

MINUTES OF REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF NELIGH, NEBRASKA  
July 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, July 14, 2020 at 7:00 P.M. Present were Mayor Joe Hartz and Council Members Brent Pickrel, Leonard Miller, Dale Wilkinson and Ted Hughes. Also in attendance were Deputy City Attorney Joe McNally, City Clerk Danielle Klabenes, Economic Development Director Lauren Sheridan-Simonsen, Police Officer Darin Ternus, City Supt. Dean Bly, Electric Generation Supervisor Josh Capler, Librarian Jennifer Norton, City Engineer John Zwingman and News Reporter Carrie Pitzer. Notice of this meeting was given in advance thereof by publication in the Antelope County News on July 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 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**

*Council member Hughes moved to approve the June 9<sup>th</sup> regular and June 17<sup>th</sup> special meeting minutes as submitted.* Seconded by Pickrel. Roll call votes in favor were Miller, Hughes, Wilkinson, Pickrel. Opposed: None. Motion carried.

#### **TREASURER'S REPORT**

Clerk Klabenes reported that CARES ACT funding had contributed approximately \$1,600 to transit agencies including Dial-A-Ride in place of the local match from the City of Neligh for March, April and May. She reported the USDA had contacted the city office with notice of award for a \$38,200 grant towards the police car computer and radio project total of \$69,545. She thanked Assistant Chief Nelson for his work on several parts and pieces of the application. She reported the closing of the savings account for LB840 loan payments with a transfer to the checking account at the end of June and noted the split listing on the treasurer's report for reference between the two funds. *Council member Wilkinson moved to approve the June 2020 Treasurer's report as presented.* Seconded by Pickrel. Roll call votes in favor were Wilkinson, Pickrel, Hughes, Miller. Opposed: None. Motion carried.

#### **STREET PROJECTS FOR ONE-AND-SIX YEAR PLAN**

City Engineer John Zwingman reported Elkhorn Paving was planning to begin the downtown business alleys between 3<sup>rd</sup> through 5<sup>th</sup> street in August. He reported the 5<sup>th</sup> Street block in front of the Methodist Church and the 6<sup>th</sup> Street block in front of the High School were to be completed in the Spring 2021 in the next fiscal budget. He reported the current one-year street projects listed in the plan were completed which included Wylie Drive, the downtown business alley between 3<sup>rd</sup> and 4<sup>th</sup> Street and two intersections. He reported the 5<sup>th</sup> and 6<sup>th</sup> Street projects for next spring would be moved to the one-year plan. Discussion was held for listing D Street, 3 blocks of graveled streets along Q Street and 2 blocks of graveled streets on 10<sup>th</sup> Street on the one-year plan. Discussion was held for considering the road south of the Old Mill Bridge and the Riverside Park Lane. Discussion was held for setting a public hearing date for the One-and-Six Year Street Plan to coordinate with the budget hearing to comply with new guidelines on the street plan submission. *Council member Hughes moved to set a public hearing for the One-and-Six Year Plan for September 8<sup>th</sup> at 7:30PM.* Seconded by Pickrel. Roll call votes in favor were Miller, Pickrel, Hughes, Wilkinson. Opposed: None. Motion carried.

#### **WATER INFRASTRUCTURE PROJECTS AND FINANCING OPTIONS**

Engineer Zwingman reported on a federal grant option through the USDA and Department of Economic Development for the future water infrastructure project along east Highway which must be completed by 2022. He reported the federal funds required a study to show the need for the project and obtain approval from the

water and wastewater division to qualify for a 10-15% grant. He reported the study was estimated to take 60-90 days to completed estimated at a cost of \$25,000. He reported the cost estimates from December 2019 were the water infrastructure was \$1.15 million and \$800,000 on the sewer infrastructure. He reported that following the study and submission for review, the best funding package among either the state revolving loan fund, the USDA or the Department of Economic Development would be recommended. It was noted that part of the project costs were assessable and the city had annexed the highway businesses where this project is located. The Council advised the city clerk to place discussion for a study, budget and engineer contract with costs on the August agenda. No action was taken.

### **SEMI-ANNUAL LIBRARY REPORT**

Library Director Norton reported the library had reopened to the public on June 1<sup>st</sup> with the reopening coronavirus guidelines with a mask to be worn and resumed most services except for hosting in house programs. She reported the Pub Trivia nights began in the fall through February and were extremely popular but were not hosted in the summer months to allow the outdoor seasonal activities to be enjoyed. She reported the library received two grants to include \$500 from Farmer's Pride/Land O'Lakes towards the purchase of tween book clubs and \$600 from the Nebraska Library Commission for Teen Night games such as corn hole, ladder ball, and Wii games. She reported that while the library was closed to the public due to the virus, the library continued to serve the public with book delivery services by utilizing the entryway as well as notary services. She reported the summer reading program looked different this summer with weekly activity packets including STEM kits for a science based activity. She reported that she submitted a grant for digital technology of approximately \$3,000 for Wi-fi extenders outside of the library to strengthen the internet signal and awaited notice of award. Mayor Hartz thanked the library staff for all the work they did in handling the virus. *Wilkinson moved to approve the semi-annual library report as presented.* Seconded by Miller. Roll call votes in favor were Wilkinson, Miller, Hughes, Pickrel. Opposed: None. Motion carried.

