

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

April 14, 2020

The regular meeting of the Mayor and City Council of the City of Neligh was held at the City Council Chambers on Tuesday, April 14, 2020 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 Clerk Danielle Klabenes and News Reporter Carrie Pitzer. The department heads who entered and exited the meeting one at a time to present their reports were Economic Development Director Lauren Sheridan-Simonsen, Police Chief Mike Wright, City Supt. Dean Bly and Electric Generation Supervisor Josh Capler. Notice of this meeting was given in advance thereof by publication in the Antelope County News on April 8, 2020. 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 by video streaming through Antelope County News. Mayor Hartz presided over the meeting and noted that parts of the Open Meeting Act was waived by the Governor's Executive Order No. 20-03 and that the public could participate by telephone, 402-887-4066, if they so desired. Mayor Hartz noted a copy of the Open Meetings Law was located on the east wall of the City Council Chambers. City Clerk Klabenes recorded the minutes. The Pledge of Allegiance was recited.

APPROVAL OF MINUTES

Council member Wilkinson moved to approve the March 10th regular and March 26th special meeting minutes as submitted. Seconded by Hughes. Roll call votes in favor were Wilkinson, Miller, Pickrel, Hughes. Opposed: None. Motion carried.

TREASURER'S REPORT

Clerk Klabenes reported on a couple additional vendors requesting payment through ACH as offices were working remotely during COVID-19. She reported the ACH file was already in use with another power supplier and the dual control with two-person verification would continue with the additional vendors. She reported the Dial-A-Ride had seen a significant decrease in ridership and the Nebraska Department of Transportation recently announced the local matching funds would not be required in monthly reporting due to COVID-19 resulting in about \$700 for the month of March where the state and federal grant funds picked up the local funds. She reported on the LB840 funds available for new business or expansion and the loan funds from current business loans. She reported the March and April sales tax numbers would be available in May and June. *Council member Hughes moved to approve the March 2020 Treasurer's report as presented.* Seconded by Pickrel. Roll call votes in favor were Pickrel, Wilkinson, Hughes, Miller. Opposed: None. Motion carried.

ECONOMIC DIRECTORS REPORT

Economic Development Director Lauren Sheridan-Simonsen reported the amended micro façade application for the installation of the Insurance 365 sign of \$214.66 totaled less than the grant cap of \$1,500 and requested consideration for the amended amount. *Pickrel moved to approve the amended micro facade application of \$214.66 for signage for Insurance 365.* Seconded by Wilkinson. Roll call votes in favor were Hughes, Wilkinson, Miller, Pickrel. Opposed: None. Motion carried.

The Director reported a change in the application for the New Moon Community Theater marquee as local contractor Joe Funk had volunteered his services to remove, repair and reinstall the marquee at no charge. She reported the scoring committee recommended the micro façade application to not exceed the \$1,500 cap to rebuild the tower, repair the neon New Moon sign and the electrical installation with completion by the May meeting. Discussion was held for considering the micro façade funds for a digital façade providing for the online presence and online shopping. Discussion was held that the local governing body as the City Council had discretion for the micro façade funds and application. Director Sheridan-Simonsen reported about \$20,000 remained from the initial \$50,000 as the local match for the Downtown Revitalization Grant. Mayor Hartz stated donations are welcome to keep the theater project moving forward. *Pickrel moved to approve the micro façade application of \$1,500 to rebuild the tower, repair the neon sign and the electrical installation of the New Moon Community Theater for completion by the May meeting.* Seconded by Hughes. Roll call votes in favor were Miller, Pickrel, Wilkinson, Hughes. Opposed: None. Motion carried.

ED Director Sheridan-Simonsen reported the Economic Development Board met the previous night and recommended a 90-day loan deferment for 8 existing LB840 loans with interest suspended. Discussion was held for an option to consider an extension of 90-days for re-evaluation and review after the initial 90-day deferment as the duration of the directed health measures from COVID-19 were unknown. *Hughes moved to approve a 90-day deferment of LB840 loan payments with interest suspended for the 90 days.* Seconded by Pickrel. Roll call votes in favor were Wilkinson, Hughes, Miller, Pickrel. Opposed: None. Motion carried.

