

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

May 9, 2023

The regular meeting of the Mayor and City Council of the City of Neligh was held at the City Council Chambers on Tuesday, May 9, 2023 at 7:00 P.M. Present were Mayor Joe Hartz and Council Members , Leonard Miller, Stephanie Lundgren, Dale Wilkinson and Ted Hughes. Also in attendance were City Attorney James McNally, City Supt. Dan Donaldson, Economic Development Director Lauren Sheridan-Simonsen, Police Chief Logan Lawson, City Clerk Danielle Klabenes, News Reporter Kelli Garcia, and Josh Mitchell. Notice of this meeting was given in advance thereof by publication in the Antelope County News on May 3, 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. 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. City Clerk Klabenes recorded the minutes. The Pledge of Allegiance was recited.

APPROVAL OF MINUTES

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

TREASURER REPORT

Clerk Klabenes reported that the February renewable energy credits sold paid for the March and April invoices. Discussion was held that the April Electric revenues exceeded expenses for the month, but the Electric expenses still exceeded the Electric revenues for the fiscal year to date. The Clerk reported the final drawdown for administrative expenses on the downtown revitalization project was paid out in April and reimbursed in May. *Miller moved to approve the April 2023 Treasurer's report as presented.* Seconded by Hughes. Roll call votes in favor were Lundgren, Wilkinson, Hughes, and Miller. Opposed: None. Motion carried.

WATER AND SEWER PROJECT FOR EAST HIGHWAY 275

Clerk Klabenes presented a map of the eligible water projects through the United States Department of Agriculture (USDA) that required a property rights map. She reported the map was provided by the City Engineer and the City Attorney had reviewed and signed the required USDA right-of-way certificate. She reported that the City Attorney had previously submitted the required documentation to the USDA certifying that the city had no conflicting ordinances. She reported the map and certificate would be forwarded to the USDA representative the following day in anticipation of receiving notice to seek public bids. She also presented a table of estimated costs and a timeline provided by the City Engineer and requested by the State Revolving Fund (SRF) representatives for the eligible SRF water projects. These items were updated to the City Council only and no action was taken.

408 L STREET ASBESTOS INSPECTION AND REMOVAL

City Supt. Donaldson reported he had obtained 3 bids for asbestos removal for 408 L Street ranging from \$1,695 to \$6,700. A discussion was held that one of the claims submitted for approval later in the evening included the asbestos inspection and many samples to determine that asbestos removal would be required. *Lundgren moved to approve the asbestos inspection of \$627 and removal by Bockmann Inc for \$1,695 on 408 L Street property deeded to the city.* Seconded by Miller. Roll call votes in favor were Wilkinson, Miller, Hughes, and Lundgren. Opposed: None. Motion carried.

LEASE WITH ANTELOPE COUNTY FOR 408 L STREET

City Attorney McNally reported he had prepared a lease between the City of Neligh and the Antelope County Historical Society for the use of the property at 408 L Street for museum displays. He reported he created a lease for 99 years at \$1.00 per year which may be prepaid at any time and if ever terminated that the prepayment not yet due shall be returned to the Historical Society. He reported the Historical Society will maintain the liability insurance, improvements, and operating expenses on the property. *Hughes moved to approve a lease between the City of Neligh and Antelope County Historical Society for 408 L Street for the Antelope County Museum parking and displays.* Seconded by Lundgren. Roll call votes in favor were Lundgren, Miller, Wilkinson, and Hughes. Opposed: None. Motion carried.

