

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

June 9, 2020

The regular meeting of the Mayor and City Council of the City of Neligh was held at the City Council Chambers on Tuesday, June 9, 2020 at 7:00 P.M. Present were Mayor Joe Hartz and Council Members Dale Wilkinson, Brent Pickrel, Ted Hughes and Leonard Miller. Also in attendance were City Attorney Jim McNally, City Clerk Danielle Klabenes, News Reporter Jenny Higgins, Adam Mortensen, DeManda McGowen, Economic Development Director, Lauren Sheridan-Simonsen, Asst. Police Chief Kraig Nelson, 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 June 3, 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 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. 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 May 12<sup>th</sup> regular and May 28<sup>th</sup> special meeting minutes as submitted.* Seconded by Hughes. Roll call votes in favor were Wilkinson, Miller, Hughes, Pickrel. Opposed: None. Motion carried.

### **TREASURER'S REPORT**

Clerk Klabenes reported she was awaiting award from FEMA for federal funds on the Penn Park riverbank stabilization project. She reported that CARES ACT funding for Nebraska cities and counties was to be distributed by December 31 and was awaiting filing details. She reported the financial impacts of COVID-19 on various departments and noted the March sales tax received in May had increased. Mayor Hartz thanked all communities in Antelope County that support Neligh businesses. *Council member Miller moved to approve the May 2020 Treasurer's report as presented.* Seconded by Pickrel. Roll call votes in favor were Pickrel, Wilkinson, Hughes, Miller. Opposed: None. Motion carried.

Clerk Klabenes recapped the discussion from last month with combining the LB840 checking and savings accounts into one account. She reported she consulted with the auditors as requested and the auditors did not see a reason to separate the accounts as long as the funds were recorded in separate general ledger accounts for accounting purposes as currently recorded. *Hughes moves to authorize the City Clerk and Mayor to combine the LB840 checking and saving accounts into one account at Pinnacle Bank.* Seconded by Wilkinson. Roll call votes in favor were Miller, Pickrel, Hughes, Wilkinson. Opposed: None. Motion carried.

### **PUBLIC HEARING COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR DOWNTOWN REVITALIZATION**

Mayor Hartz declared the hearing opened for input, comments or opinions regarding the program performance for the Community Development Block Grant funds of \$350,000 of Downtown Revitalization funds awarded to the City of Neligh. Time: 7:10 P.M. Clerk Klabenes reported on the split of current project costs expended of commercial rehabilitation \$605,039.50 noting that \$296,216.55 were CDBG grant funds and \$308,822.95 of matching funds, construction management \$5,155.39 and general administration \$14,905.58. Discussion was held that two projects were working to finish projects with their expenses dated on or before the June 22<sup>nd</sup> deadline. Discussion was held for consideration of unused construction management and administration funds to be applied toward commercial rehabilitation at the July meeting. The hearing was left open.

There being no comments or opinions heard, Mayor Hartz declared the hearing closed at 8:40 P.M. Seconded by Hughes. Roll call votes in favor were Wilkinson, Pickrel, Miller, Hughes. Opposed: None. Motion carried.

### **CITIZENS ADVISORY REVIEW COMMITTEE SEMI-ANNUAL REPORT**

Mayor Hartz declared the hearing open at 7:12 P.M. DeManda McGowen reported for the Citizens Advisory Review Committee. She reported the committee liked to see the revolving loan funds for new loans and the committee was hopeful for a new business loan before the next semi-annual meeting. She reported one original committee member, Jon Schilling, had served 7 years before resigning. She reported Jill Kallhoff had been appointed to fill Schilling's seat on the committee. There being no public comments heard, Mayor Hartz declared the hearing closed at 7:28 P.M. *Council member Hughes moved to approve the LB840 report by the Citizens Advisory Review Committee as presented.* Seconded by Pickrel. Roll call votes in favor were Miller, Hughes, Pickrel, Wilkinson. Opposed: None. Motion carried.

### **NELIGH YOUNG MEN'S CLUB STREET CLOSURE**

Adam Mortensen of the Neligh Young Men's Club requested consideration for the Old Mill Days festivities

as the club would try to do as many events within the July guidelines which were not set yet. He reported the fishing contest was still being planned as the event allowed for people to separate from each other and comply with social distancing. He reported the club was planning a corn hole tournament with family teams within the recommended social distancing guidelines. He reported the difficulty in hosting a parade with extending the route with the public in their vehicles as people would go to other property owner's yards and the difficulty with logistics of the event. He reported the pancake feed would not be held this year. He requested consideration for a street closure on 3<sup>rd</sup> Street for the corn hole tournament. Discussion was held that if a special designated liquor license was submitted for the corn hole tournament that the city council would need to meet the following week for a special meeting to consider the application within the timeframe allowed by the Liquor Control Commission. *Wilkinson moved to approve a street closure from Main Street to the alley east on 3<sup>rd</sup> Street for the Neligh Young Men's Club corn hole tournament and the Neligh Young Men's Club celebration for Old Mill Days as long as adhered to the corona virus guidelines as established by the Nebraska Governor.* Seconded by Hughes. Roll call votes in favor were Wilkinson, Miller, Pickrel, Hughes. Opposed: None. Motion carried.

