

MINUTES OF SPECIAL MEETING OF THE NELIGH MAYOR AND CITY COUNCIL
May 28, 2020

A special meeting of the City Council of the City of Neligh was held on Thursday, May 28, 2020 at 5:30 P.M. at the City Council Chambers. Present were Mayor Joe Hartz and Council Members Dale Wilkinson, Brent Pickrel, Leonard Miller and Ted Hughes. Also in attendance were City Attorney Jim McNally, City Clerk Danielle Klabenes, News Reporter Carrie Pitzer and Baseball Board Members Diann Arehart and Brett Arehart. Also in attendance in an adjoining room in order to comply with the Governor's 10-person rule and social distancing, were City Supt. Dean Bly, Park Supt. Rachel Shrader and Park Board Member Nick Ramold. Notice of the meeting was given in advance thereof by posting in four public places on May 21, 2020. A copy of the City Council acknowledgement of receipt of notice and the agenda is attached to the minutes. 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 Meetings Act were 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. Clerk Klabenes recorded the minutes. The Pledge of Allegiance was recited.

YOUTH SPORTS GUIDELINES EFFECTIVE JUNE 1

City Attorney McNally reported on multiple documents offered by the League of Nebraska Municipalities in response to the Governor's guidelines for youth sports, in particular baseball and softball effective June 1. He reported he did not recommend the City Council adopt the League's License or Addendum Agreements proposed as the documents transferred the liability from the city to the coaches personally within the ball program. He reported the License and Addendum made the baseball program responsible for all COVID-19 rules and regulations and did not recommend the council pass this responsibility onto the baseball volunteers. He reported the city had the protection of the Municipal Tort Act stating that the city could not be sued unless the city was egregiously negligent. He reported that a signed waiver by each participant relieved the city of the responsibility as the participants are assuming the risk of contracting the virus by participating.

The City Attorney did recommend that the City Council adopt the Resolution which stated the city was permitting the use of the ball fields and facilities as long as the participants assume the responsibility for themselves and to assume that responsibility, a waiver must be signed. He reported the signed waiver did not release the city of the responsibility to comply with the Governor's guidelines and city personnel would need to follow the Governor's guidelines.

Discussion was held for a system for coaches to collect signed waivers at the first practice and for the coaches to submit the signed waivers to the city clerk for official record, as the Resolution stated. Discussion was held for opposing teams to submit signed waivers for their teams with the help of their city clerks in corresponding between towns. Discussion was held for the same waiver to be signed and collected for adult softball teams playing on the ball fields. Discussion was held for opening restrooms for games only and a sanitizing schedule. City Attorney McNally advised that city employees should sanitize the restrooms. Discussion was held that the restrooms would be sanitized after the first game at 2 hours, closed after the games and sanitized again in the morning by city personnel. Diann Arehart reported the Ball Board would sanitize the

dugouts and help enforce the 6-foot social distancing. Discussion was held for multiple copies of signage made by the League of Nebraska Municipalities in compliance with the Governor's guidelines to be placed at each ball field and dugout, the restrooms and concession stand.

Hughes introduced and move for passage Resolution 2020-3 regarding the risk of exposure to COVID-19 through the use of municipal property for youth baseball and softball and moved to approve the waiver known as the Participant Agreement provided. Seconded by Pickrel. Roll call votes in favor were Wilkinson, Pickrel, Miller, Hughes. Opposed: None. Thereupon Mayor Hartz declared Resolution 2020-3 adopted.

SWIMMING POOL, TRANSIT SERVICES AND CITY HALL LOBBY

Discussion was held that the Governor's further guidelines for swimming pools had not been shared yet. The council advised the City Supt. and Park Supt. to begin filling the pool and prepare to open with follow up discussion of further guidance of the Governor's office to be held at the regular June meeting. Discussion was held for signage and announcements on the loud speaker of the social distancing rules. Mayor Hartz recognized Boy Scout Dylan Wright in his work for a Community Merit Badge as he inquired and shared written concerns with opening the swimming pool for the summer.

Discussion was held for resuming transit services on June 1st to transport people as was done before COVID-19. Discussion was held for two requirements to include pre-screening each rider with a checklist of health questions to be signed by each rider and wearing a mask. Discussion was held that the transit bus would be the vehicle used as measures were taken to protect the driver and rider and provide the 6-foot social distance. Discussion was held that the bus would be sanitized after each rider. Discussion was held for resuming Sunday church services on May 31st.

Discussion was held for opening the City Office lobby effective June 1st with the construction of the vestibule now completed.

There being no further business to conduct Council member Miller motioned to adjourn the meeting, seconded by Wilkinson. Roll call votes in favor were Miller, Wilkinson, Hughes, Pickrel. Opposed: None. Thereupon Mayor Hartz declared the meeting adjourned. Time: 6:36 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 the foregoing is a true and correct copy of proceedings had and done by the Council on May 28, 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 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.

(SEAL)

Danielle Klabenes, City Clerk