DANGEROUS BUILDINGS UPDATE ON 707 S STREET, 600 R STREET, AND 402 W 9TH STREET

City Supt. Donaldson reported an update on 707 S Street that a demolition application was submitted and contact with the fire department for a controlled burn was started. He reported that an asbestos report had not been turned in yet. He reported an update on 606 R Street was for the roof repair to be held the following weekend and the owner was notified that movement on improvements needed to be seen. The Supt. also reported an update on 402 W 9th Street that an asbestos report needed to be turned in which was expected at the end of the

week. He reported the overhead line was moved for this project. A discussion was held that a new 4-5 properties would begin with taking pictures with the police for the next dangerous building improvement. *Miller moved to approve the update and action taken on the dangerous buildings at 707 S Street, 600 R Street, and 402 W 9th Street.* Seconded by Hughes. Roll call votes in favor were Wilkinson, Hughes, Miller, and Lundgren. Opposed: None. Motion carried.

NELIGH YOUNG MEN'S CLUB EVENTS FOR OLD MILL DAYS

Josh Mitchell of the Neligh Young Men's Club requested consideration to close 3rd Street between main street and the alley next to Buff's Dew Drop for a Cornhole tournament on July 1st. He requested the street closure from noon to 6:00 P.M. with the tournament beginning at 1:00 P.M. A discussion was held that access for Heritage Bank customers to exit the drive through could not be blocked off until after the bank closed on Saturday.

Mitchell also requested consideration for closing Wylie Drive for the July 4th fireworks display from 7:00 P.M. to 11:00 P.M. if needed for a large attendance and additional parking needs. He reported coordination would be made with the Antelope County Sherriff's office and the Neligh Police Department. *Lundgren moved to approve a street closure from noon to 6:00 P.M. between the East alley on 3rd Street to the intersection of 3rd and Main Street for the Neligh Young Men's Club Cornhole Tournament on July 1st and approve a street closure from the intersection of P Street and Wylie Drive to Highway 14 from 7:00 P.M. to 11:00 P.M. for the July 4th Neligh Young Men's Club fireworks display.* Seconded by Miller. Roll call votes in favor were Hughes, Lundgren, Wilkinson, and Miller. Opposed: None. Motion carried.

SLY'S FAMILY BAR AND GRILL MAIN STREET CLOSURE AND SPECIAL DESIGNATED LIQUOR LICENSE REQUESTS

City Clerk Klabenes reported on a request for consideration to close Main Street between 4th and Main and the north side of Taylor Abstract and Realty for Sunday, July 2nd events including a Brisket Barbeque by Neligh Firemen, a Trifecta event with a 3-deed contest, live music and inflatable velcro ax-throwing. She reported a special designated liquor license was requested for the day from noon to 11:00 P.M. *Lundgren moved to approve a special designated liquor license for Sly's Family Bar & Grill and a street closure from 12:00 P.M. Noon to 11:00 P.M. from the intersection of 4th and Main Street on the north side of the apartment steps to the north side of Taylor Abstract & Realty at 420 Main Street for the Neligh 150th events on July 2nd.* Seconded by Hughes. Roll call votes in favor were Wilkinson, Miller, Hughes, and Lundgren. Opposed: None. Motion carried.

MARINO PLUMBING NEW LICENSE

Clerk Klabenes reported that Houston Marino submitted a request for a new plumbing license and had provided the one-year surety bond with the insurance requirements. *Wilkinson moved to approve a new plumbing license for Marino Plumbing for one year with a surety bond in place.* Seconded by Hughes. Roll call votes in favor were Miller, Wilkinson, Hughes and Lundgren. Opposed: None. Motion carried.

DIAL-A-RIDE PUBLIC TRANSIT CONTRACTS WITH LOCAL CHURCHES

Clerk Klabenes reported that the City Council had approved the bi-annual transit budget in March for federal and state funding operational assistance. She reported the budget included church contracts for Sunday services at \$55.38 per week to be split among participating churches. She reported that 4 churches had participated in the past, however, one church was not going to continue but a different church was considering participation and was discussing it at a board meeting later in the week. *Lundgren moved to approve a Sunday services contract for Dial-A-Ride Public Transit and local participating churches at \$55.38 a week split among participating churches.* Seconded by Hughes. Roll call votes in favor were Miller, Wilkinson, Lundgren, and Hughes. Opposed: None. Motion carried.

