

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

November 12, 2019

The regular meeting of the Mayor and City Council of the City of Neligh was held at the City Council Chambers on Tuesday, November 12, 2019 at 7:00 P.M. Present were Mayor Joe Hartz and Council Members Leonard Miller, Dale Wilkinson, Ted Hughes and Brent Pickrel. 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, City Engineer John Zwingman, News Reporter Luke Jacobsen and Don Weinman. Notice of this meeting was given in advance thereof by publication in the Antelope County News on November 6, 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 October 8<sup>th</sup> regular meeting minutes as presented.* Seconded by Hughes. Roll call votes in favor were Wilkinson, Hughes, Pickrel, Miller. Opposed: None. Motion carried.

### TREASURER'S REPORT

Clerk Klabenes reported on the first month of the fiscal year treasurer's report and noted the expenses exceeded the revenues due to annual expenses paid in the first month such as the city insurance premium. *Council member Hughes moved to approve the October 2019 Treasurer's report as presented.* Seconded by Miller. Roll call votes in favor were Pickrel, Wilkinson, Hughes, Miller. Opposed: None. Motion carried.

### STREET AND ALLEY IMPROVEMENT PROJECTS

Engineer Zwingman reported on a list of 7 separate projects for concrete and asphalt streets and alleys. The list included 3 downtown alleys East of Main Street from 2<sup>nd</sup> to 5<sup>th</sup> Street and 2 downtown alleys West of Main Street from 2<sup>nd</sup> to 3<sup>rd</sup> Street and 4<sup>th</sup> to 5<sup>th</sup> Street. The list included one block on 6<sup>th</sup> Street in front of the high school between H and J Street and one block on 5<sup>th</sup> Street in front of the Methodist Church between K and L Street. The Engineer reported the cost estimate for the 3 alley blocks East of Main Street was \$190,000, the 2<sup>nd</sup> to 3<sup>rd</sup> Street alley West of Main Street was \$55,000 and the 4<sup>th</sup> to 5<sup>th</sup> Street alley West of Main Street was \$60,000. He reported the cost estimate for asphalt overlay of 6<sup>th</sup> Street and 5<sup>th</sup> Street was about \$70,000 combined or concrete approximately \$160,000 combined. He reported that the State Highway 14 from Albion to Elgin would have bid letting November 21<sup>st</sup> and Neligh's project would be submitted to the same contractors for bidding. Discussion was held for combining or selecting individual street or alley projects. Discussion was held for consideration of concrete pavement for all 7 projects. Discussion was held for bidding the two asphalt street projects separately and also bidding the same two streets with concrete with the five alleys. *Council member Hughes moved to approve the plans and specs and cost estimates for street and alley improvements with the changes discussed and to authorize the notice to bidders with a bid letting date of Tuesday, December 17<sup>th</sup> 1:00PM.* Seconded by Pickrel. Roll call votes in favor were Pickrel, Miller, Wilkinson, Hughes. Opposed: None. Motion carried.

### MAINTENANCE AGREEMENT WITH NEBRASKA DEPARTMENT OF ROADS

Clerk Klabenes reported the annual surface maintenance agreement for 2020 would increase from \$2,250 a year to approximately \$3,000. *Wilkinson moved to approve a maintenance agreement with the Nebraska Department of Roads for surface maintenance of Highways 14 and 275 within the city limits from January 1, 2020 to December 31, 2020 at a rate of \$2,997.30.* Seconded by Hughes. Roll call votes in favor were Pickrel, Hughes, Miller, Wilkinson. Opposed: None. Motion carried.

### CITY HALL FOYER AND DEPARTMENT OFFICES

Discussion was held for a drawing sketch for the City Clerk, Mayor and Dial-A-Ride offices with door access to the east and south and a sketch for the upper floor for the Police office, closet and evidence room. Discussion was held for the Economic Board's concerns with leaving the Economic Development offices in the current separate building instead of moving the office to City Hall. Discussion was held for the Economic Development board's concern for the visibility at the current location being convenient for tourism and new businesses yet concern for confidentiality for potential business owners. Discussion was held for providing security to offices and the additional cameras installed at the Economic Development office for security purposes. Discussion was held for using the Economic Development office until the building was sold. Discussion was held for consideration of the expenses in updating windows, replacing a furnace or other energy efficient needs for the

Economic Development office compared to moving the office into the City Hall building. Discussion was held for the Economic Development office not having a daily presence at the current building but would have a daily presence if placed within the City Hall building. Discussion was held for opening a window and a glass panel between offices for additional natural light in the city hall offices that would become the Economic Development offices. No action was taken.

#### **RESOLUTION 2019-15 FOR SCHEUDLE OF FEES 2019-2020**

Clerk Klabenes reported previous discussion prior to adoption of the new mobile food vendor ordinance considered a \$50 application fee. She requested consideration for adopting the updated schedule of fees for the current fiscal year which included a \$50 mobile food vendor application fee. Discussion was held for the Finance Committee reviewing the schedule of fees in further detail at a later date. *Council Member Miller introduced and moved for passage Resolution 2019-15 setting rates and fees for municipal services for the 2019-2020 Schedule of Fees.* Seconded by Hughes. Roll call votes in favor were Wilkinson, Pickrel, Hughes, Miller. Opposed: None. Motion carried. Thereupon Mayor Hartz declared Resolution 2019-15 adopted.

#### **CHRISTMAS EVE OPERATION HOURS**

Discussion was held for hours of operation on Christmas Eve which will fall on a Tuesday this year. Discussion was held for providing services half a day with closing at noon with the afternoon for half day of paid time using accrued paid time off, employer paid time or unpaid time off. *Miller moved to approve closing municipal operations at noon on Tuesday, December 24<sup>th</sup> with employer paid time off for the half day afternoon to employees without employees required to use vacation or personal paid leave.* Seconded by Wilkinson. Roll call votes in favor were Pickrel, Miller, Hughes, Wilkinson. Opposed: None. Motion carried.

