

MINUTES OF REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF NELIGH, NEBRASKA  
December 14, 2021

The regular meeting of the City Council of the City of Neligh was held at the City Council Chambers on Tuesday, December 14, 2021 at 7:00 P.M. Present were Mayor Joe Hartz and Council Members Ted Hughes, Dale Wilkinson, Brent Pickrel and Leonard Miller. Also in attendance were City Attorney James McNally, City Clerk Danielle Klabenes, Economic Development Director Lauren Sheridan-Simonsen, Generation Supervisor Josh Capler, Police Chief Mike Wright, Ron Westlake and Boyd Pedersen. Notice of this meeting was given in advance thereof by publication in the Antelope County News on December 8, 2021. 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 November 9<sup>th</sup> regular meeting minutes as presented.* Seconded by Pickrel. Roll call votes in favor were Miller, Pickrel, Wilkinson, Hughes. Opposed: None. Motion carried.

**TREASURER REPORT**

Clerk Klabenes reported that the City Engineer notified her earlier in the day that the State Revolving Loan Fund for the water and sewer project currently awarded for a 20% loan forgiveness may increase to 30-35%. She reported the City Engineer was meeting with loan representatives next week to confirm the new amount. She reported the pool liner lease purchase agreement was confirmed with American Exchange Bank of Elmwood for 1.6%. She reported both local banks had passed on the lease purchase agreement. *Council member Wilkinson moved to approve the November 2021 Treasurer's report as presented.* Seconded by Pickrel. Roll call votes in favor were Wilkinson, Pickrel, Hughes, Miller. Opposed: None. Motion carried.

**ANTELOPE COUNTY MUSEUM APPRECIATION OF CITY EMPLOYEES**

Ron Westlake, Antelope County Museum Curator, expressed his appreciation to Bri O'Brien of the Economic Development office, Dan Donaldson and the public works employees, Mike Wright of the Police department and the City Office for all of their help with a variety of projects and events. Westlake reported that the museum website has seen an increase in viewers and to be eligible to qualify for grants, the museum must have a web presence. Boyd Pedersen also thanked the Council for the use of Fred Penn Park for the Neligh Young Men's Club fireworks display. He stated that the Penn Park area was priceless for hosting such an event. Westlake reported he was offering a yearly membership to the museum for the employees to bring their families through the museum. No action was taken.

**ORDINANCE 638 VACATING AN ALLEY IN BLOCK 133**

City Attorney McNally reported the ordinance presented was to vacate the south half of the alley in Block 133. He reported the ordinance provided that the city retained utility rights. He reported the ordinance provided that if any citizen sustained any damages that a claim had to be filed within 30 days of the ordinance passage or else would be extinguished. *Council member Wilkinson introduced the following ordinance entitled as follows:*

*AN ORDINANCE OF THE CITY OF NELIGH, ANTELOPE COUNTY, NEBRASKA, VACATING THE SOUTH HALF OF THE NORTH/SOUTH ALLEY IN BLOCK 133 OF THE CITY OF NELIGH; PROVIDING FOR RETAINMENT OF UTILITY RIGHTS;*

*And moved that the statutory rule requiring reading on three different times be suspended.* Council Member Hughes seconded the motion to suspend the rules and upon roll call vote on the motion, the following Council Members voted YEA: Pickrel, Wilkinson, Miller, Hughes. 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 ordinance.

Said ordinance was then read by title and thereafter, *Council member Wilkinson moved for final passage of the ordinance*, which motion was seconded by Council member Miller. The Mayor then stated the question, "Shall Ordinance No. 638 be passed and adopted?" Upon roll call vote, the following Council Members voted YEA: Wilkinson, Miller, Pickrel, Hughes. 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 ordinance was adopted and approved of the same and affixed his signature thereto and ordered the City Clerk to publish said ordinances one time as prescribed by law.

#### **RESOLUTION 2021-16 YEAR END CERTIFICATION OF CITY STREET SUPERINTENDENT**

*Hughes introduced and moved for passage Resolution 2021-16 authorizing the Mayor to sign a Year End Certification verifying that the City Engineer was appointed in 2021.* Seconded by Pickrel. Roll call votes in favor were Miller, Hughes, Pickrel, Wilkinson. Opposed: None. Thereupon Mayor Hartz declared Resolution 2021-16 adopted.

#### **RATIFY THE ACTION OF THE CITY CLERK, LARM REPRESENTATIVE AT THE ANNUAL MEETING SEPTEMBER 2021**

*Hughes moved to ratify the action of the City Clerk, LARM representative, identified in the draft minutes of the LARM Annual Meeting on September 22, 2021 including the election of nominees to the LARM Board of Directors.* Seconded by Pickrel. Roll call votes in favor were Pickrel, Miller, Hughes, Wilkinson. Opposed: None. Motion carried.

#### **LB840 REPORT FROM CITIZENS ADVISORY REVIEW COMMITTEE**

Representatives were unable to attend the meeting. This report was tabled to next month.