## **COMMUNITY DAY BONUS**

*Wilkinson moved to approve July 4<sup>th</sup> as the Keno Community Day Bonus for the City of Neligh during the annual Old Mill Days Celebration.* Seconded by Pickrel. Roll call votes in favor were Pickrel, Wilkinson, Miller, Hughes. Opposed: None. Motion carried.

## **APPOINTMENTS**

Mayor Hartz recommended the re-appointments of Tom Parks to the Neligh Housing Authority 5-year term, Dennis Koch to the Board of Adjustment 3-year term, Lance Sanne to the Planning Commission 3-year term, Megan Wingate to the Library Board 4-year term and Council Member Leonard Miller to the Northeast Nebraska Economic Development Council of Officials Representative 1-year term. *Hughes moved to approve the appointments as presented.* Seconded by Pickrel. Roll call votes in favor were Hughes, Wilkinson, Pickrel, Miller. Opposed: None. Motion carried.

## **ECONOMIC DIRECTORS REPORT**

Economic Development Director Lauren Sheridan-Simonsen requested consideration for a \$3,000 contribution to a shared internship with the Neligh Area Community Foundation. She reported Lydia Behnk was one of thirteen interns accepted for the Hometown Internship with Nebraska Community Foundation to split the \$6,000 internship between Neligh Area Community Foundation and Neligh Economic Development. She reported on multiple projects for the 11-week program which included an entrepreneurship with schools and updating the city strategic plan. She reported the ED Board requested \$3,000 toward the program which Behnk would be a direct employee of the Nebraska Community Foundation. *Council member Hughes moved to approve a \$3,000 contribution for the Hometown Internship program for Lydia Behnk.* Seconded by Miller. Roll call votes in favor were Wilkinson, Pickrel, Hughes, Miller. Opposed: None. Motion carried.

Discussion was held for the electric incentive ordinance for start-up, expanding, acquisition and transitional businesses, referred to as the SEAT ordinance. City Attorney McNally asked the council to determine if the incentive should apply to expanding businesses and new businesses. Discussion was held for the program to target new businesses coming to Neligh in the form of transition and new businesses to help these businesses financially get started. Discussion was held that an expanding business would already be established and more financially secure than a new business. It was the consensus of the Council for the City Attorney to amend the ordinance to focus on new and transition businesses for the next meeting. The matter was tabled and no action was taken.

The Director reported on two micro façade applications for the Razors Edge and Neligh Flower Shop. She reported the Razors Edge signage grant request was for \$682.09 and the Neligh Flower Shop second story windows were for \$1,500. She reported one application was withdrawn for micro façade funds which allowed the amendment to the Neligh Flower Shop under new ownership to be eligible for micro façade grant funds within the same budget. *Pickrel moved to approve the micro façade grants to Razor's Edge for \$682.09 and Neligh Flower Shop for \$1,500 from matching funds in LB840 as part of the Downtown Revitalization grant.* Seconded by Wilkinson. Roll call votes in favor were Miller, Hughes, Pickrel, Wilkinson. Opposed: None. Motion carried.

Director Sheridan-Simonsen reported one new application for \$1,500 was received for the LB840 Emergency Grant Program and the Economic Development Board recommended approval. She reported that approximately \$7,300 was available in the emergency grant funds for businesses affected by COVID-19 and she anticipated a few more applications next month. *Miller moved to approve 1 grant of \$1,500 recommended by the Economic Development Board as presented for the LB840 Emergency Grant program.* Seconded by Pickrel. Roll call votes in favor were Wilkinson, Miller, Pickrel, Hughes. Opposed: None. Motion carried.

The Director also reported the Gift Card Match program had 26 businesses enrolled which sold out in 5 days. She thanked Council member Pickrel for his assistance in developing a tracking sheet for the program. She reported two businesses were completing downtown revitalization projects to finish before the June 22<sup>nd</sup> deadline. She welcomed Bri Brugman who started in the office on June 1<sup>st</sup>. *Hughes moved to approve the Economic Development Director report.* Seconded by Wilkinson. Roll call votes in favor were Hughes, Miller, Pickrel, Wilkinson. Opposed: None. Motion carried.

## **POLICE REPORT**

Asst. Chief Nelson reported for Chief Wright who was attending to a police call. Nelson explained the May report of return calls and messages had increased the last couple of months and saw an increase in juvenile activity. Mayor Hartz thanked the officers for their work. *Wilkinson moved to approve the May police report of 412 calls.* Seconded by Pickrel. Roll call votes in favor were Hughes, Wilkinson, Miller, Pickrel. Opposed: None. Motion carried.

## **CITY SUPT. REPORT**

Mayor Hartz reported he had received a complaint for grass clippings blown into the street and requested the public compliance with blowing grass clippings into the yard.

