be applied to the water and sewer project along East Highway 275. *Lundgren moved to approve the October 2023 treasurer's report as presented.* Seconded by Miller. Roll call votes in favor were Hughes, Lundgren, Wilkinson, and Miller. Opposed: none. Motion carried.

#### **SETTING A BID LETTING DATE FOR THE WATER AND SEWER EAST HIGHWAY 275 PROJECT**

City Engineer John Zwingman reported he had spoken with the State Engineer and USDA for a change to a connection on a manhole, but the city could proceed to go out for bids. He reported the city could not accept bids until all loan documents were signed. He recommended a bid letting date of December 19<sup>th</sup> to allow bids to be submitted. He reported the city would have up to 60 days to accept a bid which allowed the City Council anytime up to the February regular meeting. *Moved by Hughes to set a bid letting date of December 19, 2023, at 2:00 P.M. for the East Highway 275 water and sewer project.* Seconded by Miller. Roll call votes in favor were Wilkinson, Hughes, Miller, and Lundgren. Opposed: None. Motion carried.

#### **2023 LANE MILE REPORT AND SECTION OF HIGHWAY 14 INCLUSION INTO CITY LIMITS**

City Engineer Zwingman reported upon review of the 2023 Lane Mile Report, that the Nebraska Department of Transportation noted a section of Highway 14 that could be included in the city limits pursuant to a 1977 statute that provided annexation of property adjacent to a state highway can include the state highway. He reported the Highway 14 section referenced started at 7<sup>th</sup> Street and extended on Highway 14 southwest to the edge of Penn Park which is adjacent to Penn Park, Wylie Drive, and the Pierson property. He reported inclusion of the highway section into city limits may provide a little additional highway allocation funds without an increase in the state maintenance agreement. *Hughes moved to approve the inclusion of Highway 14 from 7<sup>th</sup> Street to south of Wylie Drive inside city limits per 1977 annexation statute.* Seconded by Lundgren. Roll call votes in favor were Miller, Lundgren, Wilkinson, and Hughes. Opposed: None. Motion carried.

#### **PUBLIC HEARING ON LB840 PROGRAM BY CITIZEN ADVISORY REVIEW COMMITTEE**

Mayor Hartz opened the public hearing at 7:14 P.M. Heidi Rethmeier of the Citizens Advisory Review Committee presented the semi-annual report on the LB840 program. Rethmeier reported the committee met in October to review the sales tax and interest income and expenses. She reported since April, the LB840 fund had received \$43,152.52 in sales tax revenue and \$13,939.47 in loan payments. She reported expenses included community grant programs such as the façade grant programs for local businesses, community branding such as the S-150 flower planters, tourism books, grant writing and admin fees, \$200,000 in matching funds for the rural Workforce Housing Market Rate Revolving Loan Fund and a CD investment of \$150,000. She reported on one loan of \$125,000 for a new townhouse in Countryside Acres 2 Subdivision to Hild Construction. She reported on the September 30<sup>th</sup> balance of the LB840 account and the CD investment. She reported that following the LB840

committee's review of the LB840 account, the committee found the LB840 program to be spent in a manner appropriate with state statutes. Having no public comment, the hearing was closed at 7:17 P.M. *Council member Lundgren moved to approve the Citizens Advisory Review Committee semi-annual report on the LB840 program.* Seconded by Hughes. Roll call votes in favor were Miller, Wilkinson, Lundgren, and Hughes. Opposed: None. Motion carried.

#### **NELIGH PUBLIC LIBRARY HVAC SYSTEM**

Library Board Members Laurel Miller and Megan Wingate reported the Library Board was concerned about the condition of the library HVAC system as it was past the life expectancy. Miller reported that the library had trouble with losing the air conditioning in the summer and losing the heat twice last winter. Miller asked for a plan to replace the HVAC. Discussion was held that a project like HVAC is typically discussed at budget planning, but the priority project brought to the council at the recent budget planning was a lighting project. Miller advised that the lighting project should remain a priority project, but she would like to obtain estimates and seek grants for a new HVAC system. Discussion was held that the City Supt. would assist the Library Board with obtaining 2-3 bids from contractors and share with the City Council. No action was taken.

#### **DANGEROUS BUILDINGS UPDATE**

City Attorney McNally reported the resolutions adopted by the City Council at last month's meeting could now proceed with demolition. He reported the home on Highway 14 was scheduled for a training-controlled burn and demo with the Neligh Fire Dept. on December 3<sup>rd</sup>. He reported that work would continue on the existing properties as winter weather approached and new properties would be pursued in the spring. City Supt. Donaldson reported if no movement was made within 20 days on various properties in motion, the next letter would be sent and continue moving forward. No action was taken.

