

MINUTES OF REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF NELIGH, NEBRASKA
November 14, 2017

The regular meeting of the Mayor and City Council of the City of Neligh was held at the City Council Chambers on Tuesday, November 14, 2017 at 7:00 P.M. Present were Council Members Ted Hughes, Dale Wilkinson, Leonard Miller and Steph Wanek. Also in attendance were City Attorney Jim McNally, City Supt. Dean Bly, Generation Supervisor Josh Capler, Economic Development Director Gabriel Steinmeyer, Police Chief Michael Wright, City Clerk Danielle Klabenes, News Reporters Laura Anderson and Carrie Pitzer, City Engineer John Zwingman, Don & Judy Zegers, Steve Kuester, Dana Sheridan and Brian Schlote. Notice of this meeting was given in advance thereof by publication in the Neligh News and Leader on November 8, 2017. 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. City Clerk Klabenes recorded the minutes. The Pledge of Allegiance was recited.

APPROVAL OF MINUTES

Council member Hughes moved to approve the October 10th regular meeting minutes as presented. Seconded by Wanek. Roll call votes in favor were Miller, Wanek, Wilkinson, Hughes. Opposed: None. Motion carried.

TREASURER'S REPORT

Clerk Klabenes reported the expenses exceeded the revenues in the first month of the fiscal year largely to the annual insurance premium. She reported the balance of the Surplus Real Property funds following payment for the house demolition and asbestos removal of 209 Main Street. She noted the September expense recorded in October for the CRA, now NDA account. *Wanek moved to approve the October 2017 Treasurer's report as presented.* Seconded by Hughes. Roll call votes in favor were Wilkinson, Hughes, Wanek, Miller. Opposed: None. Motion carried.

PLANS, SPECS AND COST ESTIMATE FOR TWO STREET INTERSECTION REPAIRS

City Engineer John Zwingman presented plans and specs for the street intersections of 8th and P Street and 5th and F Street. He reported one extra panel on the east side of 5th & F Street was included in the specs and ADA compliant sidewalks on all 4 corners. He reported the bid included 8" concrete and if the sub-ground was in good condition, then the concrete could be reduced to 4". Discussion was held for existing crushed concrete in inventory was available and the existing manholes could be reused. He reported an estimated cost of \$70,000 and recommended a bid letting date of December 7th. Discussion was held for the construction end date of August 1st for completion before school resumed in the fall. *Hughes moved to approve the plans, specs and cost estimate of \$70,000 for the 8th and P Street and 5th and F Street intersections and to set a bid letting date of Thursday, December 7th at 1:30P.M.* Seconded by Miller. Roll call votes in favor were Wanek, Miller, Wilkinson, Hughes. Opposed: None. Motion carried.

SPECIAL ASSESSMENTS FOR PAVING, SEWER AND WATER DISTRICTS FOR NELIGH INDEPENDENT LIVING

Engineer Zwingman reported two options for the paving assessments of 8th Street for the Neligh Independent Living project. He presented option 1 with assessments by property frontage as the typical procedure until advised differently. He presented option 2 with assessments of 90% to the developer as previously discussed at City Council meetings. He reported the city's general obligation costs included the storm sewer, earth work, driveway replacement, seeding, tree removal and intersections. The Engineer also reported the water and sewer assessments by property frontage as the typical procedure until advised differently. He

reported the city general obligation costs included fire hydrants, the valve in front of the hydrant and the "T" for the fire protection portion on the water and the manholes for the sewer. Clerk Klabenes read the minutes from prior Council meetings for the Neligh Independent Living project discussions noting the project cost of 90% to the developer. Discussion was held that the neighbors along the water line had acceptable water pressure and the new loop offered fewer restrictions. Discussion noted that the fire protection was not requested by neighbors but the fire protection benefit was now available. Discussion was held that the sewer resident had previous sewer services and received no additional benefit from the project. Discussion was held for advising the City Engineer of assessment percentages. *Miller moved to direct the City Engineer to prepare assessments as 90% paving, 95% water and 100% sewer to the Developer for the Neligh Independent Living project.* Seconded by Wanek. Roll call votes in favor were Wilkinson, Wanek, Miller. Opposed: Hughes. Motion carried.

