

MINUTES OF REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF NELIGH, NEBRASKA
February 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, February 12, 2019 at 7:00 P.M. Present were Council Members Brent Pickrel, Leonard Miller, Dale Wilkinson and Ted Hughes. Also in attendance were City Attorney Jim McNally, Generation Supervisor Josh Capler, City Supt. Dean Bly, Economic Development Director Lauren Sheridan-Simonsen, Police Chief Michael Wright, City Clerk Danielle Klabenes and News Reporters Angie Hupp and Carrie Pitzer, City Engineer John Zwingman, Steph Stuhr, Tim Johnson and Joe Funk. Notice of this meeting was given in advance thereof by publication in the Neligh News and Leader on February 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 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. Clerk Klabenes recorded the minutes. The Pledge of Allegiance was recited.

APPROVAL OF MINUTES

Wilkinson moved to approve the January 8th regular meeting minutes as presented. Seconded by Pickrel. Roll call votes in favor were Hughes, Pickrel, Wilkinson. Opposed: None. Abstain: Miller. Motion carried.

TREASURER'S REPORT

Clerk Klabenes reported on the reclassification of funds from Special Revenue to General funds as recommended by the auditors. She reported a final bond payment was made in January from a 2008 N Street paving, a sewer lift station and Riverside Park asphalt project. She reported the solid waste and hauling contract increased in January by \$4.00 per ton as part of the second half of the 10-year contract. *Hughes moved to approve the January 2019 Treasurer's report as presented.* Seconded by Wilkinson. Roll call votes in favor were Hughes, Miller, Pickrel, Wilkinson. Opposed: None. Motion carried.

The Clerk also reported the CDBG home rehab funds received for 2017 fell below the federal minimum of \$35,000 and the city was required to de-obligate the 2017 receipts to a separate checking account, which was already open from the same de-obligation of 2016 funds. Discussion was held for using the de-obligated funds for continued home rehab projects or a demolition. *Hughes moved to approve to de-obligate the 2017 CDBG funds of \$10,192.85 to a separate account already open and to use the funds for home rehab and demolition.* Seconded by Wilkinson. Roll call votes in favor were Miller, Hughes, Pickrel, Wilkinson. Opposed: None. Motion carried.

PROCLAMATION OF GAMBLING AWARENESS IN MARCH

Mayor Hartz proudly declared a proclamation for Problem Gambling Awareness for the month of March in Neligh. In the proclamation, the Mayor called upon citizens to learn more about the consequences of problem gambling and help available through the Nebraska Gamblers Assistance Program.

SALE OF CITY PROPERTY SOUTH OF THE WATER TOWER

Tim Johnson presented a request to purchase 4 acres from the City of Neligh property southwest of the water tower to build a residence. He presented Google maps showing a one acre leveled area suitable for residential purposes and close to the hospital where he was on call for work. Discussion was held for a former well with current controls to the water tower in the south boundary of the area that city personnel would need continued access to. Discussion was held for the ravine to the east utilized to flush the water tank. Discussion was held for determining which city properties are of interest for sale or to retain and whether a minimum sale amount would be considered. No action was taken and the matter was tabled.

SALE OF CITY PROPERTY AT FORMER 209 MAIN STREET

Discussion was held for the empty lot across the street from City Hall with a request to purchase the property. Clerk Klabenes reported she had placed the request and bid in a sealed envelope until the City Council decided if the property was available for sale and the procedure to move forward with such a sale. City Attorney McNally reported on advertising the property for sale requirements depending on the amount of the sale. A picture of the proposed office and construction show room was presented. Discussion was held that the interested buyer had submitted a previous bid which was counter offered by the City Council and rejected last year and since that time no other interested buyer in purchasing the property had come forward. Discussion was held for a setting a minimum bid before opening the submitted bid followed by discussion for the intent to sell the lot after the house that was placed on the lot was removed and a clean lot made available for development. *Wilkinson moved to open the bid received for the former 209 Main Street lot and vote whether to accept or reject the bid.* Seconded by Pickrel. Roll call votes in favor were Miller, Wilkinson, Pickrel. Opposed: Hughes. Motion carried. Mayor Hartz opened the bid of \$3,000 for Lot 18 and 19 on Block 2, formerly referred to as 209 Main Street. *Miller introduced and move for passage Resolution 2019-3 to accept the offer of \$3,000 for Lot 18 and 19 of Block 2 with the proper posting of sale notices.* Seconded by Pickrel. Roll call votes in favor were Pickrel, Miller, Hughes, Wilkinson. Opposed: None. Thereupon Mayor Hartz declared Resolution 2019-3 adopted.