The Director reported the Economic Development Board recommended \$1,500 grants to small businesses from the LB840 savings account. She reported \$25,000 from the savings account would provide 16 grants to the ED Board's list of most vulnerable businesses that closed from directed health measures such as restaurants, salons and businesses less than two years in operation. She reported the grant would require documentation to be used

for rent, mortgage, utilities or payroll. She reported an application would be drafted and approved by both the Economic Development Board and the City Attorney with the Loan Review Committee to recommend final approval to the City Council. Discussion was held for the City Attorney to review the Economic Development Plan voted on by the citizens to confirm that the use of the LB840 loan repayment funds could be dispersed by grants as recommended. The matter was tabled and no action was taken.

The Director also reported letters to all businesses including those faith based and non-profits were mailed out in addition to a survey offering support and analyzing COVID-19 impacts. She reported both Pinnacle Bank and Heritage Bank could assist businesses with emergency and paycheck programs to businesses through SBA programs. She reported the Hiring Committee for the Assistant Director had selected 4 applicants from 7 applications to interview by Zoom next week with final selection and in-person interviews in May for a projected start date of June 1. Council Member Wilkinson offered to serve on the 4 person interview committee joining one ED Board member, one Chamber of Commerce member and the ED Director. *Wilkinson moved to approve the Economic Development Director report.* Seconded by Miller. Roll call votes in favor were Wilkinson, Pickrel, Miller, Hughes. Opposed: None. Motion carried.

POLICE REPORT

Chief Wright reported his department has been screening more calls and conducting as much business over the phone as possible. *Wilkinson moved to approve the March police report of 340 calls.* Seconded by Pickrel. Roll call votes in favor were Wilkinson, Hughes, Pickrel, Miller. Opposed: None. Motion carried.

CITY SUPT. REPORT

City Supt. Bly reported the Park Board recommended hiring Kelsey Green as Pool Manager, Tia Smith as Assistant and all other applicants as lifeguards. He reported that with the uncertainty of a pool opening date, the Park Board wanted to provide projects in the park to Green such as painting projects to retain a licensed manager if the pool were to open. It was the consensus of the Council to offer the painting and park projects to Green. *Pickrel moved to approve the Park Board recommendation to hire Kelsey Green as Pool Manager at \$11.50 an hour, Tia Smith as Assistant Manager at \$11.00 an hour and lifeguard applicants at the \$.25 and \$.50 increases as established based on years of experience.* Seconded by Hughes. Roll call votes in favor were Wilkinson, Miller, Pickrel, Hughes. Opposed: None. Motion carried.

Supt. Bly reported Wanek Pharmacy had installed a window on the north side of the business to allow medication pickup without entry into the store. He reported access from main street onto the west bound drive through would use 2 parking spots and eliminate the 15 minute parking stall. He reported Wanek Pharmacy would be responsible for grinding the curb and installing the handicap sidewalk to make ADA compliant. He reported the city would be painting new parking spots. Discussion was held for both north and south traffic could turn into the new driveway on the north side of Wanek Pharmacy with the 2 main street parking spots used for access into the drive through. *Wilkinson moved to approve Wanek Pharmacy to cut the curb for the driveway and make the sidewalk handicap accessible at the pharmacy expense.* Seconded by Pickrel. Roll call votes in favor were Wilkinson, Huhges, Miller, Pickrel. Opposed: None. Motion carried.

Discussion was held for the mobile food pantry to use Riverside Park with the anticipated attendance projected to be served to be double or triple the regular attendance and the increased need during COVID-19. Clerk Klabenes reported the United Methodist Church and the city insurance carrier, LARM had both provided notice of insurance coverage for the volunteers. Lyle Juracek called into the meeting and reported grocery carts from the store would be used to move food items from the volunteer line to the vehicles so the public did not leave their vehicles. Juracek requested younger volunteers to contact him to help in moving the food items from the volunteer line to the vehicles. Discussion was held for consideration of traffic flow to drive the same direction as the Antelope County Fair to allow more cars in the line-up without backing up on the highway. Discussion was held that Neligh Police Department would assist with traffic control. *Pickrel moved to approve the use of Riverside Park for the mobile food pantry on Tuesday, April 21st.* Seconded by Hughes. Roll call votes in favor were Miller, Pickrel, Hughes, Wilkinson. Opposed: None. Motion carried.

