

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

June 13, 2023

The regular meeting of the Mayor and City Council of the City of Neligh was held at the City Council Chambers on Tuesday, June 13, 2023 at 7:00 P.M. Present were Council Members Dale Wilkinson, Leonard Miller, Stephanie Lundgren and Ted Hughes. Mayor Joe Hartz was absent. Also in attendance were City Attorney James McNally, City Supt. Dan Donaldson, Economic Development Director Lauren Sheridan-Simonsen, Police Chief Logan Lawson, City Clerk Danielle Klabenes, News Reporter Kelli Garcia, and Library Director Amy Baker. Notice of this meeting was given in advance thereof by publication in the Antelope County News on June 7, 2023. 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. The availability of the agenda was communicated in the advance notice and in the notice to the Council of this meeting. All proceedings thereafter shown were taken while the convened meeting was open to the attendance of the public. Council President Hughes 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. City Clerk Klabenes recorded the minutes. The Pledge of Allegiance was recited.

APPROVAL OF MINUTES

Council member Wilkinson moved to approve the May 9th regular meeting minutes as presented. Seconded by Lundgren. Roll call votes in favor were Wilkinson, Hughes, Lundgren, Miller. Opposed: None. Motion carried.

TREASURER REPORT

Clerk Klabenes requested consideration for asbestos removal expenses for 408 L Street to be deducted from the surplus real property listed on the treasurer's report. She reported the \$7,600 funds remaining in the surplus real property was the result of a house deeded to the city years ago that the city sold. She also reported that she setup the General Fund in June as an Insured Cash Sweep (ICS) with a minimum balance of \$100,000. She reported the ICS paid a 3% interest rate on the full amount of funds in ICS and the full value of all funds were protected beyond the \$250,000 FDIC coverage. She reported the ICS would reduce the number of pledges back and forth each month. *Lundgren moved to approve the May 2023 Treasurer's report as presented.* Seconded by Wilkinson. Roll call votes in favor were Miller, Hughes, Wilkinson, and Lundgren. Opposed: None. Motion carried.

Discussion was held for setting a date for the budget workshop in August. *Miller moved to set a budget workshop for August 17th at 5:30 P.M.* Seconded by Lundgren. Roll call votes in favor were Wilkinson, Miller, Hughes, Lundgren. Opposed: None. Motion carried.

WATER AND SEWER PROJECT FOR EAST HIGHWAY 275

Clerk Klabenes reported the City Engineer was submitting specs to the State Engineer for U.S. Department of Agriculture (USDA) review and working on a right-of-way permit with the county. She reported both USDA and State Revolving Fund (SRF) submitted documents for the Mayor to sign upon his return. No action was taken.

ELKHORN RIVER BYPASS CLEAN OUT

Discussion was held for the clean out of the Elkhorn River bypass south and west of the Neligh Mill Bridge entering the History Nebraska property. Discussion was held that the next time the Elkhorn River floods, that Riverside Park will be destroyed. Discussion was held that the south end of the Mill Bridge will continue eroding away from the bank if the bypass is not opened up. It was the consensus of the council to direct the City Attorney to contact History Nebraska for clean out of the Elkhorn River bypass.

CITIZEN ADVISORY REVIEW COMMITTEE

Council President Hughes opened the public hearing at 7:15 P.M. Jill Kallhoff of the Citizens Advisory Review Committee presented the semi-annual report on the LB840 program. Kallhoff reported the committee met in May to review the sales tax and interest income and expenses. She reported one new loan has been approved since the November 2022 meeting. She reported that following the LB840 committee's review of the LB840 account, the committee found the LB840 program to be spent in a manner appropriate with state statutes. Having no public comment, the hearing was closed. *Council member Wilkinson moved to approve the Citizens Advisory Review Committee semi-annual report on the LB840 program.* Seconded by Lundgren. Roll call votes in favor were Miller, Hughes, Wilkinson, and Lundgren. Opposed: None. Motion carried.

SEMI-ANNUAL LIBRARY REPORT

Library Director Amy Baker reported the semi-annual library report which included programs offered to health strengthen and educate the community, materials added to the collection to keep up with the needs of the patrons, and technology updates. She reported on many outreach programs including The Willows, Arbor Care Center, Pub Trivia, book clubs, writers group, and quilters club. She reported the bike rodeo was successful and the summer reading program was going well. She reported her staff has teamed up with the Friends of the Library for fundraising activities to help with rising costs. *Wilkinson moved to approve the semi-annual library report as*

presented. Seconded by Miller. Roll call votes in favor were Hughes, Lundgren, Miller, Wilkinson. Opposed: None. Motion carried.