ANTELOPE MEMORIAL HOSPITAL AMBULANCE AGREEMENT RENEWAL

Pickrel moved to approve the renewal agreement with Antelope Memorial Hospital for ambulance services for a 3 year contract beginning March 1, 2019 at \$550 per month. Seconded by Hughes. Roll call votes in favor were Hughes, Wilkinson, Miller, Pickrel. Opposed: None. Motion carried.

ONE-AND-SIX YEAR STREET IMPROVEMENT PLAN

Mayor Hartz opened the One-and-Six Year Street Improvement Plan Hearing at 8:00 P.M. to receive oral or written comments from the general public. City Engineer John Zwingman reported on six projects listed within the one year plan including the road south of the Mill Bridge, Wylie Drive and downtown Neligh commercial alleys. Discussion was held for consideration of Wylie Drive to be completed in a one year project instead of half of the project completed at a time. It was noted how the cost of concrete had increased due to the flyash price increase and increases over the last few years. City Engineer Zwingman recommended a November bid for the project for the following year completion and reported both asphalt and concrete for 8" would be included. Discussion was held for whether assessments for Wylie Drive and creating a paving district would be considered. Discussion was held for upcoming projects to include the water line east of Neligh in newly annexed area, paving projects such as Wylie Drive and the nursing home. Discussion was held for increasing sales tax for public infrastructure. The hearing was left open.

RIVERSIDE PARK JET AGREEMENT RENEWAL

Clerk Klabenes reported the annual agreement between the US Air Force and the City of Neligh to display the aircraft in Riverside Park was the same as previous years. It was noted that in the event the City would decide to no longer display the aircraft, that it was the city's expense to return the aircraft to the US Air Force. Supt. Bly reported that when the aircraft is repainted, that the City will receive the correct design specifications. *Wilkinson moved to approve the 2019 loan agreement for displaying the jet in Riverside Park between the Dept. of US Air Force and the City of Neligh.* Seconded by Pickrel. Roll call votes in favor were Miller, Hughes, Wilkinson, Pickrel. Opposed: None. Motion carried.

RESOLUTION 2019-1 DIAL-A-RIDE FUNDING FOR 2019-2021

Clerk Klabenes reported the operation assistance application had changed to a two-year application there fore the funds requested would apply to the fiscal year July 2019 through June 2021. She reported the budget overall increased 3.6% and the church contracts would see an increase of 3% from \$49.80 to \$51.73 per week. Mayor Hartz thanked the drivers for the enhanced ridership and personalities shared on the job in public transit. *Wilkinson introduced and moved for passage Resolution 2019-1 requesting federal funding of \$50,997.00 and*

state funding of \$15,835.00 for the two-year fiscal years of 2019-2021 Dial-A-Ride Public Transportation operation. Seconded by Hughes. Roll call votes in favor were Wilkinson, Miller, Pickrel, Hughes. Opposed: None. Thereupon Mayor Hartz declared Resolution 2019-1 adopted.

BILL OF SALE WITH ANTELOPE COUNTY FOR TRANSFER OF TOWER

Discussion was held for the transfer of one old communications tower previously used by Antelope County and situated on City property known as Water Tower hill. *Hughes moved to approve the purchase of a communications tower from Antelope County for \$1.00.* Seconded by Pickrel. Roll call votes in favor were Wilkinson, Hughes, Pickrel, Miller. Opposed: None. Motion carried.

TOWER LEASE RENEWALS WITH TELEBEEP AND CENTRAL VALLEY AG

Discussion was held that Telebeep was purchased by Rise Broadband and to inquire on the use of property on Water Tower Hill for the following renewal. Discussion was held to approve the renewal for the telecommunication equipment renewal with CVA. *Wilkinson moved to approve 4-year tower lease renewal with Central Valley Ag at \$500 per year per tower beginning March 1, 2019.* Seconded by Pickrel. Roll call votes in favor were Miller, Wilkinson, Pickrel, Hughes. Opposed: None. Motion carried.

APPOINTMENTS

Mayor Hartz recommended the appointment of Linda Kuester to the Park Board to fill an unexpired term to December 2021 and Council Member Pickrel to the Northeast Nebraska Economic Development Council of Officials. Mayor Hartz reported of one vacancy on the LB840 Loan Committee and asked for public interest in serving on the board. *Pickrel moved to approve the appointments as presented.* Seconded by Hughes. Roll call votes in favor were Wilkinson, Hughes, Pickrel. Opposed: None. Absent: Miller. Motion carried.

