

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

May 9, 2017

The regular meeting of the Mayor and the City Council of the City of Neligh was held at the City Council Chambers on Tuesday, May 9, 2017 at 7:00 P.M. Present were Mayor Joe Hartz and Council Members, Leonard Miller, Dale Wilkinson, Steph Wanek and Ted Hughes. Also in attendance were City Attorney Jim McNally, City Supt. Dean Bly, Economic Development Director Greg Ptacek, Generation Supervisor Josh Capler, Police Chief Michael Wright, City Clerk Danielle Klabenes, Joyce Cameron, Ed Pellatz, Kenny Reinke and DeManda McGowen. Notice of this meeting was given in advance thereof by publication in the Neligh News and Leader on May 3, 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 tribute to Joyce Wilkinson who recently lost her battle with cancer. 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 Wanek moved to approve the April 11th regular meeting minutes as presented. Seconded by Miller. Roll call votes in favor were Hughes, Miller, Wanek. Opposed: None. Abstain: Wilkinson. Motion carried.

TREASURER'S REPORT

Clerk Klabenes reported on the second reimbursement for the recycling grant, the general fund cash balance and the year to date street expenses without refinancing bond expenses. *Wilkinson moved to approve the April 2017 treasurer's report as presented.* Seconded by Hughes. Roll call votes in favor were Miller, Hughes, Wilkinson, Wanek. Opposed: None. Motion carried.

CITIZENS ADVISORY REVIEW COMMITTEE SEMI-ANNUAL REPORT

Mayor Hartz declared the hearing for the semi-annual report on the LB840 program opened at 7:08 P.M. Committee Member DeManda McGowen stated the committee reviewed financials since May 2016 where June 2016 reported the highest sales tax receipts and January 2017 reported the lowest sales tax receipts. She reported one partial application was submitted for an LB840 loan. She reported one new loan for Peas and Carrots was distributed since the last CARC meeting. She reported the revolving loan fund balance was over \$12,000 from the 4 businesses currently remitting monthly loan payments. Mayor Hartz declared the hearing closed at 7:12 P.M. *Hughes moved to approve the Citizens Advisory Review Committee's semi-annual report on the LB840 program.* Seconded by Wanek. Roll call votes in favor were Wilkinson, Miller, Wanek, Hughes. Opposed: None. Motion carried.

ANTELOPE COUNTY AG SOCIETY SPECIAL DESIGNATED LIQUOR LICENSE

Antelope County Ag Society members Kenny Reinke and Ed Pellatz reported the 2017 Antelope County Fair was to be setup with the same layout with fencing for a beer garden and the only change was from a tent to an open picnic shelter. *Council member Wanek moved to approve the special designated liquor license for the Antelope County Ag Society on August 3rd – 6th for the Antelope County Fair.* Seconded by Wilkinson. Roll call votes in favor were Miller, Hughes, Wilkinson, Wanek. Opposed: None. Motion carried. Mayor Hartz extended a thank you to the Antelope County Ag Society for the wonderful county fair provided each year.

NELIGH AMERICAN LEGION SPECIAL DESIGNATED LIQUOR LICENSE

American Legion Manager Joyce Cameron reported two wedding receptions in June 2017 were planned at the Antelope County Fair Building with a liquor license from 2:00 P.M. to 1:00 A.M. *Wanek moved to approve the special designated liquor license for the American Legion Post 172 for June 17th and June 24th at the Antelope County Fairgrounds.* Seconded by Hughes. Roll call votes in favor were Wanek, Wilkinson, Hughes, Miller. Opposed: None. Motion carried. Mayor Hartz extended a thank you to Joyce Cameron for all the work the American Legion does.

NELIGH YOUNG MEN'S CLUB FIREWORKS DISPLAY AND DONATION

Clerk Klabenes reported the fireworks supplier requested annual authorization for the Neligh Young Men's Club to display fireworks for the local fireworks show held at the county airport. She reported the city council had approved increasing a donation from \$2,000 to \$2,500 in the current fiscal budget from the Electric Fund because the donation amount had not changed for quite some time and to consider the higher expenses the Neligh Young Men's Club faced. *Hughes moved to authorize the Neligh Young Men's Club to display fireworks for the 4th of July celebration and to approve a donation of \$2,500 from the Electric Fund for the 4th of July celebration.* Seconded by Miller. Roll call votes in favor were Wilkinson, Wanek, Miller, Hughes. Opposed:

None. Motion carried.