NELIGH MILL BOX CAR AGREEMENT WITH HISTORY NEBRASKA

City Attorney McNally reported he had talked to History Nebraska who asked to move the boxcar to Riverside Park. He reported that he advised History Nebraska that the City Council would rather have the boxcar placed where it is as families take pictures by the box car at the Neligh Mill. Leaders of History Nebraska agreed to let the City Council maintain the boxcar on the Neligh Mill property but wanted the city to update the rails and rebuild the tracks and ties. He reported a long-term lease would be prepared for the city to maintain the boxcar. Superintendent Dan Donaldson reported the boxcar was in good shape with a little wood rot around the doors. Discussion was held for the placement of the rail car and preparing a lease after the Mill elevator was removed. No action was taken the matter was tabled.

FOOD TRUCK OPERATING HOURS FOR JULY 3RD

City Clerk Klabenes reported the food truck ordinance permitted food trucks to operate until 11:00 PM. She reported the concert planned for July 3rd during Neligh's 150th Anniversary was to conclude around 11:00 P.M. and asked for consideration to allow a variance for the food trucks to operate beyond 11:00 PM following the concert. Discussion was held for allowing the food trucks to stay open as long as they had customers. *Wilkinson moved to allow the food trucks to remain open on July 3rd as long as customers were present*. Seconded by Miller. Roll call votes in favor were Lundgren, Miller, Wilkinson, and Hughes. Opposed: None. Motion carried.

JULY 3RD STREET CLOSURE ON 5TH STREET

Discussion was held for consideration to close 5th Street from Highway 275 to Main Street on July 3rd and 4th for customer safety when ordering or picking up food at the Food Trucks for Neligh's 150th Anniversary. Discussion was held that city personnel would notify the owner and tenants of the apartment building at 5th and Main Street. Discussion was held that tenants of the apartment building only have parking on the north side of the apartment building and could leave the apartment through the alley southward to 4th Street. Discussion was held for setting up barricades at both intersections of Main Street and Highway 275 on 5th Street for public safety. Discussion was held for providing notice of all the street closures during Neligh's 150th Anniversary. *Wilkinson moved to close one block of 5th Street from Highway 275 to Main Street at 1:00 P.M. on July 3rd through the completion of July 4th festivities for public safety at the food trucks*. Seconded by Miller. Roll call votes in favor were Hughes, Wilkinson, Miller, Lundgren. Opposed: None. Motion carried.

DANGEROUS BUILDINGS UPDATE

City Supt. Donaldson reported he was waiting for the asbestos report for the 402 West 9th Street property which was scheduled for demolition the week of June 19th. He reported the fire department has agreed to do a controlled burn for the 707 S. Street property that was to be scheduled yet. He reported the owners would fill in the basement and keep the property with timelines to finish. He reported the owner of 305 L Street will sign a deed to the city for the property and the owner had an asbestos inspection done. He reported the city would complete the abatement and demolition. City Attorney McNally reported he would prepare the deed to sign the property over to the city with a condition the current owner could retain usage of the shed while residing in the neighboring home for the rest of the owner's life.

The City Supt. reported the owner of 709 P Street is currently cleaning out the property and the owner will be meeting with a contractor to consider rehab or demolition options. The Supt. reported timelines to finish will be put in place. He also reported the owner of 206 West 7th will demo and clean up this property in 3-4 weeks. He reported the owner of 310 West 6th Street had contacted a contractor to re-roof, reside and update windows.

City Attorney McNally reported he had filed complaints on 600 R Street and 801 East 3rd Street with the hearing set for July 15th. Discussion was held for a number of people looking for a lot to build a home on and some of the lots are smaller are narrow. Discussion was held for consideration to review the setbacks to accommodate smaller homes as this was also recommended in the Housing Study. Discussion was held that two lots remained available in the housing subdivision known as Countryside Acres Second Addition and that discussion may need to be held for pursuing other housing lots. ED Director Sheridan-Simonsen commended the City Attorney and City Supt. for making a noticeable difference in a difficult process. Council members also commended the City Attorney and City Supt. for a job well done. No action was taken.

KENO COMMUNITY DAY BONUS

City Clerk Klabenes reported the Nebraska Cooperative Government office for lottery requests the Council to designate a date during a local celebration for the event for games of chance. She reported Bob Hanson of the Dew Drop Inn has offered and managed the event in the past held on the 4th of July. *Wilkinson moved to approve July 4th as the Keno Community Day Bonus for the City of Neligh during the annual Old Mill Days Celebration*. Seconded by Lundgren. Roll call votes in favor were Miller, Lundgren, Hughes, Wilkinson. Opposed: None. Motion carried.