ORDINANCE NO. 615 FENCE REGULATIONS

City Attorney McNally presented a draft for fence regulations which required the council's recommendations for setbacks and fence heights on corner lots. He reported that a fence ordinance going before the City Council would be easier to amend or change by ordinance instead of going through the zoning due to the additional public hearings and meetings of two boards required for zoning changes. Discussion was held for the Building and Grounds Committee of Pickrel and Miller to review and recommend to the Council at the regular March meeting. No action was taken and the matter was tabled.

ECONOMIC DIRECTORS REPORT

Discussion was held for the Economic Development Board recommendation to hire Lauren Sheridan-Simonsen as Economic Development Director. *Pickrel moved to approve the Economic Development board recommendation to hire Lauren Sheridan-Simonsen for the Economic Development Director position at \$40,000 salary, effective with the current pay period beginning February 2, 2019.* Seconded by Hughes. Roll call votes in favor were Wilkinson, Miller, Pickrel, Hughes. Opposed: None. Motion carried. *Hughes moved to approve the employment contract for Lauren Sheridan-Simonsen as Economic Development Director.* Seconded by Pickrel. Roll call votes in favor were Pickrel, Miller, Wilkinson, Hughes. Opposed: None. Motion carried.

Lauren Sheridan-Simonsen reported the development of Lucky Joe's store south of Cubby's was progressing nicely and reported the opening of a new boutique called Twisted Roots located north of the Imperial. She reported on two micro-façade projects for Neligh Family Dentistry for a basement door with total project of \$1,992 and grant request of \$1,494. She also reported on the micro-façade project for Twisted Roots for signage with a total project of \$473.93 and a grant request of \$355.48. She reported she was awaiting an estimate on a final DTR application. The Director reported the New Moon Community Theater had the first public meeting to form groups for strategic planning, marketing, construction and historical grants. She reported the first project was restoration of the roof and the façade.

The Director reported on the Gazalle.ai program with services to attract businesses interested in expanding

in the Midwest rather than individual requests for information. She reported on the regional partnership with Norfolk, Plainview, Creighton, Pierce and Boone County. She reported the ED Board recommended a one-year trial and sharing the cost with Clearwater with Neligh contributing \$1,000 and Clearwater contributing \$500. *Wilkinson moved to approve a \$1,000 contribution from Neligh with Clearwater shared cost of \$500 for a one-year trial of the regional Gazelle.ai. program.* Seconded by Pickrel. Roll call votes in favor were Miller, Hughes, Wilkinson, Pickrel. Opposed: None. Motion carried.

Director Sheridan-Simonsen reported on a Memorandum of Understanding with Jordan River Water Company, a former employer of former ED Director Gabriel Steinmeyer. She reported the MOU included projects for energy efficient street lighting similar to the grant for 6 lights currently tested, a floating solar project and main street promenade project. Discussion was held for information on the savings in using the 6 lights currently tested compared to the LED lights also used in the city. She reported Andrew Harvey from the Jordan River Water Company would be onsite later in February to meet and answer questions. It was the consensus of the council to review further and meet with Andrew Harvey upon his visit to Neligh.

The Director also reported the first draft of the new website was viewed with the ED Board. She reported the Chamber of Commerce Ag Expo had a few booths available for the 4th annual event and BRAN would be coming to Neligh June 6 & 7, which the Chamber of Commerce was hosting. She reported interviews for the Assistant ED Director position were underway that week. *Wilkinson moved to approve the Economic Development Directors report.* Seconded by Pickrel. Roll call votes in favor were Miller, Wilkinson, Hughes, Pickrel. Opposed: None. Motion carried.

POLICE REPORT

Chief Wright reported the numbers on the police report were lower due to the cold weather. He reported the new patrol Durango was purchased and fitted with equipment and Officer Nelson was patrolling with the unit. He reported the Dakota was removed from service and the Chief would inquire on a trade in for the unit. *Pickrel moved to approve the January Police report of 241 calls.* Seconded by Hughes. Roll call votes in favor were Wilkinson, Hughes, Pickrel, Miller. Opposed: None. Motion carried.

CITY SUPT. REPORT

City Supt. Bly requested advisement for whether a water meter would be installed at Pierson Museum or if the water charges would be forgiven with the city currently covering the cost of utilities. *Wilkinson moved to forgive the water charge on Pierson Museum by not installing a water meter.* Seconded by Hughes. Roll call votes in favor were Hughes, Miller, Wilkinson, Pickrel. Opposed: None. Motion carried.