MENTAL HEALTH AWARENESS PROCLAMATION

Mayor Hartz proudly declared a proclamation for Mental Health Awareness for the month of May in Neligh. In the proclamation, the Mayor called upon citizens, government agencies, public and private institutions, business and schools in Neligh to recommit our community to increasing awareness and understanding of mental health, the steps our citizens can take to protect their mental health, and the need for appropriate and accessible services for all people with mental illnesses at all stages, and especially before stage 4.

ARBORIST LICENSE FOR MCCORMICK TREE TRIMMING

Clerk Klabenes reported Loren and Melissa McCormick requested authorization to offer tree trimming in the community. She reported McCormick had provided a certificate of insurance that met or exceeded the levels of coverage required by ordinance and submitted the license fee of \$25. *Wilkinson moved to approve the Arborist license for McCormick Tree Trimming.* Seconded by Hughes. Roll call votes in favor were Hughes, Wilkinson, Wanek, Miller. Opposed: None. Motion carried.

LB840 LOAN PAYMENT ACH PROCEDURE CHANGE

Clerk Klabenes reported of a banking procedure to change in the fall regarding moving to a single uniform date for an ACH payment from LB840 loan customers. She requested consideration for the LB840 loan customers not to incur additional interest due to the ACH procedural change. *Wanek moved to authorize and approve the city clerk to change the withdrawal dates for two ACH LB840 loan payments without an interest penalty.* Seconded by Miller. Roll call votes in favor were Wilkinson, Wanek, Miller, Hughes. Opposed: None. Motion carried.

NEBRASKA PUBLIC SERVICE COMMISSION

Clerk Klabenes reported that the Nebraska Public Service Commission had mailed a letter regarding an application that TransCanada Keystone Pipeline had filed with the Nebraska Public Service Commission (NPSC). She reported the NPSC was seeking community input from communities along the proposed route. She reported clerks from other Nebraska communities had reported that their local governing boards were not taking formal council action. Discussion was held that each council member had different opinions on the matter and no council action was taken.

APPOINTMENTS

Mayor Hartz recommended the following Fire Department officers with a list of members: Fire Chief, Mike Mortensen; Assistant Chief, Dave Jacobsen; First Captain-Safety Officer, Jason Krebs; Second Captain – Training Officer, Ryan Lichtenberg; Third Captain – Equipment Officer, Matt Henery; President, Brian Hain; Vice President, Colten Marsh; Treasurer, Steve Arehart; Secretary, Benjamin Zegers; Fire Prevention, Cris Kurpgeweit. The following Jaws of Life officers were presented with a list of members: Captains Doug Haselhorst, Dave Jacobsen and Steve Johnson; President, Cris Kurpgeweit; Vice President, Jason Finch; and Treasurer, Joe McNally. The appointment to the Housing Authority appointment was tabled to next month as the Housing Authority was meeting the same evening. *Motion was made by Hughes to approve the appointments as presented.* Seconded by Wilkinson. Roll call votes in favor were Hughes, Wilkinson, Miller, Wanek. Opposed: None. Motion carried.

Discussion was held for thanking the Fire Department for their services. *Council member Wilkinson moved to introduce a resolution to commend the Fire Department on excellent services for the city and surrounding community.* Seconded by Hughes. Roll call votes in favor were Wilkinson, Miller, Hughes, Wanek. Opposed: None. Motion carried.

ECONOMIC DIRECTORS REPORT

Economic Development Director Greg Ptacek reported no new applications were submitted this month but 3 other projects were awaiting a second bid. He presented a letter of resignation. Mayor Hartz thanked Ptacek for his services. City Attorney McNally acknowledged Ptacek as an asset to the community. Ptacek reported his office received 18 applications for the Director position with 5 initial online interviews then narrowed down to 3 final candidates for in-person interviews to follow later that week. He reported the Neligh Industrial Development Board provided assistance with travel expenses for candidates. He reported the 3 final candidates were from McCook and Brunswick, Nebraska and Spearfish, South Dakota. He reported that a special meeting of the City Council may be requested for a recommendation to hire by the hiring committee. *Wanek moved to approve of Greg Ptacek's letter of resignation with the deepest regrets.* Seconded by Hughes. Roll call votes in favor were Miller, Wilkinson, Hughes, Wanek. Opposed: None. Motion carried.

