

MINUTES OF REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF NELIGH, NEBRASKA  
December 10, 2019

The regular meeting of the Mayor and City Council of the City of Neligh was held at the City Council Chambers on Tuesday, December 10, 2019 at 7:00 P.M. Present were Mayor Joe Hartz and Council Members Dale Wilkinson, Leonard Miller, Brent Pickrel and Ted Hughes. Also in attendance were City Attorney Jim McNally, City Supt. Dean Bly, Generation Supervisor Josh Capler, Economic Development Director Lauren Sheridan-Simonsen, Police Chief Mike Wright, City Clerk Danielle Klabenes, News Reporter Carrie Pitzer and Garrett Jacobsen. Notice of this meeting was given in advance thereof by publication in the Antelope County News on December 4, 2019. 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. Mayor Hartz offered a prayer before opening the meeting. All proceedings hereafter 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 November 12<sup>th</sup> regular meeting minutes with the correction in the police report discussion with trucks turning East off of Highway 275 onto 3<sup>rd</sup> Street instead of trucks turning onto Highway 275 from 3<sup>rd</sup> Street.* Seconded by Hughes. Roll call votes in favor were Hughes, Wilkinson, Miller, Pickrel. Opposed: None. Motion carried.

#### **TREASURER'S REPORT**

Clerk Klabenes reported on several accounts with expenses to reimburse the General fund. She reported the auditors were on site the week before Thanksgiving for the annual audit. *Council member Pickrel moved to approve the November 2019 Treasurer's report as presented.* Seconded by Hughes. Roll call votes in favor were Wilkinson, Miller, Hughes, Pickrel. Opposed: None. Motion carried.

#### **CITIZENS ADVISORY REVIEW COMMITTEE LB840 REPORT**

Garrett Jacobsen reported for the Citizens Advisory Review Committee. He reported the committee reviewed the financials from April 2019 to present with June receiving the highest sales tax of \$8,502.30 and April receiving the lowest sales tax of \$4,340.46. He reported that since April 2019 the LB840 account had expended \$38,848.84 for community grant programs, professional fees for the ED office, advertising, loan disbursements and state grant matching funds. He reported LB840 business loan receipts since April were \$10,141.22 and one new loan was made since April 2019 which was to Lucky Joe's Liquor Store for \$20,000. He reported that as of November 6<sup>th</sup>, the sales tax receipts balance was \$183,970.58 which was separate from the \$45,369.85 revolving loan fund available for new loan disbursement. He reported that the 2019-2020 budget for \$42,905 in loan disbursements had not been disbursed yet and was still available. He reported the LB840 program was operating as it should per state statute. No comments or questions came from the audience. Mayor Hartz thanked Jacobsen for serving on the committee. *Wilkinson moved to approve the Citizens Advisory Review Committee report on the LB840 program.* Seconded by Miller. Roll call votes in favor were Hughes, Pickrel, Wilkinson, Miller. Opposed: None. Motion carried.

#### **TRUCK TRAFFIC AND TRUCK ROUTE ON 3<sup>RD</sup> STREET**

Discussion was held for the concern of truck traffic turning east off of Highway 275 onto 3<sup>rd</sup> Street and for the difficulty in trucks making such a turn compounded when a west bound vehicle is at the stop sign at 3<sup>rd</sup> Street. Discussion was held for the concern of opening up J Street to truck traffic which would allow both loaded and empty trucks an alternate route, however J Street was not constructed nor designed years ago to account for loaded trucks. Discussion was held for the concern with north bound vehicles behind a truck not showing courtesy and patience to the truck making an east bound turn onto 3<sup>rd</sup> Street. No action was taken and the matter was tabled.