#### **LIFE INSURANCE INCREASE FOR NELIGH VOLUNTEER FIREMEN**

Assistant Fire Chief Dave Jacobsen reported the Rural Fire and Neligh Fire Dept were considering an increase in the life insurance for volunteer firemen from a \$15,000 policy to a \$30,000 policy. He reported the annual premium increase would be \$2,851.20 which the fire department split costs with the Rural Fire equating to the Neligh Fire portion of \$1426. He reported the Neligh Fire Dept. could cover the additional premium within their equipment budget. *Moved by Lundgren to approve increasing the life insurance policy for Neligh volunteer firemen from \$15,000 to \$30,000 for an additional annual premium of \$2,851.20 split with the Rural Fire.* Seconded by Miller. Roll call votes in favor were Wilkinson, Miller, Lundgren, and Hughes. Opposed: None. Motion carried.

#### **APPOINTMENTS**

Mayor Hartz recommended the reappointment of Angie Belitz to the Park Foundation for a 3-year term, Krista Schindler to the Economic Development Board for a 3-year term, Krista Schindler to the Neligh Development Agency for a 3-year term, Krista Schindler to the Certified Leadership Government for a 3-year term, and a new appointment of City Clerk Danielle Klabenes to the LARM Board of Directors for a 3-year term effective January 1, 2024. *Hughes moved to approve the appointments as presented.* Seconded by Lundgren. Roll call votes in favor were Wilkinson, Hughes, Lundgren, and Miller. Opposed: None. Motion carried.

#### **UTILITY COST ALLOCATION OF CITY HALL FOR MUNICIPAL DEPARTMENTS**

Clerk Klabenes reported with the shared operating costs of Dial-A-Ride Public Transit with the federal and state agencies, comes additional auditors reviewing our invoices for reimbursement. She reported the city hall building was measured and a layout per room was created with square footage for each department that utilized space to provide a basis for utility or building expenses to be split per municipal department. She reported an annual review and approval of the utility allocation was requested by Nebraska Department of Transportation. Following a review of a floor plan and room detail by square footage, *Council Member Miller moved to approve the utility cost allocation of City Hall by the square footage used per department for Dial-A-Ride Public Transit and all municipal departments.* Seconded by Hughes. Roll call votes in favor were Lundgren, Hughes, Miller, and Wilkinson. Opposed: None. Motion carried.

#### **ECONOMIC DEVELOPMENT DIRECTORS REPORT**

Economic Development Director Lauren Sheridan-Simonsen presented an amended LB840 application to provide provisions that allowed non-profit businesses to be eligible for a loan from sales tax proceeds. She reported background checks would be required for all board officers. *Miller moved to approve the amended LB840 application to include provisions for non-profit organizations.* Seconded by Lundgren. Roll call votes in favor were Lundgren, Wilkinson, Miller, and Hughes. Opposed: None. Motion carried. The Director reported the New Moon Theater Board was completing an LB840 application and would report at the December meeting. Discussion was held that the theater was eligible for such a loan through the tourism category of the LB840 plan and the eligibility for LB840 funds has expanded to include residential purposes as well. No action was taken.

The Director reported MPM Construction had submitted an application for a façade grant for new exterior siding on a building located at 311 West 11<sup>th</sup> Street. She reported the project total was \$16,500 and the grant was for \$1,000. The Director also reported Heidi Rethmeier had applied for a façade grant for a new roof on a building located at 106 and 108 West 5<sup>th</sup> Street. She reported the project total was \$73,534 and the grant was for \$2,000. *Wilkinson moved to approve a façade grant application to MPM Construction LLC for \$1,000 for new siding at 311 West 11<sup>th</sup> Street and to Heidi Rethmeier for \$2,000 for a new roof at 106 and 108 West 5<sup>th</sup> Street.* Seconded by Lundgren. Roll call votes in favor were Miller, Lundgren, Wilkinson, and Hughes. Opposed: None. Motion carried.

The Director reported Brett and Toni Arehart formed BTB Construction LLC to begin renovating homes and the first project was a single-family home at 204 F Street. She reported the loan terms were for \$50,000 for 15 months at 1% fixed interest on a total project cost of \$120,000. *Hughes moved to approve the recommendation of the Rural Workforce Housing Loan Fund Board for a \$50,000 application from BTB Construction for a single-family home renovation with terms of 15-month and 1% fixed interest.* Seconded by Lundgren. Roll call votes in favor were Wilkinson, Miller, Hughes, and Lundgren. Opposed: None. Motion carried.

The Director reported West Hill View Motel new owners had applied for an Attraction, Startup and Transition (AST) incentive for 10% electric discount the first year and 5% discount the second year. *Miller moved to approve the AST electric incentive for West Hill View Motel for 10% electric discount for the first year and 5% electric discount for the second year.* Seconded by Hughes. Roll call votes in favor were Wilkinson, Lundgren, Hughes, and Miller. Opposed: None. Motion carried.

*Hughes moved to approve the Economic Development Director's report as presented.* Seconded by Miller. Roll call votes in favor were Lundgren, Hughes, Wilkinson, and Miller. Opposed: None. Motion carried.