APPOINTMENTS

Mayor Hartz recommended the re-appointment of Garrett Jacobsen and new appointment of Heidi Reithmeier to the LB840 Citizens Advisory Review Committee for a 4-year term and a re-appointment of Dave Jacobsen and Brendee Reinke to the LB840 Loan Committee for a 4-year term. *Wilkinson moved to approve the mayor's appointments as presented.* Seconded by Lundgren. Roll call votes in favor were Lundgren, Wilkinson, Hughes, and Miller. Opposed: None. Motion carried.

RESOLUTION 2023-8 TRI-COUNTY HAZARD MITIGATION PLAN

City Clerk Klabenes reported that the City Supt. and her had been working on a Tri-County Mitigation Plan for NEMA and FEMA future funding for the Antelope, Holt and Knox counties. City Supt. Donaldson reported that part of the mitigation plan included the Elkhorn River bypass overflowing south and west of the Mill Bridge which would be revisited again at another meeting. Clerk Klabenes reported the mitigation plan draft was going through a public review and requested the City Council consider the resolution presented. *Council member Hughes introduced and moved for passage Resolution 2023-8 adopting the Tri-County Hazard Mitigation Plan 2023.* Seconded by Miller. Roll call votes in favor were Wilkinson, Miller, Lundgren and Hughes. Opposed: None. Thereupon Mayor Hartz declared Resolution 2023-8 adopted.

ECONOMIC DEVELOPMENT DIRECTORS REPORT

Economic Development Director Lauren Sheridan-Simonsen thanked the Neligh-Oakdale 6th grade class for the wonderful job of cleaning up at the Rainbow Fountain the previous week. She reported the announcement of the Rural Workforce Housing Grant notice of award was anticipated next week. She reported the early childhood education and service grant application was resubmitted to the Nebraska Community Foundation and is still in consideration. Mayor Hartz reported a call for action for more daycares in the community. The Director reported the Discover Neligh App will try something new by promoting the Neligh 150 events and local businesses on some push ads. She reported professional photos will be taken in June by Reflections Photography and hosted by Stealth Broadband. She reported the Assistant Director hosted a youth community group from Leigh and held a successful Chamber of Commerce banquet with Mayor Hartz honored with the Lifetime Achievement Award. She reported the Assistant Director was busy with updating Chamber bylaws, just finished a Ladies' Night Out event with 9 participating businesses and was working on Novemberfest. *Council member Hughes moved to approve the Economic Development Director report. Seconded by Lundgren. Roll call votes in favor were Miller, Wilkinson, Lundgren, and Hughes. Opposed: None. Motion carried.*

Discussion was held for an update on the Neligh Mill elevator demolition and History Nebraska was considering removal of the box car. A discussion was held that after the elevators were removed that the box car would be more visible and complimented the story of the mill for the grain to go out on the railroad to deliver the flour. A discussion was held that after several phone calls and emails that History Nebraska would allow the city to take ownership of the box car. A discussion was held that a contractor offered to donate time and sandblasting to update and preserve the box car. A discussion was held about having the City Attorney draft an agreement with History Nebraska for the box car, insurance needs, and other items. Supt. Donaldson reported he was working with the contractor hired for the demolition of the elevators and was awaiting an asbestos report and demolition application. He reported coordination with Nebraska Public Power District would be needed as the city would have to generate power while the demolition was underway. Mayor Hartz thanked Economic Director Sheridan-Simonsen, former Mayor Jeri Anderson, and History Nebraska Jill Dohlborg for all the communication and cooperation to maintaining the history of the box car at the Neligh Mill. *Miller moved to accept the box car at the Neligh Mill and authorized the City Attorney to negotiate with History Nebraska for insurance and other items. Seconded by Lundgren. Roll call votes in favor were Wilkinson, Hughes, Miller, and Lundgren. Opposed: None. Motion carried.*

