

MINUTES OF REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF NELIGH, NEBRASKA  
July 11, 2017

The regular meeting of the City Council of the City of Neligh was held at the City Council Chambers on Tuesday, July 11, 2017 at 7:00 P.M. Present were Council Members Dale Wilkinson, Steph Wanek and Ted Hughes. Absent were Mayor Hartz and Council Member Leonard Miller. Also in attendance were City Attorney Jim McNally, City Supt. Dean Bly, Economic Development Director Gabriel Steinmeyer, Police Chief Michael Wright, City Clerk Danielle Klabenes, City Engineer John Zwingman, News Reporters Carrie Pitzer and Carissa Soukup, Bill Huey, Kelly Lehr, Tom Nelson, Tracy Juranek, Mike Nolan, Dane Nielsen, Deb Kester, Joe Knight, Harv Ofe and Rhonda Heithoff. Notice of this meeting was given in advance thereof by publication in the Neligh News and Leader on July 5, 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. All proceedings thereafter shown were taken while the convened meeting was open to the attendance of the public. Council President Hughes 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 June 13<sup>th</sup> regular meeting minutes as presented.* Seconded by Wilkinson. Roll call votes in favor were Hughes, Wanek, Wilkinson. Opposed: None. Absent: Miller. Motion carried.

**TREASURER'S REPORT**

*Wilkinson moved to approve the June 2017 treasurer's report as presented.* Seconded by Wanek. Roll call votes in favor were Wilkinson, Hughes, Wanek. Opposed: None. Absent: Miller. Motion carried.

**TILDEN AMERICAN LEGION SDL**

Tom Nelson requested consideration for a special designated liquor license for an August 19<sup>th</sup> wedding reception at the Antelope County Fairgrounds. *Wanek moved to approve the special designated liquor license for the Tilden American Legion on August 19<sup>th</sup> at the Antelope County Fairgrounds.* Seconded by Wilkinson. Roll call votes in favor were Wanek, Hughes, Wilkinson. Opposed: None. Absent: Miller. Motion carried.

**CITY PROPERTY INSURANCE**

Clerk Klabenes reported 3 bids were received for city insurance bid proposals from LARM, Nielsen Insurance and Heritage Insurance. Discussion was held for differences in the category listing of coverages such as an umbrella listed for two of the three bids. Discussion was held for having a presentation from each insurance company at the next month's meeting with a full council in attendance. Clerk Klabenes was advised to provide a copy of the bids to each of the insurance companies and to request an explanation from LARM why an umbrella coverage was not listed. *Wilkinson moved to table the city insurance bid proposals to the August meeting.* Seconded by Wanek. Roll call votes in favor were Hughes, Wilkinson, Wanek. Opposed: None. Absent: Miller. Motion carried.

**STREET CLOSURES DURING ESU #8 BUILDING PROJECT**

Bill Huey of Prohaska Associates and Kelly Lehr of Radec Construction presented a proposal for perimeter fencing with street and alley closures during the ESU #8 demolition and construction project for the building on 3<sup>rd</sup> Street and Main Street. They presented a diagram for a perimeter fencing on the east side of the building closing the street parking stalls on Main Street. They reported a request to close 3<sup>rd</sup> Street from the corner of Main and 3<sup>rd</sup> Street to the alley west of the building for a crane and construction materials. They reported a request to close the alley from the northwest corner of the building and south across 3<sup>rd</sup> street. Discussion was