### **ORDINANCE 625 ELECTRIC INCENTIVE TO NEW BUSINESSES REFERRED TO AS SEAT**

ED Director Sheridan-Simonsen reported the ED Board had discussed that businesses have opened with one employee instead of two as listed in the ordinance presented. Discussion was held for amending the requirement in Section 2 from two full or part-time employees to one full or part-time employee. The matter was tabled to the following meeting. No action was taken.

### **SPECIAL DESIGNATED LIQUOR LICENSES**

*Wilkinson moved to approve the special designated liquor licenses for Clearwater Legion in August and Neligh Legion in September at the Antelope County Fair Building.* Seconded by Hughes. Roll call votes in favor were Pickrel, Wilkinson, Miler, Hughes. Opposed: None. Motion carried.

### **ECONOMIC DIRECTORS REPORT**

Clerk Klabenes reported that the transfer of unused CDBG Downtown Revitalization funds was being revised and recommended the matter be moved to the following meeting. ED Director reported the extension request on the New Moon Theater was not being requested and no action was needed. She reported one LB840 emergency grant application would be presented at the August meeting. She also reported the ED Board was considering a timeline to wrap up the Emergency grant funds. She reported the DTR program was wrapping up with final invoices to be presented at the August meeting. She reported the DTR grants will conclude with about \$650,000 in downtown Neligh improvements. She reported volunteers were needed for the Chamber of Commerce barbeque during the county fair and one change in the meal included prepacked items to comply with the current directed health measures as well as spaced out tables and encouragement for to-go meals. She reported Intern Lydia Behnk was updating the 2014 strategic plan with nuisance property listings and photo documentation. The Director reported Intern Behnk and Assistant Director Brugman were wonderful additions to the office. *Hughes moved to approve the Economic Development Director report.* Seconded by Miller. Roll call votes in favor were Pickrel, Hughes, Wilkinson, Miller. Opposed: None. Motion carried.

## **POLICE REPORT**

Police Officer Darin Ternus reported for Chief Wright who was attending to a police call. Discussion was held for a caution sharp curve sign with a flashing light as a warning prior to the curve coming into Neligh along East Highway 275. Discussion was held that the State of Nebraska would need to grant approval for the sign and light along the highway. It was the consensus of the council to recommend that the Police Chief pursue a sharp curve sign with a flashing light for the entry into Neligh. Discussion was held that the dog leash law was in effect both in the park and in the city limits per city ordinance. *Hughes moved to approve the June police report of 412 calls.* Seconded by Pickrel. Roll call votes in favor were Miller, Hughes, Pickrel, Wilkinson. Opposed: None. Motion carried. Mayor Hartz thanked the officers for their work and asked that they all be careful. Thanks were extended to Asst. Chief Nelson for his work on the police equipment grant.

## **CITY SUPT. REPORT**

Mayor Hartz reported that the current minimum charge amount at the compactor was \$5 and discussion had been on increasing the minimum to \$25. He reported setting up an account for large users. He reported on the higher fees incurred in the solid waste and in billing many small charge accounts. He reported that solid waste companies were buying other solid waste companies and changes were coming up. Supt. Bly reported that while the city waited for firm information on the solid waste companies reorganizing, the council could consider the compactor minimum charge of \$25 at this time. Discussion was held that the billing software for the compactor fees was not integrated with the utility billing software yet. Discussion was held that while utility bills could be paid online or through ACH, the compactor invoices were not integrated causing late fees on many small \$5.00 separate compactor fee invoices that would not be an issue if the minimum charge amount was raised. *Miller moved to set the minimum charge account to \$25.00 at the compactor.* Seconded by Hughes. Roll call votes in favor were Wilkinson, Hughes, Pickrel, Miller. Opposed: None. Motion carried.

City Supt. Bly reported Antelope County is going to grind Cemetery Road with a relay, pack and armor coat twice. He reported the city share of the 270 feet was approximately \$3,000. Discussion was held for obtaining a quote for armor coating Wylie Drive in the 2020-2021 budget. Discussion was held for obtaining a quote for a different oil application to seal Wylie Drive.

The Supt. reported the Park Board recommended hiring an additional lifeguard for the swimming pool and recommended the hiring of Julie Hearn after successful passing of a pre-employment drug test per city policy. *Wilkinson moved to hire Julien Hearn as an additional lifeguard for the Neligh Pool following pre-employment drug testing.* Seconded by Miller. Roll call votes in favor were Wilkinson, Hughes, Pickrel, Miller. Opposed: None. Motion carried.

*Council member Wilkinson moved to allow private swimming lessons and pool parties with proper sanitization before and after and following current directed health measures for the number of people as recommended by the Park Board.* Seconded by Pickrel. Roll call votes in favor were Pickrel, Wilkinson, Hughes, Miller. Opposed: None. Motion carried.

