

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

August 15, 2023

The regular meeting of the Mayor and City Council of the City of Neligh was held at the City Council Chambers on Tuesday, August 15, 2023 at 7:00 P.M. Present were Mayor Joe Hartz and Council Members Dale Wilkinson, Stephanie Lundgren and Leonard Miller. Ted Hughes was absent. Also in attendance were City Attorney James McNally, Economic Development Director Lauren Sheridan-Simonsen, Police Chief Logan Lawson, City Supt. Dan Donaldson, Library Director Amy Baker, City Clerk Danielle Klabenes, News Reporter Kelli Garcia, City Engineer John Zwingman, Electric Generation Supervisor Josh Capler, and Economic Development Board Member Al Stelling. Notice of this meeting was given in advance thereof by publication in the Antelope County News on August 9, 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 July 11th regular meeting minutes as presented. Seconded by Lundgren. Roll call votes in favor were Wilkinson, Miller, Lundgren. Opposed: None. Absent: Hughes. Motion carried.

TREASURER REPORT

Clerk Klabenes reported settlements from MEAN were received in July with final settlements to come in October. She reported the final bond payment for the fairgrounds lift station that started in 2013 was paid in full in July. She reported further financials would be discussed at the budget workshop later that week. *Lundgren moved to approve the July 2023 Treasurer's report as presented.* Seconded by Miller. Roll call votes in favor were Wilkinson, Lundgren, and Miller. Opposed: None. Absent: Hughes. Motion carried.

Discussion was held for adding Bank First as an official depository for city funds since the new bank came to town. *Wilkinson moved to name Bank First as an official depository of funds for the City of Neligh.* Seconded by Miller. Roll call votes in favor were Miller, Wilkinson, and Lundgren. Opposed: None. Absent: Hughes. Motion carried.

A discussion was held for short-term interest rates on the certificate of investments and city investments with August maturity. A discussion was held for the terms offered by Heritage, Pinnacle, and Bank First for 6 months to 12-month certificate of deposits. *Lundgren moved to authorize the city clerk/treasurer to invest city certificate of deposits with any of the three official depositories.* Seconded by Wilkinson. Roll call votes in favor were Miller, Lundgren, and Wilkinson. Opposed: None. Absent: Hughes. Motion carried.

WATER AND SEWER PROJECT FOR EAST HIGHWAY 275

City Engineer John Zwingman reported the highway permit applications have been submitted and the Nebraska Dept. of Transportation will send the permit to the city. He reported the county permit application was submitted and did not foresee any issues. He reported the USDA published new guidelines and he had to provide updated specs. He reported the City Council would be able to set a bid letting date and authorize bid letting at the September meeting. Discussion was held that each water and sewer project would be bid on separately to accept, or decline based on the bids received. No action was taken.

LEASE WITH LAMAR COMPANY FOR EAST HIGHWAY 275 BILLBOARD

City Attorney McNally reported he had contacted Lamar with the council's recommendation for a 10-year lease which Lamar agreed to. *Wilkinson moved to approve a 10-year lease with Lamar Company at \$1,200 a year for the East Highway 275 billboard effective September 1, 2023.* Seconded by Miller. Roll call votes in favor were Wilkinson, Miller, and Lundgren. Opposed: None. Absent: Hughes. Motion carried.

REPRESENTATIVES AT JOINT PUBLIC HEARING

Wilkinson moved to designate the Mayor and City Clerk to represent the City of Neligh at a Joint Public Hearing between September 18th to 22nd for presenting the city property tax request, if applicable. Seconded by Lundgren. Roll call votes in favor were Lundgren, Wilkinson, and Miller. Opposed: None. Absent: Hughes. Motion carried.