#### **APPOINTMENTS**

Mayor Hartz recommended the re-appointment of Tonya Strom to the Park Board for a 3-year term, the re-appointment of Benny Taylor to the Planning Commission for a 3-year term and the new appointment of David Buller to the Board of Adjustment for a 3-year term. Mayor Hartz reported one vacancy remained on the Park Board for an appointment to be made yet. *Miller moved to approve the appointments as presented.* Seconded by Pickrel. Roll call votes in favor were Wilkinson, Pickrel, Miller, Hughes. Opposed: None. Motion carried.

#### **EMPLOYEE HEALTH INSURANCE RENEWAL**

Clerk Klabenes reported 4 health insurance estimates were quoted with Blue Cross Blue Shield, United Healthcare, Medica and Allstate. She reported the current policy renewal showed a 9.10% increase in premium with the same deductible and coinsurance amounts. She reported United Healthcare quoted a 8.33% premium increase compared to the current policy with the same coinsurance but increased out of pocket costs. She reported that Medica offered a 4.96% premium increase with a 10% better coinsurance and the same deductible. She reported Allstate offered a 30.92% decrease in premium with same co-insurance and lower out of pocket costs. She reported the quote was based on perfect health of employees before new applications were taken and she was informed that current claims in 2021 provided that the city would not be eligible for this low rate. She reported this was the first year Allstate entered the group health plan and suggested monitoring the company for another year before considering new applications and changing policies too soon as the city had experienced with new companies in the past. She reported the employees met the previous week to review the 4 options and requested consideration to retain Blue Cross Blue Shield with a known and consistent track record. Discussion was held that if Allstate was an option next year that consideration would be made to review Allstate further. *Hughes moved to*

*approve the Blue Cross Blue Shield HSA22N plan for employee health insurance with a January 1, 2022 renewal. Seconded by Pickrel. Roll call votes in favor were Wilkinson, Miller, Hughes, Pickrel. Opposed: None. Motion carried.*

#### **RESOLUTION 2021-17 INTERLOCAL AGREEMENT WITH NORTHEAST NEBRASKA ECONOMIC DEVELOPMENT FOR CDBG ADMINISTRATION**

Clerk Klabenes reported that Nebraska Economic Development had updated its bylaws to include the listing of administration services that were already provided, but formally were not listed in the bylaws. She reported the interlocal agreement was made to inform cities that the Northeast Nebraska Economic Development did provide administration services for the Community Development Block Grant (CDBG) program. *Council member Pickrel introduced and moved for passage Resolution 2021-17 approving an Interlocal Agreement with Northeast Nebraska Economic Development District to include CDBG administration. Seconded by Hughes. Roll call votes in favor were Pickrel, Hughes, Wilkinson, Miller. Opposed: None. Thereupon Mayor Hartz declared Resolution 2021-17 adopted.*

#### **RESOLUTION 2021-18 UPDATED LOCAL EMERGENCY OPERATION PLAN**

Clerk Klabenes reported updates to contact names and phone numbers were made to the county wide operations plan for disasters. She requested the council to consider the resolution acknowledging those updates were made. *Council member Pickrel introduced and moved for passage Resolution 2021-18 adopting an updated Local Emergency Operation Plan with Antelope County. Seconded by Wilkinson. Roll call votes in favor were Miller, Pickrel, Wilkinson, Hughes. Opposed: None. Thereupon Mayor Hartz declared Resolution 2021-18 adopted.*

#### **HIRE A LIBRARY CUSTODIAN**

*Wilkinson moved to approve the hiring of Simon Beacom for Dial-A-Ride driver at \$12.00 an hour following successful completion of pre-employment drug testing. Seconded by Miller. Roll call votes in favor were Hughes, Wilkinson, Pickrel, Miller. Opposed: None. Motion carried.*

#### **MAINTENANCE AGREEMENT WITH NEBRASKA DEPARTMENT OF TRANSPORTATION**

*Wilkinson moved to approve the contract with the Nebraska Department of Transportation for 2022 Maintenance Agreement for \$2,997.30. Seconded by Pickrel. Roll call votes in favor were Miller, Wilkinson, Hughes, Pickrel. Opposed: None. Motion carried.*

#### **ECONOMIC DEVELOPMENT DIRECTORS REPORT**

Economic Development Director Sheridan-Simonsen reported the tourism app was scheduled to go live later in the month as final details and formats were being reviewed. She shared a paper copy of the brochure with the Council and reported the video would be made in the spring. The Director reported the Antelope County Job Fair would be held January 27<sup>th</sup> with new presenters from Northeast Community College and Northeast Nebraska Growing Together. She reported she was working with Nebraska Department of Environment and Energy on a grant for an electric vehicle charging station. Discussion was held for concern on the proposed location near the Rainbow Fountain with the mist from the fountain. She reported the Assistant Director O'Brien was working hard on the Antelope County Ag Expo and finishing up the social media campaign on the city employee spotlights. She reported the Clearwater video was released last week with the same company doing the Neligh job video. She reported the Leadership Nebraska tour included a tour of the Northeast Community College Vet Tech and Precision Ag Building. Mayor Hartz reported that the 2021 year in review would be sent out with the city utility bills that month.