held for grocery trucks to access the dock at Thriftway by coming south through the alley from 5<sup>th</sup> Street and pulling onto the cement by the Post Office. Discussion was held that Radec Construction would remove the cement parking curbs at the northeast edge of the Post Office. Discussion was held for concern with the length of the grocery trucks would not be able to leave the grocery property to the west on N Street but the grocery trucks would need to exit the store's dock by driving south across the post office property. Discussion was held for ESU #8 current receipt of two letters of permission from Thriftway and the local postmaster, but the Post Office did not own the property. It was the consensus of the City Council for ESU #8 to receive permission from the owner of the Post Office property and the property owner and tenant of the warehouse on 3<sup>rd</sup> Street south of the ESU #8. Discussion was held for access on 3<sup>rd</sup> Street for delivery to the warehouse and emergency access with portable barricades and designated signage for No-Thru traffic. *Wanek moved to provide 3<sup>rd</sup> street closure but with delivery and emergency access on the south side of 3<sup>rd</sup> Street with one lane of traffic for ½ block from the 3<sup>rd</sup> Street alley to Main Street with portable barricades pending approval by two property owners of the Post Office and warehouse.* Seconded by Wilkinson. Roll call votes in favor were Hughes, Wanek, Wilkinson. Opposed: None. Absent: Miller. Motion carried.

Discussion was also held for repairs to the alley between 3<sup>rd</sup> Street and 4<sup>th</sup> Street following the construction project. Huey and Lehr requested consideration for the city's plans for repairs to the alley following the project completion. City Engineer Zwingman reported of the underground sewer and paving estimates following a similar project in another community and recommended the sewer camera view the sewer main before the next council meeting. Zwingman reported an estimate of \$50,000 for a block of sewer repair in the alley and an estimate of \$90,000 for paving repair for one block in the alley. Discussion was held for sharing the paving cost of the south ½ of block of the alley with the ESU #8 and the city paying for the sewer project. Discussion was held for the ESU #8 board to discuss the shared paving of half of the alley and report back to the city. *Wilkinson moved for the city to pay the sewer expense from the north construction fence and south in the alley to 3<sup>rd</sup> Street and to share the alley paving cost with an agreement with ESU #8 for paving from the north construction fence to 3<sup>rd</sup> Street, estimated at ESU #8 of \$15,000.* Seconded by Wanek. Roll call votes in favor were Wanek, Hughes, Wilkinson. Opposed: None. Absent: Miller. Motion carried.

### **NELIGH MILLS FALL FESTIVAL**

Harv Ofe reported the Neligh Mills Falls Festival would be held on Saturday, September 9<sup>th</sup>. He reported the event would include a cookie baking and eating contest, live entertainment, a car show, flea market and kids events and inflatables. He requested a street closure for the car show to include 2<sup>nd</sup> Street from Highway 275 to N Street and Main Street from 2<sup>nd</sup> Street north to the edge of the City Office building. Discussion was held for providing access to the residential homeowner on Main and 2<sup>nd</sup> Street included in the requested street closure and to contact the homeowner verbally instead of in writing. Ofe also requested a donation for the event. *Wilkinson moved to approve a September 9<sup>th</sup> street closure on 2<sup>nd</sup> Street from the alley south of Cubby's west to N Street and north on Main Street from 2<sup>nd</sup> Street to the north edge of the City Office, with a \$1,500 donation from the Lottery Fund as budgeted and for Neligh Mills Fall Festival to verbally contact the Main and 2<sup>nd</sup> Street homeowner for access to the personal residence.* Seconded by Wanek. Roll call votes in favor were Wilkinson, Wanek, Hughes. Opposed: None. Absent: Miller. Motion carried.

### **ANTELOPE COUNTY DOES CARE**

Economic Development Director Steinmeyer reported for ACDC member Lauren Sheridan-Simonsen. He reported that the ACDC committee would like to honor National Night Out with a hotdog feed in the Pavilion and free swimming for a family night of activities. He reported the committee requested free use of the Pavilion and swimming pool for an August 9<sup>th</sup> event. Discussion was held that with attendance numbers unknown that regular lifeguards would be on staff during regular pool hours for the event. *Wanek moved to approve of free use of the pavilion and pool for an August 9<sup>th</sup> event for Antelope County Does Care.* Seconded by Wilkinson. Roll call votes in favor were Wilkinson, Hughes, Wanek. Opposed: None. Absent: Miller. Motion carried.