#### **CITY HALL FOYER AND DEPARTMENT OFFICES**

Discussion was held for proceeding with the office drawings by seeking cost estimates for labor and materials with city employees providing some of the labor. *Wilkinson moved to proceed with the plans presented last month and to proceed with obtaining contractor bids and move the Economic Development office to City Hall.* Seconded by Pickrel. Roll call votes in favor were Pickrel and Wilkinson. Opposed: Miller and Hughes. Mayor Hartz broke the tie with an opposing vote. Motion failed. Discussion was held for including the repair for maintenance of the east wall of City Hall from water leaks above 2 windows in the contractor bids. *Hughes moved to proceed with obtaining contractor bids for a cost estimate for the city offices and to include the repair for the water leak above the east windows in the cost estimate and then discuss the Economic Development offices move with the Economic Development Board Chairman present.* Seconded by Miller. Roll call votes in favor were Miller, Pickrel, Hughes. Opposed: Wilkinson. Motion carried.

## **APPOINTMENTS**

Mayor Hartz recommended the re-appointment of Brent Pickrel to the Park Foundation for a 3-year term. He reported the Park Board is seeking one volunteer for a 3-year term. *Hughes moved to approve the appointments as presented.* Seconded by Miller. Roll call votes in favor were Wilkinson, Hughes, Miller. Opposed: None. Abstain: Pickrel. Motion carried.

## **APPOINTMENT OF CITY STREET SUPERINTENDANT**

Clerk Klabenes reported the new rules and regulations on the One-and-Six year plan required the appointment of the City Street Superintendent. *Miller moved to appoint John Zwingman of Advanced Consulting Engineering Services as the City of Neligh City Engineer/ City Street Superintendent with License Number 1397 Class A as a contracted consultant from January 1 to December 31, 2020.* Seconded by Hughes. Roll call votes in favor were Pickrel, Miller, Wilkinson, Hughes. Opposed: None. Motion carried.

## **RESOLUTION 2019-17 AUTHORIZING THE MAYOR TO SIGN THE YEAR-END CERTIFICATION**

*Hughes moved to introduce for passage Resolution 2019-17 authorizing the Mayor to sign a Year End Certification verifying that the City Engineer was appointed for 2019.* Seconded by Miller. Roll call votes in favor were Wilkinson, Pickrel, Hughes, Miller. Opposed: None. Thereupon Mayor Hartz declared Resolution 2019-17 adopted.

## **ENGINEER CONTRACTS FOR ASPHALT AND CONCRETE FOR STREET AND ALLEY 2020 PROJECTS**

Discussion was held for an asphalt contract of \$5,000 plus 1% of final construction cost and a concrete paving contract of \$35,000 plus 1% of final construction cost. Discussion was held for bid letting on Thursday, December 19<sup>th</sup>. Discussion was held that the design, topography and bid work of both asphalt and concrete bids was completed leading up to the bid letting. Discussion was held that upon the selection of which streets or alleys are desired will result in a 1% cost of the final construction costs of those selected streets and or alleys. *Pickrel moved to approve the Advanced Consulting Engineering Services contracts for asphalt at \$5,000 plus 1% final construction cost and concrete at \$35,000 plus 1% final construction cost for street and alley improvements 2020.* Seconded by Wilkinson. Roll call votes in favor were Miller, Wilkinson, Hughes, Pickrel. Opposed: None. Motion carried.

## **ECONOMIC DIRECTORS REPORT**

Economic Development Director Lauren Sheridan-Simonsen reported she was continuing to work on business retention visits for the Leadership Certified Community recertification. She reported the Christmas Parade of Lights had favorable weather which enabled better attendance and 13 entries for the event spearheaded by Diane Carlin of Antelope Memorial Hospital. She reported the annual report for the Department of Revenue was accepted for an update on TIF projects. She reported the ED Board had met the previous night and wanted input from the City Council on how the board could make more contributions to the community. The discussion offered suggestions for fostering industries in town as the LB840 plan was intended to bring in new business and support growth of existing businesses, seek and attract people with skills that want to start a business and leave the city life for a small town, draw in internet service businesses, and advertise Neligh is open for business.