The Director also reported that Neligh had 715 people pass through the Nebraska 150 Mobile Museum the prior week. He said the prior daily attendance record from a community before visiting Neligh was 400. He recognized the efforts of Lauren Sheridan-Simonsen for organizing the footwork of multiple schools and volunteers and thanked the City Supt. and his personnel for the assistance in setup and teardown of tents, displays and gear for the mobile museum. *The motion was made by Hughes to approve the Economic Development Directors report.* Seconded by Miller. Roll call votes in favor were Wanek, Miller, Wilkinson,

Hughes. Opposed: None. Motion carried.

POLICE REPORT

Chief Wright explained the abbreviation coded for a drivers' school permit violation. He reported he did not find any grants eligible for speed signs but he continued to get price estimates to possibly include a speed sign in the budget. He reported the existing speed trailer was in need of cosmetic maintenance. He reported the camera system updates were in place and hoped to be finished at the end of the week. It was noted that the Boy Scout cabin housed 2-3 troops for a District Boy Scout event. *Wanek moved to approve the April police report of 372 calls.* Seconded by Wilkinson. Roll call votes in favor were Wilkinson, Hughes, Miller, Wanek. Opposed: None. Motion carried.

CITY SUPT. REPORT

City Supt. Bly reported on a sewer backup caused by tree roots. He reported approximately 40 feet of new sewer pipe was installed. He reported the street sweeper was circulating through town and the agri-lime for the Legion ballfield project was estimated to be completed later that week. He reported the rain delays and sprinkler lines were fixed to delay completion earlier. He reported the 8th street paving project was underway. Discussion was held for re-paving the intersection at 8th and P Street which was one of the projects listed for the fiscal year. *Wanek moved to approve the City Superintendent report as presented.* Seconded by Wilkinson. Roll call votes in favor were Miller, Wanek, Wilkinson, Hughes. Opposed: None. Motion carried.

Discussion was held for the City Attorney to send a letter to the Nebraska State Historical Society regarding the bypass cleaning off of the Elkhorn River to relieve water pressure off of Riverside Park. Discussion was held that the City had cleaned its share of the bypass and the Nebraska State Historical Society had not cleared it's pathway.

ELECTRIC REPORT

Generation Supervisor Josh Capler reported employee Scott Kester had quickly disconnected service at the 8th and P Street residence responding to notice of a garage fire. He reported a fuse was replaced on the east well following heavy rains. He reported of a bad underground service was being replaced in a residential yard. He reported bio-diesel fuel may begin coming from Norfolk instead of Council Bluffs which shortened the arrival time.

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

City Attorney McNally presented drawings for a swinging bridge to submit to the City Engineer for review and possible submission to the State Fire Marshall. He estimated supplies of \$75,000 and a project cost of \$150,000. He reported on a list of possible contributors.

APPROVAL OF BILLS

Wilkinson moved to approve Rutjens Construction final pay application of \$1,000 for water and sewer for Neligh Independent Living project. Seconded by Hughes. Roll call votes in favor were Wilkinson, Hughes, Wanek, Miller. Opposed: None. Motion carried.

Wanek moved to approve A&R Construction pay application #1 of \$51,546.74 for 8th street paving for Neligh Independent Living project. Seconded by Hughes. Roll call votes in favor were Hughes, Miller, Wilkinson, Wanek. Opposed: None. Motion carried. Discussion was held for issuing bond anticipation notes at the next meeting.

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

There being no further business to conduct, *Miller moved to adjourn.* Seconded by Wanek. Roll call votes in favor were Hughes, Wilkinson, Miller, Wanek. Opposed: None. Thereupon Mayor Hartz declared the meeting adjourned. Time 8:22 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 May 9, 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)