Mayor Hartz explained that the Park Board recommended the pool apparatus be opened up with the current directed health measures lightened since opening the pool and he advised the Pool staff to do so before the Council met. *Hughes moved to ratify the mayor's action to open the swimming pool apparatus including the diving boards, slide and basketball hoop with sanitization every 2 hours as recommended by the Park Board.* Seconded by Pickrel. Roll call votes in favor were Miller, Hughes, Wilkinson, Pickrel. Opposed: None. Motion carried.

Council member Wilkinson presented a drawing for adding 8 camper pad sites to Penn Park following approval by the Park Board. He reported the plan provided a cheaper option to adding camper pads at the location south of the sand volleyball courts and utilized the existing road in the park. He reported we would visit with the Tree Board about removing 3 trees and adding 8 trees to the site. He reported that Electric Generation Supervisor Capler would prepare costs estimates for the electrical for the budget workshop. Discussion was held for placing the camper pads on the west side of the park road rather than the east side with an existing water line. Discussion was held for the dump station to be located on the west side of the road. *Wilkinson moved to*

*approve the Penn Park camping plan presented pending budget planning for the next fiscal year.* Seconded by Pickrel. Roll call votes in favor were Miller, Pickrel, Wilkinson. Opposed: Hughes. Motion carried.

The Supt. also presented a plan for assigning two parking spots in front of Wanek Pharmacy for the drive through on the north side of the business by painting lines across the area to designate the drive thru. He requested authorization to remove the 15-minute parking sign and allocate the two parking spots presented for the pharmacy drive thru. *Hughes moved to block off 2 parking spaces on main street for the Wanek Pharmacy drive thru in line with the driveway.* Seconded by Wilkinson. Roll call votes in favor were Wilkinson, Miller, Pickrel, Hughes. Opposed: None. Motion carried.

Supt. Bly reported Johnson's Plumbing of Kearney had been cleaning sand from the sewer line from the west manhole near the city office to the east along 2<sup>nd</sup> Street to north of the former OK Tire Store. He reported approximately 7 yards of sand was removed before a camera viewed the line and found no problems or points where the sand was entering the sewer line. He reported the camera then ran thru the sewer line on 3<sup>rd</sup> Street and did not find any problems. He reported that he believed the sand was a result of the new sewer line installed during ESU's construction and the time it took for the sand to deposit and move through the sewer line. He also reported the fence north of the Grandstand to the north ballfield in Riverside was completed as the City installed the posts and the Fair Board installed the tin. *Wilkinson moved to approve the City Supt. report as presented.* Seconded by Hughes. Roll call votes in favor were Wilkinson, Hughes, Miller, Pickrel. Opposed: None. Motion carried.

## **ELECTRIC REPORT**

Electric Generation Supervisor Capler reported a power outage due to storms and had restored power that night. He reported that the capability test for the generation plant was going to be postponed temporarily. He reported discussions with MEAN led to information for purchasing a monitor estimated at \$300 to self-administer the capability test instead of having MEAN come on site each year to do so. He reported the capability test could then be run with the monthly tests. He reported the Urge test was approaching in 2021 as this was performed every 5 years. Deputy City Attorney Joe McNally reported the IRP report commented on energy savings programs. *Hughes moved to approve the Electric report.* Seconded by Pickrel. Roll call votes in favor were Pickrel, Miller Hughes, Wilkinson. Opposed: None. Motion carried.

## **APPROVAL OF BILLS**

The ED Director reported the Gift Card Match program approval last month of \$14,225 did not include the business match of \$5,000 for the total distributed to the businesses of \$19,225 and requested a correction. *Wilkinson moved to ratify the clerk's action to pay the correct amount of the Gift Card Match program to include the customer match for a total of \$19,225.* Seconded by Miller. Roll call votes in favor were Wilkinson, Pickrel, Miller, Hughes. Opposed: None. Motion carried.

Director Sheridan-Simonsen reported the last drawdown #35 had some calculations needed to close out the grant and requested the final drawdown be resubmitted at the following meeting. Mayor Hartz thanked all the businesses that took the effort and time to hire contractors to use the grant to improve and update the downtown district.

Discussion was held for meeting for a budget workshop on Thursday, August 20<sup>th</sup> at 5:30PM. Discussion was held for reviewing a cost of living percentage of increase and hourly or salary wage changes by job title over the last 3 years.

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

There being no further business to conduct, *Miller moved to adjourn.* Seconded by Pickrel. Roll call votes in favor were Hughes, Wilkinson, Miller, Pickrel. Opposed: None. Thereupon Mayor Hartz declared the meeting adjourned. Time 9:11 P.M.

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Joe Hartz, Mayor

ATTEST

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Danielle Klabenos, City Clerk

## CERTIFICATION

I, the undersigned, City Clerk of the City of Neligh, Nebraska, hereby certify that on July 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 and accessible to members of the public, posted during such meeting in the room in which such meeting was held.

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City Clerk

(SEAL)