POLICE REPORT

Chief of Police Logan Lawson reported that Deputy Ternus, part-time officers and the Chief attended training for annual education hours required by LB51. He reported the police department had assisted the local school with a lockdown drill and would be assisting with a security grant for the school. He reported that as the weather warmed up in April, the call volume increased as demonstrated in the numeric report. He reported on the change in duty uniforms. Mayor Hartz requested any help with the Jake brake enforcement. *Hughes moved to approve the April numeric and written police reports as presented. Seconded by Lundgren. Roll call votes in favor were Miller, Wilkinson, Lundgren, and Hughes. Opposed: None. Motion carried.*

CITY SUPT. & ELECTRIC REPORT

City Superintendent Donaldson reported concrete replacement was finished in locations with water main repairs. He reported clean up with existing water in the pool presented new learning experiences now with the new liner and water that remains in the pool over the winter. He reported the new pump was set in and the boiler was back together. He reported the Pavilion restrooms were completed and cleaned up and he would be repairing Rainbow Fountain to get it operating before the 4th of July. He reported 11 lifeguards, and 1 park employee was recommended by the Park Board. He reported 3 lifeguards were looking for part-time hours so the main purpose for the pool season was to keep the swimming pool open so adjustments may be made to private and group swimming lessons to keep lifeguards available. He reported the pool management would be shared between one pool manager and two assistant managers. He reported on two sewer clogs and the addition of a clean out to be added to better manage the maintenance of an abandoned alley. He reported on a repair to a compressor in the sewer plant from an oil leak that caused the unit to seize up. He reported a water main break on 8th street would need to consider replacement from L Street to Main Street and this section was not on the current project plans for the 1- & 10-Year Plan. He reported the water line to the north ballfield restroom was in and the electrical was being worked on with the goal of completion in 2 weeks. He reported approximately 100 residential garbage totes were distributed in town and the next budget would consider a solid waste box upgrade. He reported metal scrap was cleaned up at the Tree Dump and Perry Smith would be assisting going forward.

On the electrical report, he noted 2 outages in the last month with one resulting from a customer trimming his own tree that fell on the primary line. He reported parts and labor from Nebraska Machinery Caterpillar for the automatic start were awaiting completion. A discussion was held, and it was the consensus of the city council that the city generating power during the Neligh Mill elevator demolition was part of the demolition project and reimbursement for the bio-diesel fuel would be billed to History Nebraska.

The Superintendent reported an inmate would be working for the city in a seasonal position under the county sheriff's work release program. He reported the inmate would be under very close supervision and the experience would aid in providing an employment reference in the future. The Superintendent also reported he

was very impressed with the Neligh-Oakdale schools cleanup that included plantings at the donation garden, clean up along the Cowboy Trail and Riverside Park and picking up trash from the Compactor to the south bridges. *Council member Wilkinson moved to approve the City Supt. report as presented.* Seconded by Lundgren. Roll call votes in favor were Miller, Hughes, Wilkinson, and Lundgren. Opposed: None. Motion carried.

NEW MOON THEATER REPORT

Theater Liaison Lundgren reported that the theater board was talking to grant writers for expertise. She reported the showing of the movie "Sing" during Neligh's 150th celebration was being discussed for either the Neligh Library or Riverside Park location. She reported on a local artist donating original art pieces to make a calendar as a fundraiser event and New Moon t-shirts were also being sold as a fundraiser. A discussion was held that the theater roof work would be finished the following week. *Hughes moved to approve the New Moon Theater report as presented.* Seconded by Miller. Roll call votes in favor were Wilkinson, Lundgren, Miller, and Hughes. Opposed: None. Motion carried.

APPROVAL OF BILLS

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

There being no further business to conduct, *Miller moved to adjourn.* Seconded by Wilkinson. Roll call votes in favor were Lundgren, Miller, Hughes, and Wilkinson. Opposed: None. Thereupon Mayor Hartz declared the meeting adjourned. Time 8:22 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 May 9, 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.

(SEAL)

City Clerk