

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

January 9, 2024

The regular meeting of the Mayor and City Council of the City of Neligh was held at the City Council Chambers on Tuesday, January 9, 2023, at 7:00 P.M. Present were Mayor Joe Hartz and Council Members Stephanie Lundgren, Dale Wilkinson, and Ted Hughes. Absent was Leonard Miller. Also in attendance were City Attorney James McNally, Economic Development Director Lauren Sheridan-Simonsen, City Supt. Dan Donaldson, City Clerk Danielle Klabenes, Police Chief Logan Lawson, Library Director Amy Baker, and News Reporter Kelli Garcia, Christine Thoendel, and Library Board Members Josh Thoendel and Megan Wingate. Notice of this meeting was given in advance thereof by publication in the Antelope County News on January 3, 2024. 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. 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. City Clerk Klabenes recorded the minutes. The Pledge of Allegiance was recited.

APPROVAL OF MINUTES

Council member Wilkinson moved to approve the December 7th special meeting and the December 13th regular meeting minutes as presented. Seconded by Hughes. *Roll call votes in favor were Wilkinson, Lundgren, and Hughes.* Opposed: none. Absent: Miller. Motion carried.

TREASURER REPORT

Clerk Klabenes reported the December Treasurer's report showed the redemption of the LB840 CD and the first revolving market loan for the Rural Workforce Housing. She reported that she and the Mayor had renewed several CDs in 5-month and 6-month terms which offered better interest rates. Discussion was held for looking at money market options. *Lundgren moved to approve the December 2023 treasurer's report as presented.* Seconded by Hughes. Roll call votes in favor were Hughes, Wilkinson, and Lundgren. Opposed: none. Absent: Miller. Motion carried.

SETTING A BID LETTING DATE ON THE WATER AND SEWER EAST HIGHWAY 275 PROJECT

City Clerk Klabenes reported that the City Engineer recommended the city begin contacting contractors on January 19th with published advertising beginning January 24th and a bid opening on February 20th at 1:30 P.M. *Council Member Hughes moved to set a bid letting date of February 20, 2024, at 1:30 P.M. at the City Council Chambers for the East Highway 275 water and sewer project.* Seconded by Lundgren. Roll call votes in favor were Lundgren, Hughes, and Wilkinson. Opposed: none. Absent: Miller. Motion carried.

WATER AND SEWER PRELIMINARY DESIGNS

Discussion was held that the preliminary design costs for the East Highway 275 project were designs available for projects for about 2 years following Department of Health and Human Services permits. The City Clerk reported that in the event that bids returned with only water projects an option to proceed with that the designs for the sewer project may be used in the next 2 years but may not have grant funds as an available funding source. Discussion was held that the City Council will have a better idea of project options to proceed with when bids are opened in February. No action was taken.

DIAL-A-RIDE PUBLIC TRANSIT AND ALL CITY EMPLOYEE DRUG AND ALCOHOL TESTING POLICY

Clerk Klabenes reported Nebraska Department of Transportation had updated the drug and alcohol policy and requested the governing board's approval. She reported the updates were underlined in the copy presented. She reported that for municipality consistency for all departments, the city council had previously adopted the transit policy as the uniform policy for all city employees. *Lundgren moved to approve the updated Drug and Alcohol Testing Policy for Dial-A-Ride Public Transit and all city employees.* Seconded by Wilkinson. Roll call votes in favor were Wilkinson, Hughes, and Lundgren. Opposed: none. Absent: Miller. Motion carried.

2024 HOLIDAY AND SERVICE HOURS FOR ALL MUNICIPAL OPERATIONS

Clerk Klabenes reported on last month's meeting regarding discussion on whether individual departments could set their own hours of service or if the City Council should approve service hours. She reported on the 8 annual holidays for 2024 and that two of the holidays would fall in the middle of the work week. She requested guidance on service hours for municipal operations for those two holidays. City Attorney McNally reported on the state statute that stated the City Council was to approve personnel administrative or compensation policy or procedure before implementation of the policy and procedure. Discussion was held that Christmas Eve is the only holiday that is negotiated based on where it falls during the week. Discussion was held for considering public services not made available when closures are made that the public may only have access to on a particular day, such as Saturday. Discussion was held that employees take paid leave time accrued, whether it is vacation or personal, when departments decide to close without City Council approval. Discussion was held for department

heads to discuss together and bring back a recommendation to the City Council at the next meeting. The matter was tabled and no action was taken.