City Supt. Bly reported the garbage collection rate the city pays for solid waste at the landfill had increased from \$28 per ton to \$42 a ton effective that week, despite a contract the city has for another 4 years. He reported he was planning to ask the council to consider increasing the tonnage rate prior to receiving the notice but with notice of the increased garbage rate in the last few days, he advised that the council consider an increase tonnage rate at the July meeting to allow time to gather additional cost information before setting a price. City Clerk Klaben reported Neligh was one of three cities with contracts that were not going to be honored at the lower agreed upon contract price. Council member Pickrel suggested a re-evaluation of trash can receptacles. No action was taken.

Mayor Hartz reported that this may be a good time to re-assess charge accounts at the compactor with an application process and setting a higher minimum amount for charging at the compactor. Discussion was held for researching private hauler rates in surrounding cities.

The Supt. reported the swimming pool had a water leak outside the shower rooms that was fixed and later in the week the concrete to replace the deck open to make the repair would be done. He reported a second leak at the pool was detected the prior day inside the pit which was fixed too. He reported the city employees were going to try to fill the pool the following day and see if any other repairs were needed but he was hopeful that the pool may be ready to open the following week. Discussion was held for a list of rules for the pool staff, patrons and pool season to comply with the Governor's guidelines in response to COVID-19. Discussion was held for all patron admission into the swimming pool to sign a waiver referred to as the Recreation Participants Agreement as recommended by the City Attorney and to include the waiver to the list of rules presented. *Hughes moved to open the swimming pool subject to the rules set forth by the City Supt and City Clerk and to include the Recreation Participants Agreement for admission into the pool.* Seconded by Pickrel. Roll call votes in favor were Wilkinson, Miller, Pickrel, Hughes. Opposed: None. Motion carried.

Supt. Bly requested guidance on opening playground equipment in the park to the public. Discussion was held for signage to be placed at the playground equipment that patrons using the equipment are entering to play at their own risk and assume the risk of playing on the equipment. Discussion was held for opening up the bathrooms in the park with a cleaning schedule of every 2 hours and closing at night, as previously voted on by the city council for the baseball program. *Pickrel moved to open the playground equipment and restrooms under the supervision of the City Supt.* Seconded by Hughes. Roll call votes in favor were Miller, Pickrel, Wilkinson, Hughes. Opposed: None. Motion carried.

Discussion was held for the 8 campground pads reserved for medical staff to self quarantine if needed and to reduce the reservation to 2 spots and open 6 camping pads to the public. It was the consensus of the council to retain a reservation of 2 camping spots for medical staff. The Supt. also reported that city employees would be working on repairing D Street as Antelope County was unable to help with repairs. *Miller moved to approve the City Supt. report as presented.* Seconded by Pickrel. Roll call votes in favor were Wilkinson, Hughes, Miller, Pickrel. Opposed: None. Motion carried.

## **ELECTRIC REPORT**

Electric Generation Supervisor Capler reported a minor outage was due to trees in the high winds. He reported the new south ball field scoreboard would be finished soon and ready before games began. He reported the generation plant was running well and the capability test for the year was scheduled for July 1<sup>st</sup>. Discussion was held for the camping plans in Penn Park to be included in the next fiscal year budget. *Hughes moved to approve the Electric report.* Seconded by Wilkinson. Roll call votes in favor were Pickrel, Hughes, Wilkinson, Miller. Opposed: None. Motion carried.

## **APPROVAL OF BILLS**

Discussion was held that 21 businesses were recipients of the Gift Card Match program of \$10,000 from LB840 funds with \$14,225 going to businesses. *Wilkinson moved to approve \$14,225 from LB840 funds for the Gift Card Match program.* Seconded by Hughes. Roll call votes in favor were Pickrel, Miller, Hughes, Wilkinson. Opposed: None. Motion carried.

*Pickrel moved to approve Drawdown 33 for façade improvements of \$4,401.40 to Wanek Pharmacy and Drawdown 34 for general administration to Northeast Nebraska Economic Development District of \$870.00.* Seconded by Wilkinson. Roll call votes in favor were Pickrel, Wilkinson, Hughes, Miller. Opposed: None. Motion carried.

*Wilkinson moved to approve the bills as presented.* Seconded by Miller. Roll call votes in favor were

Hughes, Miller, Pickrel, Wilkinson. Opposed: None. Motion carried.

There being no further business to conduct, *Miller moved to adjourn*. Seconded by Wilkinson. Roll call votes in favor were Hughes, Wilkinson, Miller, Pickrel. Opposed: None. Thereupon Mayor Hartz declared the meeting adjourned. Time 8:41 P.M.

City of Neligh

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Joe Hartz, Mayor

ATTEST

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Danielle Klabenes, City Clerk

### **CERTIFICATION**

I, the undersigned, City Clerk of the City of Neligh, Nebraska, hereby certify that on June 9, 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.

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City Clerk

(SEAL)