Director Sheridan-Simonsen reported the Economic Development board recommended a façade grant for Wanek Pharmacy and Neligh Family Dentistry. She reported the board recommended more information and additional projects for Evergreen Custom Lawn Care. *Wilkinson moved to approve an exterior façade grant application for Neligh Family Dentistry and Wanek Pharmacy totaling \$1,928.52. Seconded by Pickrel. Roll call*

votes in favor were Hughes, Miller, Wilkinson, Pickrel. Opposed: None. Motion carried.

The Director reported that the Planning Commission met the prior week to review the proposals submitted for a housing study and recommended the Five Rule Rural Planning. She reported the application to NIFA was due January 7<sup>th</sup> with notice of award anticipated for March and the housing study to begin in April. *Moved by Wilkinson to approve the recommendation of the Planning Commission for Five Rule Rural Planning to conduct the housing study for \$15,500.* Seconded by Miller. Roll call votes in favor were Pickrel, Miller, Hughes, Wilkinson. Opposed: None. Motion carried.

The ED Director requested consideration for a \$7,500 donation from the lottery fund for updating the Christmas light display as part of a challenge to match a \$25,000 donation. She reported the \$25,000 donation purchased the lights west of the Economic Development office with additional trees. She reported the Grinch fundraiser was created to start the local match which raised \$1,000. Discussion was held for comparison of the cost of lights compared to wages not approved previously. Discussion was held for the cost of the lights and seeking other vendors for more light options and value. *Moved by Wilkinson to approve a donation of \$5,000 from the lottery fund for Christmas lights to the Chamber of Commerce.* Seconded by Miller. Roll call votes in favor were Wilkinson, Miller, Hughes. Opposed: Pickrel. Motion carried.

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

### **POLICE REPORT**

Discussion was held for requesting police to patrol the Highway 14 and 275 to manage engine brakes. Discussion was held for the turning lane painted on Highway 275 on L Street providing trucks more room to turn east onto 3<sup>rd</sup> Street. Discussion was held for the truck accident where a vehicle heading north on Highway 275 and L Street drove into a truck making a right hand turn off of Highway 275 onto 3<sup>rd</sup> Street. Police Chief Wright thanked Electric personnel Grant Knutson and Josh Capler for their assistance in getting vehicles moved off of the street. *Pickrel moved to approve the November police report of 287 calls.* Seconded by Hughes. Roll call votes in favor were Wilkinson, Miller, Pickrel, Hughes. Opposed: None. Motion carried.

### **CITY SUPT. REPORT**

City Supt. Dan Donaldson was absent due to illness. Council members reviewed his written report. Electric Generation Supervisor Josh Capler reported that the well repairs were completed and the well was back in service earlier that week. Discussion was held for the high winds predicted the next day and the flagpole to be erected at the Legion ball field. Capler explained the wind rating for the pole and the measures taken for the concrete pad to be set. Discussion was held for volunteer hours for employees serving on a community Fire Department other than Neligh Fire Department. Discussion was held that Neligh's fire department volunteer hours for service calls would be recognized by the newly updated handbook. Discussion was held that Neligh's taxpayer supported the Neligh Fire Department and not paid volunteer hours for a non-Neligh fire call. It was the consensus of the council to keep the current handbook policy on volunteer hours as is applicable to Neligh Volunteer Fire Department. *Hughes moved to approve the City Supt. report as presented.* Seconded by Wilkinson. Roll call votes in favor were Hughes, Pickrel, Wilkinson, Miller. Opposed: None. Motion carried.

### **ELECTRIC REPORT**

Electric Generation Supervisor Capler reported on the lights and concrete work done for the Legion ball field flagpole. Discussion was held for considering the red brick look for rock and curb around the flagpole base to complete the aesthetics. The Supervisor reported on one power outage affecting 3 homes on Thanksgiving morning. He reported the last calibration test on each motor in the generation plan all passed. *Wilkinson moved to approve the Electric and Generation report.* Seconded by Pickrel. Roll call votes in favor were Pickrel, Miller, Wilkinson, Hughes. Opposed: None. Motion carried.

### **SETTLEMENT AGREEMENT WITH MEAN**

City Attorney McNally reported the settlement agreement presented stated the settlement of \$96,096 to

be paid to the City of Neligh and provided for a scheduling agreement up to April 1, 2022. The City Attorney reported he was working on scheduling discussions to be completed by March 1<sup>st</sup>. *Miller moved to approve the settlement agreement with MEAN presented.* Seconded by Pickrel. Roll call votes in favor were Wilkinson, Pickrel, Miller. Opposed: Hughes. Motion carried.

**APPROVAL OF BILLS**

*Wilkinson moved to approve the current claims filed and to approve payments made for recurring claims made during the preceding month.* Seconded by Miller. Roll call votes in favor were Miller, Pickrel, Wilkinson, Hughes. 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, Miller, Wilkinson, Pickrel. Opposed: None. Thereupon Mayor Hartz declared the meeting adjourned. Time 8:37 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 December 14, 2021; 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.

(SEAL)

\_\_\_\_\_  
City Clerk