HOUSING APPLICANT #156 FOR A COMMUNITY DEVELOPMENT BLOCK GRANT

City Clerk Klabenes reported the Housing Committee had met to review and recommend approval for a new \$25,000 application for a home rehab. She reported the revolving loan program that started in 1998 currently had about 10 loans. She reported the applicant qualified for a Level 2 option with 25% payback at 1% interest and 75% forgivable loan. Discussion was held for the number of projects that \$25,000 could rehab in 1998 compared to today. Discussion was held that a building inspector goes through the property to determine the minimum rehabilitation standards and priority projects and confirm if the structure is sound to invest the funds into. *Wilkinson moved to approve the recommendation of the Neligh Housing Committee for a Community Development Block Grant home rehab loan of \$25,000 for Applicant #156.* Seconded by Miller. Roll call votes in favor were Wilkinson, Lundgren, Hughes, and Miller. Opposed: None. Motion carried.

NELIGH AMERICAN LEGION JULY 2ND CAR AND BIKE SHOW SPECIAL DESIGNATED LIQUOR LICENSE

Clerk Klabenes reported that one of the Neligh 150th Anniversary events included a car and bike show in the south parking lot of the Neligh American Legion. She reported no street closure was requested as the parking lot would be fenced in for the event. *Lundgren moved to approve the special designated liquor license for the Neligh American Legion on July 2nd for a car and bike show.* Seconded by Wilkinson. Roll call votes in favor were Miller, Lundgren, Wilkinson, and Hughes. Opposed: None. Motion carried.

ECONOMIC DEVELOPMENT DIRECTORS REPORT

Economic Development Director Lauren Sheridan-Simonsen reported the following day was Flag Day as Neligh is recognized as the Flag Day Capital of Nebraska annually on June 14th. She reported she was thrilled to receive a \$510,000 grant through Rural Workforce Housing, which was the biggest grant Neligh as received to date. She reported on 8-10 projects ready to proceed and a housing committee within the Economic Development Board had been compiling an application. She reported the rules for an entrepreneur contest were still being drafted. She reported the childcare and education center work with Nebraska Community Foundation included steps to becoming a “community for kids”, referred to as C4K community. She reported professional photos by Reflections Photography and hosted by Stealth Broadband were scheduled for June 21st. She welcomed BankFirst to the community and Brad Schick, the loan officer. She reported on a speaker at the NEDA conference that shared insight on youth retention and attraction from the Generation Z population for career interest. She reported on the Assistant Director’s first NEDA conference attendance and the high impression she made with economic development leaders. She reported the ribbon cutting for the Clearwater duplex was scheduled for the end of the month. *Council member Lundgren moved to approve the Economic Development Director report.* Seconded by Miller. Roll call votes in favor were Lundgren, Miller, Hughes, and Wilkinson. Opposed: None. Motion carried.

The Director reported that the Economic Development Board had reviewed the Rural Workforce Housing rules and application and the City Attorney had reviewed and suggested some legal verbiage. She reported the revolving loan housing program included a maximum loan of \$125,000 at 1% interest for completion within 12 months and if not paid in full within 15 months, then interest at the prime rate and an extension fee of \$250 would be charged. She reported a demolition program would offer up to \$5,000 to rebuild a new dwelling. Discussion was held if both the Revolving House Loan Fund and LB840 funds could be used simultaneously. City Attorney McNally reported he needed to review this for who has priority between two government entities as the city takes a second position only when a bank takes the first position. *Lundgren moved to approve the Revolving Housing Loan Fund terms and program with the approved changes.* Seconded by Hughes. Roll call votes in favor were Miller, Wilkinson, Lundgren, and Hughes. Opposed: None. Motion carried.

POLICE REPORT

Chief of Police Logan Lawson reported he and Officer Ternus had completed additional trainings that day and completed firearms qualifications last month. He reported Officer Ternus was working on ordinance and nuisance violations while he was working on dangerous buildings. He reported he was in contact with the security company contracted for the July 3rd concert and the Nebraska State Patrol and County Sheriff’s office would also be assisting. *Wilkinson moved to approve the May numeric and written police reports as presented.* Seconded by Miller. Roll call votes in favor were Hughes, Wilkinson, Miller, and Lundgren. Opposed: None. Motion carried.

The Chief reported on an estimate for hardware, software, and services for the surveillance system in better detail than currently present. He reported the cameras were outdated and an upgrade with 2 additional cameras was quoted. He reported the full quote was \$34,000 and he was in discussion with the provider for options to break up the project into phases. Discussion was held for reviewing further during budget time. No action was taken.