DANGEROUS BUILDINGS UPDATE

City Supt. Donaldson reported on twelve property updates which included the fire department submitting permits with the state for the house burn of 707 S Street, seeking bids for multiple demolitions while one contractor is in town, one property in court with a continuance to sell the property, and a few properties making improvements. A discussion was held for options for owners without financial resources to demo to fix the

property may have a lien placed on the property since a loan to pay back would not be viable. It was the consensus of the council to have the City Attorney prepare a resolution for placing a lien on the property for the September meeting. A discussion was held for the next step was to send letters to the property owners with a completion date and hold the owners responsible for the date. *Wilkinson moved to approve the July update on dangerous buildings as presented by the City Attorney and City Supt.* Seconded by Miller. Roll call votes in favor were Miller, Wilkinson, and Lundgren. Opposed: None. Absent: Hughes. Motion carried.

SWINGING BRIDGE UPDATE

City Attorney McNally reported the I-beam and cables were ordered for the swinging bridge and he was looking for a contractor to pour the foundation. He reported the bridge would be constructed to raise the bridge in high waters with a cable. He reported the approach on the east side of the Elkhorn River may need 10 feet and if the city improved the Riverside Park Road next year that moving the road 5-7 feet east would solve that. A discussion was held about moving, leaving, or removing the historical marker of the former bridge and the signage. No action was taken. The matter was tabled.

SIGNAGE AT 2ND STREET AND J STREET INTERSECTION

A discussion was held for the stop sign for southbound traffic at the intersection of 2nd and J Street. A discussion was held that the stop sign did not have a reason for its location and while J Street offered an entrance into town that the stop sign was not necessary. *Wilkinson moved to remove the stop sign at the 2nd and J Street intersection for southbound traffic.* Seconded by Lundgren. Roll call votes in favor were Lundgren, Miller, and Wilkinson. Opposed: None. Absent: Hughes. Motion carried.

RESOLUTION 2023-10 CITY INSURANCE RENEWAL WITH LARM

Discussion was held for the city insurance renewal options with a 1-to-3-year commitment and a 0 to 5% discount rate. A discussion was held about the previous year's insurance cost, the increased renewal rates, and the process to gradually step down over 3 years if the desire to go out for bids for city insurance. Discussion was held that the city had stepped down to a 2-year commitment last year and had the option to step down to a 6-month notice and go out for bids in the spring of 2024 with a 2% discount or step up to a 3-year commitment with a 5% discount. Discussion was held that the premium difference from a 6-month to a 3-year commitment was \$4,000. A discussion was held for the 14.5% property coverage increase and the 4.5% liability coverage increase, with record inflation numbers, increased construction costs, and increased cost to repair or replace property following damage and weather events. *After a lengthy consideration as to seeking bids or taking the largest discount available, Wilkinson introduced and moved for passage Resolution 2023-10 approving a 3-year commitment with a 5% discount for an annual premium of \$133,013 for the city insurance policy for the 2023-2024 fiscal year.* Seconded by Miller. Roll call votes in favor were Lundgren, Miller, and Wilkinson. Opposed: None. Absent: Hughes. Thereupon Mayor Hartz declared Resolution 2023-10 adopted.

CUSTODIAN RESIGNATION AND NEW HIRE

Wilkinson moved to accept the resignation of Sherri Svatos with regrets and approve the hire of Jamie Hart as custodian of the Library, City Hall, and Economic Development office at \$20/ hour following successful completion of pre-employment drug testing. Seconded by Lundgren. Roll call votes in favor were Miller, Lundgren, and Wilkinson. Opposed: None. Absent: Hughes. Motion carried.

LIBRARY AND DIAL-A-RIDE NEW HIRES

Lundgren moved to approve the hire of part-time youth service librarians Amanda Fritzen at \$10.50/ hour and Cedrela Bennett at \$16.00/hour at the Neligh Public Library and Ray Frasch as a part-time driver at \$12/hour for Dial-A-Ride following successful completion of pre-employment drug testing. Seconded by Wilkinson. Roll call votes in favor were Wilkinson, Miller, and Lundgren. Opposed: None. Absent: Hughes. Motion carried.

RECOGNITION PICNIC FOR ALL VOLUNTEER BOARDS

Mayor Hartz reported he would like to recognize all the volunteers who serve on city boards with a recognition picnic. He reported he held such a recognition several years ago and would like to do it again this fall, possibly in October. *Lundgren moved to approve holding a recognition picnic to honor all the volunteer board members at a date to be determined in October sponsored by the city.* Seconded by Miller. Roll call votes in favor were Wilkinson, Miller, and Lundgren. Opposed: None. Absent: Hughes. Motion carried.