### **CAMPING FEES DURING THE ANTELOPE COUNTY FAIR**

City Supt. Bly reported the Park Board recommended matching the Fair Board weekly camping fee of \$10 per camper pad for the week of the Antelope County Fair. Discussion was held that prior to July 30<sup>th</sup> and after August 6<sup>th</sup> the regular daily camping fee of \$13 would apply. *Wanek moved to approve the Park Board recommendation of \$10 a week per camper pad for Sunday July 30<sup>th</sup> thru Sunday August 6<sup>th</sup> camping during the Antelope County Fair in Riverside Park.* Seconded by Wilkinson. Roll call votes in favor were Wanek, Wilkinson, Hughes. Opposed: None. Absent: Miller. Motion carried.

### **SOLID WASTE PROGRAM**

Clerk Klabenes reported a smaller 16 gallon bag was available at the current supplier and a drawstring option was available from a new supplier. She reported a tan and green color of bag were options in addition to the current clear bag. Discussion was held for staying with a clear bag option. She reported the drawstring option cost more than the non-draw string option and reported on the minimum order quantities. The Council advised the clerk to research a 3<sup>rd</sup> supplier. No action was taken. The matter was tabled to the August meeting.

### **RESOLUTION 2017-8 ADOPTING A REVISED SCHEDULE OF FEES**

Clerk Klabenes reported on the listing of the LB840 Loan fee previously omitted from the schedule. She reported on the name change from the CRA to the CDA for the administration fee. City Supt. Bly reported on the addition of a \$10 per weigh ticket charge for the large trucks using commercial scales to weigh heavy loads before unloading at the compactor. He reported the city was paying a \$10 ticket charge for each truck and requested the same fee to offset the charge. *Wilkinson introduced and move for passage Resolution 2017-8 to approve the amended Schedule of Fees for 2016-2017.* Seconded by Wanek. Roll call votes in favor were Hughes, Wanek, Wilkinson. Opposed: None. Absent: Miller. Thereupon Council President Hughes declared Resolution 2017-8 adopted.

### **WEST HIGHWAY 275 SPEED REDUCTION**

Clerk Klabenes reported that an employee had written the Nebraska Department of Roads a personal letter requesting a speed reduction west of Neligh inside city limits on Highway 275. She reported the Department of Roads had responded that the department's studies did not justify lowering the speed limit and that some recommendations would be shared with city maintenance and law enforcement, but the recommendations had not been shared yet. She noted that a second request to lower the speed limit where no turning lane was available for traffic slowing down to enter businesses in city limits was denied. She reported that the Mayor would like to request that the council consider supporting a second letter to request speed reduction at the next meeting with the full council. No action was taken and the matter was tabled to the August meeting.

### **ECONOMIC DIRECTORS REPORT**

Economic Development Director Gabriel Steinmeyer reported the ED Board did not have a quorum the previous day and another meeting date was being considered for later the month. He reported he had met with downtown revitalization groups with 4 more possible projects and 2 potential projects. He reported he had attended a federal reserve forum, worked on a Northeast Nebraska economic development website and was preparing general background information on Neligh for the website. He reported he had attended both June and July meetings in Clearwater to discuss support for economic programs and identify areas of assistance. He reported on a grant invitation for a pilot project involving 3-5 LED street lights with a free application. Discussion was held for the grant application and the secured communication or city wide Wi-Fi. *Wilkinson moved to authorize the ED Director to make application for the LED street light grant.* Seconded by Wanek. Roll call votes in favor were Hughes, Wilkinson, Wanek. Opposed: None. Absent: Miller. Motion carried.

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

## **POLICE REPORT**

Council members noted that the June report indicated a hard month for the officers often placed in harms way. Discussion was held for investigating a couple of properties for nuisances. It was the consensus of the council to request the City Attorney to send a letter on a bus complaint. It was noted that conditions had improved with children not playing in the street. *Wilkinson moved to approve the June police report of 471 calls.* Seconded by Wanek. Roll call votes in favor were Wilkinson, Hughes, Wanek. Opposed: None. Absent: Miller. Motion carried.

## **CITY SUPT. REPORT AND ELECTRIC REPORT**

City Supt. Bly reported Rutjens Construction was working on two storm drain covers and estimated the repair at \$6,312. He requested approval to proceed and install the storm drain covers with the city replacing the sidewalk as needed. *Wilkinson moved to approve the cost estimate and install by Rutjens Construction for storm drain covers.* Seconded by Wanek. Roll call votes in favor were Wanek, Wilkinson, Hughes. Opposed: None. Absent: Miller. Motion carried.