*Wilkinson moved to accept the resignation of Michael Tabbert as Assistant Economic Development Director.* Seconded by Hughes. Roll call votes in favor were Miller, Pickrel, Wilkinson, Hughes. Opposed: None. Motion carried.

Discussion was held for hiring an interim assistant over the holidays. *Wilkinson moved to approve the hire of Lydia Behnk as a part-time assistant to the Economic Development Director at \$9.00 an hour.* Seconded by Hughes. Roll call votes in favor were Pickrel, Hughes, Miller, Wilkinson. Opposed: None. Motion carried. Discussion was held for the Clearwater the Chamber contracts offsetting the costs of the positions and provide for a county relationship in economic development. Discussion was held for a joint meeting to be held with the Economic Development, Chamber of Commerce and City Council to discuss Economic Development.

*Miller moved to approve the micro façade application of \$967.50 to the Neligh Flower Shop.* Seconded by Wilkinson. Roll call votes in favor were Hughes, Miller, Wilkinson, Pickrel. Opposed: None. Motion carried.

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

## **POLICE REPORT**

Chief Wright left the meeting for a call to duty and was unable to return to the meeting. *Wilkinson moved to approve the November police report of 401 calls.* Seconded by Pickrel. Roll call votes in favor were Wilkinson, Miller, Pickrel, Hughes. Opposed: None. Motion carried.

## **CITY SUPT. REPORT**

City Supt. Bly reported on an agreement to supply TransCanada for bulk water at the current rate of \$5.00 per thousand gallons. *Wilkinson moved to approve the bulk water agreement with TransCanada at a rate of*

\$5.00 per thousand gallons. Seconded by Hughes. Roll call votes in favor were Wilkinson, Pickrel, Hughes, Miller. Opposed: None. Motion carried.

The Supt. reported the well controls would be installed in Mid-January and estimated one week for installation. He reported street potholes can be filled but with the weather and snow this time of the year the material would not remain filled in the pothole. He reported Cemetery Road was recently graded and the old pickup was sold to Oakdale and he was checking on collection of payment. *Hughes moved to approve the Supt. report.* Seconded by Pickrel. Roll call votes in favor were Wilkinson, Hughes, Pickrel, Miller. Opposed: None. Motion carried.

#### **ELECTRIC REPORT**

Generation Supervisor Capler reported no major outages in November. He reported electric personnel were building electric line behind Blackburn Manufacturing for the new addition and would be building line in an outdated area near the Antelope County Weed District. He reported the generation operations were running well and monthly test runs were planned for the following day. *Wilkinson moved to approve the Electric report.* Seconded by Hughes. Roll call votes in favor were Miller, Pickrel, Hughes, Wilkinson. Opposed: None. Motion carried.

#### **APPROVAL OF BILLS**

*Wilkinson moved to approve \$50.00 Chamber of Commerce Big Bucks to each employee for employee appreciation for a total cost \$1,500.00.* Seconded by Hughes. Roll call votes in favor were Wilkinson, Pickrel, Hughes, Miller. Opposed: None. Motion carried.

*Wilkinson moved to approved to recognize employment anniversaries with an employee appreciation banquet.* Seconded by Hughes. Roll call votes in favor were Miller, Pickrel, Hughes, Wilkinson. Opposed: None. Motion carried.

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

There being no further business to conduct, *Miller moved to adjourn.* Seconded by Hughes. Roll call votes in favor were Hughes, Pickrel, Wilkinson, Miller,. Opposed: None. Thereupon Mayor Hartz declared the meeting adjourned. Time 8:34 P.M.

City of Neligh

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Joe Hartz, Mayor

ATTEST

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Danielle Klabenes, City Clerk

#### **CERTIFICATION**

I, the undersigned, City Clerk of the City of Neligh, Nebraska, hereby certify that December 10, 2019; 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 at the meeting for examination and copying by members of the public; 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.

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City Clerk

(SEAL)