CITY SUPT. & ELECTRIC REPORT

City Superintendent Donaldson reported the downtown tree removal led to additional sidewalk repairs and as many curbs and sidewalks were being repaired prior to July 4th. He reported after an 8-month backlog of equipment, the newly leased bobcat had arrived. He reported the partitions were being installed in the new ballfield bathrooms. He reported much of May’s work was getting the swimming pool ready to open. He reported that with the new liner, city personnel was learning new ways of cleaning from the winter water and learning the

circulation system and chemical as fresh water did not have to be added daily to the pool. He reported new ladders will be installed and mosquito spraying was beginning. He reported the new blower was installed in the sewer plant and jetting of sewer lines will focus on problem areas this month. He reported he is looking at historic drawdown of water wells due to the drought conditions and several towns were facing water restrictions. He reported the hauling and landfill contract will be discussed during budget as the contract renewal is due at the end of the year.

The Supt. reported the step-up transformer will be repaired following the backup transformer installed east of town. He reported the city will have to generate power for the Neligh Mill demolition and he had informed the demolition contractor of this. *Lundgren moved to approve the City Supt. report as presented.* Seconded by Miller. Roll call votes in favor were Wilkinson, Miller, Lundgren, and Hughes. Opposed: None. Motion carried.

Supt. Donaldson reported the Park Board discussed rates for group and private swimming lessons to try to utilize group lessons more as the pool did not have a large staff in numbers to do a lot of private lessons. He reported that if kids do not learn how to swim in time we will not have lifeguards. He reported the Park Board recommended increasing the hourly wage for certified pool operators to do the lessons. He reported a certified trainer came to the pool to teach the lifeguards tips on giving swimming lessons for a fee of mileage reimbursement. He also reported that with a lot of maintenance items to do at the pool and on the deck that are difficult to do when the pool is open, the pool will be closed on Mondays. He reported this offered the lifeguards a day off to help prevent burnout. He reported the pool would be open on Monday, July 3rd. *Miller moved to approve the recommendation of the Park Board for \$50 group lessons, and \$100 private lessons, and raise the certified pool operator's hourly wage to \$20 to do lessons.* Seconded by Wilkinson. Roll call votes in favor were Wilkinson, Lundgren, Hughes, and Miller. Opposed: None. Motion carried.

Discussion was held for street projects to consider for budget and the one-and-six-year street plan. Discussion was held for Riverside Park Road as a priority project and consideration for asphalt application due to not carrying heavy truck traffic. Discussion was held that concrete would be nice but it was more expensive and would be lost upon another flood coming through. Discussion was held for considering asphalt overlay in phases. Discussion was held for concrete curb and gutter over the old railroad track to help with water flow. Discussion was held for the option for the city to pay 1/3 of the street assessment with the property owners on each side of the street to pay for 1/3 of the assessment which hinged on the sales tax vote that failed last fall. Discussion was held that the city could still do gap paving for streets in town, where the city pays for the intersections and if we choose to proceed with a 1/3 cost-sharing policy over 15 years, a street project could be done more economically. No action was taken.

Discussion was held for the Riverside Park Inclusive Playground equipment becoming fully inclusive after the Park Board approved splitting the project into two phases. Clerk Klabenes reported funds for phase 1 were completed and installation was scheduled for the fall. City Supt. Donaldson reported with the separation of the two phases, larger grants were available for phase 2 and all playground equipment in the project would be available to more children. Clerk Klabenes reported that the city council has approved donations through the budget and would discuss next year's budget later this year. *Lundgren moved to approve the project update of Phase 1 and Phase 2 for the Riverside Park Inclusive Playground equipment.* Seconded by Hughes. Roll call votes in favor were Miller, Wilkinson, Lundgren, and Hughes. Opposed: None. Motion carried.

NEW MOON THEATER REPORT

Theater Liaison Lundgren reported that donations were received for the license fees to show a movie in Riverside Park for Neligh's 150th Anniversary. She reported Pepsi donated the drinks and Pinnacle Bank donated the popcorn maker. She reported tours of the theater would be provided following the parade on July 4th. She reported the theater board was working on grants and talking to a grant writer for assistance. She reported a local artist donated art for a fundraiser at the Diner En Blanc event on June 30th. *Wilkinson moved to approve the New Moon Theater report as presented.* Seconded by Miller. Roll call votes in favor were Hughes, Miller, Lundgren, and Wilkinson. Opposed: None. Motion carried.

APPROVAL OF BILLS

Wilkinson moved to approve the current claims presented. Seconded by Miller. Roll call votes in favor were Hughes, Miller, Wilkinson, and Lundgren. Opposed: None. Motion carried.

There being no further business to conduct, *Miller moved to adjourn.* Seconded by Lundgren. Roll call votes in favor were Hughes, Wilkinson, Lundgren, and Miller. Opposed: None. Thereupon Council President Hughes declared the meeting adjourned. Time 9:20 P.M.

City of Neligh

Ted Hughes, Council President

ATTEST

Danielle Klabenes, City Clerk

CERTIFICATION

I, the undersigned, City Clerk of the City of Neligh, Nebraska, hereby certify that on June 13, 2023; 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