The Supt. reported the tires continued to be loaded for shipment to Concordia, Kansas from the Tire Amnesty estimated at a collection of 200 Tons. He reported on a GIS product for city utilities for tracking and replacing infrastructure needs. Discussion was held for discussing at the August meeting the annual and initial installation costs. He reported the pool boiler was unhooked completely before July 1<sup>st</sup> to comply with state regulations and the old pump was operational with a backup pump available if needed for the remainder of the pool season. Discussion was held for replacing the shower curtains in the Pavilion prior to the county fair. *Wanek moved to approve the City Superintendent as presented.* Seconded by Wilkinson. Roll call votes in favor were Wilkinson, Hughes, Wanek. Opposed: None. Absent: Miller. Motion carried.

Supt. Bly reported for Generation Capler who was absent for illness. Supt. Bly reported the electric improvements included poles placed across the lift station through Marshall and Fairgrounds property and would slowly start to move toward the shop.

City Attorney McNally reported that Elkhorn Rural Public Power District had filed an appeal to the supreme court on one issue with the amount of compensation for the substation. He reported the attorneys representing the City of Neligh recommended the city approach ERPPD about the transfer prior to service being made available. He also reported that the attorneys recommended a commercial electric rate for large customers such as the grain facility and to consider the same ERPPD rate used at the current time with further discussion at the August meeting. *Wilkinson moved to approve the Electric report.* Seconded by Wanek. Roll call votes in favor were Hughes, Wanek, Wilkinson. Opposed: None. Absent: Miller. Motion carried.

## **APPROVAL OF BILLS**

*Wanek moved to approve the A&R Construction Change Order #2 for \$9,700.84 for 8<sup>th</sup> street paving improvements to remove a tree and extra cement for driveways on Neligh Independent Living project.* Seconded by Wilkinson. Roll call votes in favor were Wilkinson, Wanek, Hughes. Opposed: None. Absent: Miller. Motion carried.

*Wanek moved to approve the A&R Construction Final Pay Application for \$50,057.38 for 8<sup>th</sup> street paving improvements on Neligh Independent Living project.* Seconded by Wilkinson. Roll call votes in favor were Wanek, Wilkinson, Hughes. Opposed: None. Absent: Miller. Motion carried.

*Wanek moved to approve the merit increase for Marelee Thorneberry following probationary period to \$9.64 an hour beginning with July 14<sup>th</sup> payroll.* Seconded by Wilkinson. Roll call votes in favor were Hughes, Wanek, Wilkinson. Opposed: None. Absent: Miller. Motion carried.

*Wilkinson moved to approve the bills with the exception of the Blackstrap invoice for \$1,088.10 as presented.* Seconded by Wanek. Roll call votes in favor were Wanek, Wilkinson, Hughes. Opposed: None. Absent: Miller. Motion carried.

City Attorney reported he had received correspondence from the new director at the Nebraska State Historical Office of available funding from the lottery to maintain but not improve the river bypass and would probably need a letter from the council to do a study and maintain the project.

Council member Wanek asked if a sewer grant was available for Neligh similar to the article listed in the Municipal Review. Supt. Bly will check with the City Engineer.

ED Director Steinmeyer reported that the City of Neligh received the Community of the Year Award at the Northeast Nebraska Economic Development District annual meeting in Pilger earlier that day.

There being no further business to conduct, *Wanek moved to adjourn*. Seconded by Wilkinson. Roll call votes in favor were Hughes, Wilkinson, Wanek. Opposed: None. Absent: Miller. Thereupon Council President Hughes declared the meeting adjourned. Time 9:30 P.M.

City of Neligh

---

Ted Hughes, Council President

ATTEST

---

Danielle Klabenes, City Clerk

## CERTIFICATION

I, the undersigned, City Clerk of the City of Neligh, Nebraska, hereby certify that July 11, 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)