UTILITY DISCONNECT POLICY FOR TENANTS AND LANDLORDS

Local rental property owner Don Zegers requested the documentation for landlord responsibility of utility bills and requested research of the matter from council members since the previous meeting. Council Member Miller reported he had found documentation for both tenant and landlord responsibility and referred to a landlord agreement with a gas company. Both Zegers and Steve Kuester reported the utility agreement with the city was between the tenant and the city. Zegers recommended consideration for ax meters for disconnection of unpaid utilities. Electric Supervisor Capler reported that the use of ax meters to make a disconnection was not an issue as city personnel were able to make the disconnection with current equipment and meters. Discussion was held for shortening the dates of payment for utility bills. Clerk Klabenes reported that the date discussion would present the same dates currently in use with approximately 60 days of usage extended for collection of 30 days usage. Discussion was held for not changing a policy for a small population segment. ED Director Steinmeyer noted to help increase the renters in the community and the housing availability to consider maintaining tenant responsibility. *Hughes moved to not charge the landlords for tenant utility bills upon disconnection or moving out and to re-evaluate in one year with uncollectable accounts changes.* Seconded by Wanek. Discussion was then held for the City Attorney to make a policy for the next meeting instead of a motion of approval. Hughes withdrew his motion. No action was taken and the matter was tabled to next month for consideration of a policy.

CAT LICENSES

City Attorney McNally reported he had amended the dates to match with the current dog ordinance and added a distemper vaccination to the draft cat ordinance. Citizen Dana Sheridan requested the council not consider a cat ordinance but to tag or place a chip on feral cat's ears. Each council member and Chief Wright was given an opportunity to discuss the draft ordinance. The discussion included changing the ordinance language to be less offensive for unhealthy stray cats, addressing defecating in neighbor or non-cat owner yards, controlling the number of feral cats for quality of life, identifying and returning cats to rightful owners by creating an ordinance and beginning as a reactionary step while moving to a proactive policy. Mayor Hartz asked Chief Wright, Council Member Wanek and citizen Dana Sheridan to meet together for verbiage changes and suggestions to modify the ordinance for the next meeting. No action was taken. The matter was tabled to the next meeting.

AGREEMENT WITH NEBRASKA DEPARTMENT OF ROADS

Hughes moved to approve a maintenance agreement with the Nebraska Department of Roads roadway surface agreement of Highways 14 and 275 within the city limits from January 1, 2018 to December 31, 2018 at a rate of \$2,250.40. Seconded by Wanek. Roll call votes in favor were Wilkinson, Wanek, Hughes, Miller. Opposed: None. Motion carried.

ECONOMIC DIRECTORS REPORT

Economic Development Director Gabriel Steinmeyer reported on four new downtown revitalization applications for two businesses. He reported Carhart Lumber, on the OK Tire Building, requested \$33,188 in

grant funds for a \$13,344 fix-the-bones and \$19,844 façade improvement projects. He reported the Antelope County Historical Society One Room School House project requested \$39,250 in grant funds for a \$25,000 fix-the-bones and \$14,250 façade improvement project. He reported the Application Committee had approved both applications for further consideration of the City Council. *Wilkinson moved to approve the DTR applications as recommended by the application committee for Carhart Lumber (OK Tire Building) and Antelope County Historical Society One Room School House fix-the-bones and façade grants of \$72,438.00.* Seconded by Hughes. Roll call votes in favor were Miller, Wilkinson, Wanek, Hughes. Opposed: None. Motion carried.

The Director reported that the federal tax reform included a bill to eliminate and cut the Historical Tax Credits offering 20% off of federal taxes to eligible businesses. He requested a letter of support from the City Council encouraging our senators to reconsider the elimination of the tax credit due to Neligh's recent award as a Historical Downtown Community. *Wanek moved to approve a letter of support from the Neligh City Council for reconsideration of the federal Historical Tax Credit.* Seconded by Hughes. Roll call votes in favor were Miller, Wanek, Hughes, Wilkinson. Opposed: None. Motion carried.