ONE-AND-SIX YEAR PLAN PUBLIC HEARING DATE SET

Discussion was held for setting a public hearing date to coincide with the next fiscal year's budget. *Wilkinson moved to set a public hearing for the One-and-Six-Year Plan for September 12th at 7:30 PM.* Seconded by Lundgren. Roll call votes in favor were Lundgren, Wilkinson, and Miller. Opposed: None. Absent: Hughes. Motion carried.

BUDGET PUBLIC HEARING DATE SET

Discussion was held for setting a budget hearing date as required by statute. *Miller moved to set a budget hearing date of Tuesday, September 12th at 6:30 P.M.* Seconded by Lundgren. Roll call votes in favor were Wilkinson, Miller, and Lundgren. Opposed: None. Absent: Hughes. Motion carried.

ECONOMIC DEVELOPMENT DIRECTORS REPORT

Economic Development Director Lauren Sheridan-Simonsen reported the annual Notice to Divide for Tax Increment Financing projects was submitted to the Nebraska Department of Revenue. She reported the first loan closing on the first Rural Workforce Housing Fund Grant will occur soon. She reported a Zoom meeting with Nebraska Community Foundation and the app developer was being scheduled to discuss technical questions on the innovative process. She reported the Neligh office will host the South-Central Economic Development District Home NE webinar this month and share the housing stimulation Neligh and Clearwater are seeing through the Nebraska Affordable Housing Trust Fund and Rural Workforce Housing grants. She reported the ribbon cutting for the new duplex in Clearwater was held last week. She reported that the Assistant Director helped plan and run a successful Chamber BBQ during the fair that served 1,000. She reported the assistant completed the annual teacher breakfast this week to kick off the new school year and was planning for Novemberfest. The Director congratulated the Assistant Director on her first anniversary with the city this month and congratulated the Neligh Flower Shop for 75 years in business. *Council member Wilkinson moved to approve the Economic Development Director report.* Seconded by Lundgren. Roll call votes in favor were Wilkinson, Lundgren, and Miller. Opposed: None. Absent: Hughes. Motion carried.

Director Sheridan-Simonsen reported the contracts for both the Chamber and Village of Clearwater included a 13% catch-up for rate increases made last year and both contracts were for the same hours of service as the current contract. *Lundgren moved to approve the Neligh Chamber of Commerce contract for the 2023-2024 fiscal year at \$17,558.45 for 1,000 hours with the Neligh Economic Development office.* Seconded by Miller. Roll call votes in favor were Miller, Lundgren, and Wilkinson. Opposed: None. Absent: Hughes. Motion carried.

Wilkinson moved to approve the Village of Clearwater contract for the 2023-2024 fiscal year at \$17,558.45 for 400 hours with the Neligh Economic Development Office. Seconded by Lundgren. Roll call votes in favor were Lundgren, Wilkinson, and Miller. Opposed: None. Absent: Hughes. Motion carried. Mayor Hartz reported he enjoyed this partnership.

Economic Development Board Member Al Stelling reported the Economic Development Board had conducted the annual employee review of the director and all were very happy with the director's performance and had positive comments. He reported the board recommended approval for another one-year contract and the cost-of-living raise offered to city employees. Mayor Hartz thanked the Economic Development Board for their support of the Economic Development office. *Lundgren moved to approve the recommendation of the Economic Development Board for the one-year employment contract for the Economic Development Director.* Seconded by Miller. Roll call votes in favor were Lundgren, Wilkinson, and Miller. Opposed: None. Absent: Hughes. Motion carried.