Supt. Bly reported County Commissioner Tom Borer requested 15 minute parking on the north side of the County Courthouse and two 15 minute parking spots in front of Tab Financial. He reported that usually one 15 minute sign is placed per block on Main Street. He reported handi-cap parking was available at the corners of the courthouse parking. Discussion was held for the north side open and available parking. No action was taken.

The City Supt. presented pictures of the city right-of-way for D Street south of the Belmar Creek with truck traffic from Quality Iron and Metal which entered the right-of-way law of Keith White's property. Discussion was held for maintaining the residential lot with truck tracks and the liability of placing signage or maintaining around the signs. Discussion was held for paving, placing a curb and assessing the project costs. Discussion was held for posting signage for no parking and another speed limit sign.

Wilkinson moved to approve the Park Board's recommendation to begin advertising for summer park and pool personnel. Seconded by Pickrel. Roll call votes in favor were Miller, Pickrel, Wilkinson, Hughes. Opposed: None. Motion carried.

Wilkinson moved to approve the Supt. report. Seconded by Pickrel. Roll call votes in favor were Hughes, Miller, Wilkinson, Pickrel. Opposed: None. Motion carried.

ONE-AND-SIX TEAR STREET PLAN

There being no oral or written comments received in reference to the One-and-Six Year Street

Improvement Plan, the public hearing was closed. Time: 9:30P.M. *Wilkinson introduced and moved for passage Resolution 2019-2 adopting the One-and-Six Year Street Improvement Plan as prepared by Advanced Consulting Engineering Services.* Seconded by Miller. Roll call votes in favor were Wilkinson, Pickrel, Miller, Hughes. Opposed: None. Thereupon Mayor Hartz declared Resolution 2019-2 adopted.

ELECTRIC REPORT

Generation Supervisor Capler reported a property north of the Vet Clinic was purchased and presented a map for discussion of new and existing service lines. He reported that according to the Power Review Board service territory map that the new property was within the city service area. Discussion was held for current electric services underground to the Vet Clinic and underground services to the new property would be almost equal to the proposed route for service lines above ground. *Hughes moved to approve the electric project of building new electric line to a new residential home along 524th Road above ground as proposed at estimated \$9,950.00.* Seconded by Miller. Roll call votes in favor were Miller, Wilkinson, Hughes, Pickrel. Opposed: None. Motion carried.

Generation Supervisor Capler also reported during the high winds there were a few outages that required fixing and splicing on primary service. He reported the generation was running well and the DEQ reports were recently submitted. *Hughes moved to approve the Electric report.* Seconded by Miller. Roll call votes in favor were Miller, Wilkinson, Hughes, Pickrel. Opposed: None. Motion carried.

Council Member Wilkinson provided an update on ACE following a recent board of director's meeting. He reported a large credit to the NMPP Executive Director who looked hard at expenses to create the highest distribution refund to cities at \$300,000. He reported Neligh had recently received the distribution amount at \$6,800. He reported when he first joined the ACE Board 9 years ago the distribution amount was \$1,200-1,500 a year. Wilkinson reported that of 74 member ACE communities, 9 of them attended all of the board meetings and Neligh was one of the those nine. He reported Neligh received the 8th highest distribution back to communities in comparison to larger populated communities. He thanked Utility Billing Clerk Jennifer Pellatz for all her work behind the scenes and during the selection period coming up April 12 – 25th. He also reported of a new community project for groups to earn \$250 with a service project, such as the cub scouts or boy scouts assisting with the BRAN event this summer.

CONSIDERATION FOR NURSING HOME SERVICES FOR FEASIBILITY STUDY

Clerk Klabenes reported Great Plains Appraisal had recently received information from the state and the feasibility study was to be completed by the end of the month. No action was taken.

APPROVAL OF BILLS

Hughes moved to approved Drawdown #20 for project funds of completed projects for \$16,757.47 and Drawdown #21 for general administration fees to Northeast Nebraska Economic Development District for \$870.00. Seconded by Pickrel. Roll call votes in favor were Wilkinson, Hughes, Pickrel, Miller. Opposed: None. Motion carried.

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

There being no further business to conduct, *Hughes moved to adjourn.* Seconded by Pickrel. Roll call votes in favor were Miller, Wilkinson, Hughes, Pickrel. Opposed: None. Thereupon Mayor Hartz declared the meeting adjourned. Time 9:55 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 February 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.

City Clerk

(SEAL)