City Supt. Bly requested consideration to reserve 5 camping spots for medical staff if staff had contracted the corona virus. He reported medical staff would use personal campers to self-quarantine from families. Discussion was held for the new 8 north hookups to be reserved for the medical staff. Discussion was held that the bathrooms would be locked but electric and water hookups would be available. Discussion was held that the camping spots would be for medical staff working at the hospital with virus patients. *Wilkinson moved to approve reserving the 8 north camping hookups in Riverside Park for the hospital medical staff if staff contracted the corona virus with camping fees waived.* Seconded by Miller. Roll call votes in favor were Miller, Hughes, Pickrel, Wilkinson. Opposed: None. Motion carried.

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

ORDINANCE 623 SMALL WIRELESS FACILITIES

City Attorney McNally reported the ordinance provided for an application for small wireless facilities would be submitted to the City Clerk and shared with the Electric Superintendent. He reported the ordinance stated a \$50 application fee was listed with the option for the City Council to amend the fee amount by

resolution with the Schedule of Fees. He reported any new poles would be inspected by the Electric Superintendent and recorded with a Bill of Sale. He reported the wireless systems would be metered for electric usage to be extrapolated by the number of systems and charged at the regular commercial rate. *Council member Wilkinson introduced the following small wireless facilities ordinance as follows:*

AN ORDINANCE ESTABLISHING STANDARDS FOR SMALL WIRELESS FACILITIES IN THE RIGHT-OF-WAY IN THE CITY OF NELIGH, NEBRASKA; REPEALING ANY ORDINANCE IN CONFLICT ; AUTHORIZING THE PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM.

And moved that the statutory rule requiring reading on three different times be suspended. Council member Miller seconded the motion to suspend the rules and upon roll call vote on the motion, the following Council members voted YEA: Wilkinson, Hughes, Pickrel, Miller. The following voted NAY: None. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule was declared suspended for consideration of said ordinances.

Said ordinances were then read by title and thereafter, *Council member Wilkinson moved for final passage of the ordinances*, which motion was seconded by Council member Miller. The Mayor then stated the questions, “Shall Ordinance No. 623 be passed and adopted?” Upon roll call vote, the following Council Members voted YEA: Pickrel, Wilkinson, Hughes, Miller. The following voted NAY: None. The passage and adoption of said ordinance, having been concurred in by three-fourths of all members of the City Council, the Mayor declared the ordinances were adopted and approved of the same and affixed his signature thereto and ordered the City Clerk to publish said ordinances in pamphlet form as prescribed by law.

ELECTRIC REPORT

Clerk Klabenes reported that NMPP was advising municipalities that while Nebraska public power utilities were not required to comply with a mandatory disconnect order that the decision was with each municipality. She reported that NMPP asked municipalities to follow the lead of Nebraska Public Power, Omaha Public Power and Lincoln Electric Systems who had suspended disconnections during the period of uncertainty. She reported that area municipalities were continuing with current procedures for disconnect orders. City Attorney McNally reported this was consistent with the general policy of surrounding towns as municipal officials understood the difficulty in customers trying to catch up. It was the consensus of the council to continue with current disconnect procedures. Mayor Hartz advised anyone having difficulty with their bill to let the city office know and contact the city clerk.

Electric Generation Supervisor Capler reported the generation plant was running well. He reported of a circuit blink during recent high winds of 55 miles per hour or more and he was researching why this happened but acknowledged the difficulty in finding the culprit.

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

APPROVAL OF BILLS

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

There being no further business to conduct, *Miller moved to adjourn.* Seconded by Hughes. Roll call votes in favor were Pickrel, Miller, Hughes, Wilkinson. Opposed: None. Thereupon Mayor Hartz declared the meeting adjourned. Time 8:13 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 on April 14, 2020; 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 for public inspection at least twenty-four hours before the meeting; 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, posted during such meeting in the room in which such meeting was held.

City Clerk

(SEAL)