## **POLICE REPORT**

Chief of Police Logan Lawson reported he attended a police officer annual conference for the NSA/POAN where he received training, met vendors, and expanded networking with other officers. He reported a second training was for statutory management training in Grand Island that is required within one year of being on the job. He reported training covering ethics, budget planning, and various management topics. He reported a third training included firearms qualifications with 5 other departments. He reported a couple of vehicle thefts had occurred and reminded the public to not leave keys in the vehicle ignition and to lock vehicle doors. The Chief reported he was looking for donations for the DARE graduation approaching. Discussion was held for a donation from the lottery fund to be placed on the December agenda. The Chief also reported that a local recipient of the Pink Patch Project was being sought to receive a donation for breast cancer. He also reported the department was searching for a third officer.

The Chief reported that he was looking at license plate readers with the Antelope County Sheriff's Office. He reported each reader cost \$3,000 and he would like to purchase two to four. He reported more information would be available next month.

*Hughes moved to approve the October numeric and written police reports as presented.* Seconded by Lundgren. Roll call votes in favor were Miller, Wilkinson, Hughes, and Lundgren. Opposed none. Motion carried. Mayor Hartz thanked the Antelope County Sherriff Department and Neligh Police Department for the appreciation and dispatch services to take care of the community.

## **CITY SUPT. & ELECTRIC REPORT**

City Supt. Donaldson reported equipment was being prepared for the winter snow. He reported culverts were being replaced at 10<sup>th</sup> and Q Street to channel water to run in the ditch with new grading done. Manual Parra and Sara Sanchez were in attendance and shared pictures of water damage to their basement. Discussion was held for in addition to the culverts and grading city personnel were doing, Parra should slope the earth work at the edge of his home toward the ditch to channel water away from the home. The Supt. reported Phase 1 equipment pieces for the Inclusive Playground had arrived for spring installation. He reported tree trimming in Penn Park was done and the Lions Club outhouse in Penn Park would be removed and filled with sand upon contact with state officials that the structure was not legal anymore. He reported on the repair work completed on the lift station at Riverside Park where a pump stand had rusted out and broke causing the pump to be pulled out, new concrete set and a new pump stand reset. He reported on receiving a deficiency letter for a well inspection report due every 3 years which was a new report to the City Supt. He reported previous reports found on file were a few pages where the new report is now 28 pages and he had 120 days to complete the report to correct the deficiency. He reported the new garbage truck was to arrive in mid-December. He reported on an upcoming meeting to discuss a recycling hub for northeast Nebraska. He reported the final insurance funds had arrived for the transfer station repairs following the May 2022 storm. He reported the City Supt and his team had replaced 3 of the 4 doors at the transfer station and would be completed before the year end deadline. He reported no electrical outages occurred last month. He reported the parts were ordered for the block heaters on the generation plant and city electric personnel would be flushing the units that require maintenance every 6 years. *Hughes moved to approve the City Supt. report as presented.* Seconded by Miller. Roll call votes in favor were Miller, Hughes, Wilkinson, and Lundgren. Opposed: none. Motion carried.

**NEW MOON THEATER REPORT**

Theater Liaison Lundgren reported Joe Funk and his crew were building a parapet to tie on the roof to cover the bricks and then Guarantee Roofing would finish. She reported the architect did a walk-through of the theater and was impressed with the inside character. She reported of a New Years Eve event fundraiser being planned with prime rib dinner and entertainment. She reported 2024 calendars were available for \$25 with all original artwork donated by Holly Troup. *Hughes moved to approve the New Moon Theater report as presented.* Seconded by Miller. Roll call votes in favor were Miller, Wilkinson, Hughes, and Lundgren. Opposed: None. Motion carried.

**APPROVAL OF BILLS AND GARBAGE TRUCK FINANCING**

*Wilkinson moved to approve the current claims as presented.* Seconded by Lundgren. Roll call votes in favor were Wilkinson, Lundgren, Hughes, and Miller. Opposed: None. Motion carried.

Discussion was held for the new garbage truck anticipated to arrive in mid-December. Discussion was held about the new truck costing \$205,000 as discussed during budget planning. Discussion was held that the old truck may be used for cardboard. *Miller moved to approve a 5-year loan at 6.25% interest from BankFirst for the purchase of a garbage truck and authorize two signatures for loan documents with one Council signer, either the Mayor or Council President and one employee signer, either the City Clerk or Deputy Clerk.* Seconded by Hughes. Roll call votes in favor were Wilkinson, Hughes, Miller, and Lundgren. Opposed: None. Motion carried.

There being no further business to conduct, *Miller moved to adjourn.* Seconded by Lundgren. Roll call votes in favor were Wilkinson, Lundgren, Miller, and Hughes. Opposed: None. Thereupon Mayor Hartz declared the meeting adjourned. Time 9:00 P.M.

City of Neligh



Joe Hartz, Mayor

ATTEST

Danielle Klabenos

Danielle Klabenos, City Clerk

**CERTIFICATION**

I, the undersigned, City Clerk of the City of Neligh, Nebraska, hereby certify that on November 14, 2023; 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.

Danielle Klabenos

City Clerk

(SEAL)