POLICE REPORT

Chief of Police Logan Lawson reported the first part of July was focused on the Neligh 150 events with the biggest event of a stolen side-by-side that was in court processing now. He reported no training was completed in July but would resume in August. He reported investigations were made on a couple of illegal dumping incidents and assistance with a car accident. He reported Officer Ternus served two notices of abatements for junk accumulation and unregistered vehicles. He reported he personally focused on traffic stops at Highway 14 and Highway 275 intersection resulting in 8 stop sign violations and several stops for speeding. He reported security assistance to the Sheriff's Office during the fair that was held for the concert night. The Chief also reported school traffic will be a focus again and phase 1 of the camera updates began with the next 2 phases of the camera project to follow in the subsequent budget years. *Lundgren moved to approve the July numeric and written police reports as presented.* Seconded by Miller. Roll call votes in favor were Miller, Wilkinson, and Lundgren. Opposed: None. Absent: Hughes. Motion carried.

CITY SUPT. & ELECTRIC REPORT

City Supt. Donaldson reported the public works team all did a variety of jobs for the Neligh 150th and county fair. He reported each department met with him on budget needs and planning. He reported the Neligh Mill Elevator demolition went well and came down faster than the 3-4-week plan. He reported the city generated for 3 hours during the demolition. He reported one future idea for the area was considering green space with possibly a shelter. A discussion was held for the platted not paved one block of 6th Street and how to best clean up the trees which will be discussed further at the budget workshop later in the week. *Lundgren moved to approve the City Supt. report as presented.* Seconded by Miller. Roll call votes in favor were Wilkinson, Miller, and Lundgren. Opposed: None. Absent: Hughes. Motion carried.

The Supt. reported that Pinnacle Bank requested a 15-minute parking sign currently on the north side of 4th Street to be moved over to the south side of 4th Street near Pinnacle Bank. *Miller moved to approve relocating the 15-minute parking sign on 4th Street from the north side of 4th Street to the south side of 4th Street near Pinnacle Bank.* Seconded by Lundgren. Roll call votes in favor were Lundgren, Wilkinson, and Miller. Opposed: None. Absent: Hughes. Motion carried.

Generation Supervisor Josh Capler reported electric personnel were also busy with Neligh 150th and county fair events. He reported no major outages occurred through 2 windstorms. He reported a starter and batteries were replaced in one of the generators prior to the Neligh Mill Elevator demolition. He reported the city has been called to generate power five times for Tenaska since July 22nd and he anticipated a call with the hotter temperatures forecasted for the week. He reported the automatic control installation for the generation plant was scheduled to begin next week with Nebraska Machinery Caterpillar. A discussion was held on how to balance the generators under installation for automatic controls with the availability of generators to operate when called upon by Tenaska. Discussion was held that installation of one generator at a time would take a little longer but would provide available generators for power if called upon. It was the consensus of the council to install the automatic controls on one generator at a time, so the other generators were available to generate power if called upon. *Wilkinson moved to approve the automatic control installation for one unit at a time to allow for generation power if called upon by Tenaska.* Seconded by Lundgren. Roll call votes in favor were Miller, Lundgren, and Wilkinson. Opposed: None. Absent: Hughes. Motion carried.

NEW MOON THEATER REPORT

Theater Liaison Lundgren reported the board was preparing for a grant session by working with a grant writer and meeting with Lowell Schroeder. She reported the board was looking at a couple of funding options for the architectural plans and drawings which included either a planning grant that added a year of time before working on the theater or looking for LB840 and other funds available now to remove a year of time before working on the theater. City Supt. Donaldson reported he would be meeting with the Fire Marshall the following week for a walk-through with a local electrician to check on occupancy permit options available to offer fundraising opportunities. *Wilkinson moved to approve the New Moon Theater report as presented.* Seconded by Miller. Roll call votes in favor were Miller, Wilkinson, and Lundgren. Opposed: None. Absent: Hughes. Motion carried.

APPROVAL OF BILLS

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

There being no further business to conduct, *Miller moved to adjourn.* Seconded by Wilkinson. Roll call votes in favor were Lundgren, Wilkinson, and Miller. Opposed: None. Absent: Hughes. Thereupon Mayor Hartz declared the meeting adjourned. Time 8:54 P.M.

City of Neligh

Joe Hartz, Mayor

ATTEST

Danielle Klabenos, City Clerk

CERTIFICATION

I, the undersigned, City Clerk of the City of Neligh, Nebraska, hereby certify that on August 15, 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