ED Director Steinmeyer also requested support for filing an application to the University of Nebraska Lincoln Rural Future Institute for 2 interns. He reported the previous 2 interns that worked with the Economic Development office were very instrumental in creating the This is My Neligh videos. He reported the internship program cost \$8,000 plus housing for a 10-week program. He reported on an application through Intern Nebraska for half of the cost and requested consideration for LB840 funds and Electrical funds to contribute. Discussion was held for making the application to the Rural Future Institute. *Wanek moved to file an application with the Rural Future Institute for two interns.* Seconded by Wilkinson. Roll call votes in favor were Hughes, Miller, Wilkinson, Wanek. Opposed: None. Motion carried. *Hughes moved to approve the Economic Development Director's report.* Seconded by Miller. Roll call votes in favor were Wilkinson, Miller, Wanek, Hughes. Opposed: None. Motion carried.

POLICE REPORT

Police Chief Wright he had contacted the Pizza Hut owners about the signage and had seen the property weeds cleaned up. *Miller moved to approve the October police report of 312 calls.* Seconded by Hughes. Roll call votes in favor were Miller, Wilkinson, Wanek, Hughes. Opposed: None. Motion carried.

CITY SUPT. REPORT

City Supt. Bly reported Bill Brandt was going to retire in November and requested authorization to advertise for the part-time solid waste position. Discussion was held for considering the position as full-time with an increase in the budget or part-time and continue using assistance from the Antelope County Law Enforcement Center. Discussion was held for a residential trash container observed in Ponca and researching the size of the container and truck attachment. *Wanek moved to approve advertising for a solid waste assistant.* Seconded by Hughes. Roll call votes in favor were Hughes, Wanek, Miller, Wilkinson. Opposed: None. Motion carried.

Wilkinson moved to accept the resignation of Bill Brant from the solid waste department. Seconded by Wanek. Roll call votes in favor were Wilkinson, Miller, Wanek, Hughes. Opposed: None. Motion carried.

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

ELECTRIC REPORT

Generation Supervisor Capler reported Cody Thompson had resigned to work at Omaha Public Power District and presented a written letter of resignation. He reported Thompson's last day was October 27th. He reported he had started advertising right away, held one interview and was planning to interview two more candidates. Discussion was held for considering a guideline for length of employment while undergoing training similar to the police department. *Hughes moved to accept the resignation of Electrical Lineman Cody Thompson.* Seconded by Wilkinson. Roll call votes in favor were Hughes, Wilkinson, Miler, Wanek. Opposed: None. Motion carried.

Wilkinson moved to authorize the Electric Generation Supervisor to hire for the Electric Lineman position at a starting wage of \$15.00 an hour. Seconded by Hughes. Roll call votes in favor were Wanek, Wilkinson, Miller, Hughes. Opposed: None. Motion carried.

The Supervisor reported the electric change over in the east annexed area with Elkhorn Rural Public Power went very smooth and all contract work was complete. He reported he was visiting with two electric consultants with JEO Consulting Group in researching the availability for a back-up transformer unique to Neligh's Electric system. He reported the original transformer had an initial 8 week lead time and would be placed on a concrete pad for the back-up transformer easily accessible if called upon. He reported the electrical work for Neligh Independent was finished until meters could be installed. Discussion was held for tree trimming to include a scotch pine on the west side of Highway 14. He reported of one outage along the east side of town during the high winds last month. He reported holiday decorations were hung up with the exception of the 3rd and Main Street wreath due to height clearance for the ESU project. *Wilkinson moved to approve the Electric report. Seconded by Hughes. Roll call votes in favor were Miller, Hughes, Wanek, Wilkinson. Opposed: None. Motion carried.*

APPROVAL OF BILLS

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

There being no further business to conduct, *Wanek moved to adjourn. Seconded by Wilkinson. Roll call votes in favor were Wilkinson, Miller, Wanek, Hughes. Opposed: None. Thereupon Mayor Hartz declared the meeting adjourned. Time 9:30 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 November 14, 2017; 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)