#### **ECONOMIC DIRECTORS REPORT**

Economic Development Director Lauren Sheridan-Simonsen reported the NDA was continuing to create incentives for property development for an audit trail and consistency. She reported the micro façade grant funds were originally created to serve as Neligh's matching funds for the DTR grant. She requested the micro façade grant funds to be extended to run concurrently with the DTR grant through the December 2019 extension and now the June 2020 extension requested to complete the DTR program. *Hughes moved to approve an extension of the micro façade program to run concurrently with the DTR program requested for extension to June 2020.* Seconded by Miller. Roll call votes in favor were Wilkinson, Hughes, Pickrel, Miller. Opposed: None. Motion carried.

The Director reported two projects were left to complete within the DTR program which were for Wanek Pharmacy and New Moon Community Theater. She reported the extension request to complete DTR projects by June 22, 2020 was filed and her office was awaiting a response. She reported Brian and Gloria Christiansen would be recognized for the Heritage Hero Award on November 30<sup>th</sup> at the One Room Schoolhouse for their dedication to community, the One Room Schoolhouse and the Pierson Museum. She reported business retention visits were being held on two Thursdays in November as part of the five-year renewal of the Leadership Certified Community Recertification. *Hughes moved to approve the Economic Development Director's report.* Seconded by Pickrel. Roll call votes in favor were Miller, Hughes, Pickrel, Wilkinson. Opposed: None. Motion carried.

#### **POLICE REPORT**

Chief Wright reported that signage along a state highway such as Highway 14 designating a truck route was not permitted as every state highway is designated as a truck route by state statute. He reported that the discussion for Wylie Drive signage for local truck traffic was by a council motion in August and not by ordinance. *Wilkinson moved to rescind the action from August 2019 to restrict truck traffic to local traffic only on Wylie Drive.* Seconded by Hughes. Roll call votes in favor were Wilkinson, Miller, Pickrel, Hughes. Opposed: None. Motion carried.

Discussion was held for truck traffic turning south off of 3<sup>rd</sup> Street onto J Street and then onto Highway 275 which was easier for trucks to make the turn onto the highway, however J Street is not thick enough pavement to handle truck traffic. Chief Wright explained how trucks turning onto Highway 275 or L Street from 3<sup>rd</sup> Street had to make a wide turn and some cars not allowing the truck to make such wide turns. Discussion was held that 3<sup>rd</sup> Street is a designated truck route in town. City Attorney McNally reviewed 5 truck routes in town. Discussion was held for talking to the Department of Roads about the intersection of 3<sup>rd</sup> Street and L Street. Discussion was held for whether the city ordinance for J Street should accept truck traffic. No action was taken.

*Hughes moved to approve the October police report of 383 calls.* Seconded by Miller. Roll call votes in favor were Miller, Wilkinson, Pickrel, Hughes. Opposed: None. Motion carried.

#### **CITY SUPT. REPORT**

City Supt. Bly reported the 1997 GMC pickup previously used in the Park Department was replaced with a newer pickup this year. He reported the GMC was old enough that parts could not be purchased and the motor was not running. He requested consideration to sell the vehicle for parts to an Oakdale business or similar business. *Pickrel moved to authorize the City Supt. to dispose of the 1997 GMC pickup.* Seconded by Wilkinson. Roll call votes in favor were Pickrel, Miller, Hughes, Wilkinson. Opposed: None. Motion carried.

The City Supt. reported the Fair Board and Park Board had agreed to replace the fence along the Grandstands with a white metal fence. He reported the former wooden fence was going to be sold with the proceeds applied toward the new replacement fence. He reported the Fair Board agreed to physically assist the city with installation of the new fence. *Hughes moved to approve the Supt. report.* Seconded by Pickrel. Roll call votes in favor were Miller, Wilkinson, Pickrel, Hughes. Opposed: None. Motion carried.

#### **ELECTRIC REPORT**

Generation Supervisor Capler reported no major outages in October and the generation operations were running well. He reported tree trimming would begin in the street right of way and the electric line right of way. *Wilkinson moved to approve the Electric report.* Seconded by Miller. Roll call votes in favor were Hughes, Miller, Wilkinson, Pickrel,. Opposed: None. Motion carried.

#### **APPROVAL OF BILLS**

*Wilkinson moved to approve Drawdown 29 to JDMZ and Thriftway for \$5,985.83, NENEDD for \$60 and Drawdown 30 to NENEDD for \$780 for Downtown Revitalization grant funds.* Seconded by Miller. Roll call votes in favor were Miller, Pickrel, Hughes, Wilkinson. Opposed: None. Motion carried.

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

#### **RESOLUTION 2019-16 TO RATIFY THE ELECTION OF THE LARM BOARD OF DIRECTORS**

City Attorney McNally explained the events of the last two years with the LARM Board of Directors changing directors, elections by LARM members and the Supreme Court ruling that the truly elected board was rightfully in office. *Wilkinson introduced and moved for passage Resolution 2019-16 to ratify and confirm the election and re-election of the LARM Board of Directors.* Seconded by Miller. Roll call votes in favor were Wilkinson, Hughes, Pickrel, Miller. Opposed: None. Motion carried. Thereupon Mayor Hartz declared Resolution 2019-16 adopted.

There being no further business to conduct, *Miller moved to adjourn.* Seconded by Pickrel. Roll call votes in favor were Hughes, Wilkinson, Miller, Pickrel. Opposed: None. Thereupon Mayor Hartz declared the meeting adjourned. Time 8:46 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 November 12, 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)