ELECTRIC VEHICLE WIRING AND CHARGER REBATES

Discussion was held for an electric rebate for electric charging stations following the result of how fast the electric charging station is. Discussion was held about installing an electric vehicle station at the highway location where a house was demolished and removed last year. Discussion was held for a rebate to consider for residents who want to purchase an electric vehicle. Discussion was held for other utility companies offering a \$1500 rebate. Discussion was held for rebate amounts that vary based on the speed of the charger device. Discussion was held that new housing building codes now require owners to have an electric vehicle receptacle. Discussion was held for researching rebates and ranges to bring back to the February meeting. The matter was tabled and no action was taken.

DANGEROUS BUILDING UPDATES

City Attorney McNally reported two buildings were within the city's authority to demolish and one was scheduled for a house burn in the spring. He reported due to the weather, there was a temporary delay of about 2 months for the snow to clear out. He reported one property was going to trial later in January. City Supt. Donaldson reported on an 8th Street property and 6th Street property both looking at demolition. Discussion was held for pursuing the property clean-up for the Highway 14 property. *Lundgren moved to approve the December update on dangerous buildings as presented by the City Attorney and City Supt.* Seconded by Hughes. Roll call votes in favor were Lundgren, Hughes, and Wilkinson. Opposed: None. Absent: Miller. Motion carried.

ECONOMIC DEVELOPMENT DIRECTORS REPORT

Economic Development Director Lauren Sheridan-Simonsen reported the annual audit with the city's auditors was underway for the revolving market fund loan through the Rural Workforce Housing Grant. She reported she anticipated notice of Neligh receiving the National Parks Service Certified Local Government and that Neligh would be the only community with the designation north of Interstate 80. She reported Assistant Director Borer had finished the 2024 Chamber Budget and the Great Elf Hunt. She reported on a holiday open house at Arbor Care that featured a variety of different décor and themes in different rooms. She reported planning for the 10th annual Ag and Home Expo was underway and the Assistant Director was working with the Center for Rural Affairs on the women's business training course. She reported the council may want to consider a downtown revitalization grant for commercial corridor sidewalks, drainage and lighting. She reported Clearwater was finalizing a telehealth room and a new loan for the L Bar B to be operated under Two Bills Steakhouse. She reported Boyd's Electric was submitting an estimate to Clearwater to apply for an Elkhorn Rural Public Power grant for 90% of the project cost for an electric vehicle charging station. *Lundgren moved to approve the Economic Development Director's report as presented.* Seconded by Hughes. Roll call votes in favor were Hughes, Wilkinson, and Lundgren. Opposed: None. Absent: Miller. Motion carried.

The Director reported that the Economic Development Board recommended a loan closing fee on each revolving market loan to offset the cost of the approximate \$3,500 - \$4,000 annual review during the Rural Workforce Housing grant. She reported the application fee of \$100 - \$250 would not cover the annual review cost. *Lundgren moved to approve the Economic Development Board recommendation for a loan closing fee of 1/3 of the Wall Street international prime rate at loan closing not less than 2%.* Seconded by Hughes. Roll call votes in favor were Wilkinson, Hughes, and Lundgren. Opposed: None. Absent: Miller. Motion carried.

Sheridan-Simonsen reported the LB840 Loan Review Committee recommended a loan to JDM Enterprise LLC for the purchase and updating of 719 Fitness Center. She reported the loan requested was \$80,000 for a total project cost of \$200,000 for a 10-year loan term. She reported an additional \$20,000 was requested when funds were available and the Loan Review Committee would require profit and loss details showing the business was making a profit before approving the additional funds. *Hughes moved to approve the LB840 Loan Review Committee's recommendation to JDM Enterprise LLC for \$80,000 for the 719 Fitness Center.* Seconded by Lundgren. Roll call votes in favor were Lundgren, Wilkinson, and Hughes. Opposed: None. Absent: Miller. Motion carried.

POLICE REPORT

Chief of Police Logan Lawson reported December trainings included CPR recertifications. He reported on a \$400 donation to the D.A.R.E program and a separate \$1,000 donation to the police department, both from Invenergy. He reported the department had received a \$700 grant from LARM for body armor which was used to replace the Deputy Chief's body armor. *Hughes moved to approve the December numeric and written police reports as presented.* Seconded by Lundgren. Roll call votes in favor were Wilkinson, Lundgren, and Hughes. Opposed: none. Absent: Miller. Motion carried.

CITY SUPT. & ELECTRIC REPORT

City Supt. Donaldson reported the concrete pillars of the swinging bridge had used 99.75 yards of concrete so far. He reported that half of the team was on vacation or sick leave during the first snow which created a learning opportunity for the younger team members to install chains on snow trucks and the team really stepped up to the

demands of the storm. He reported some trees and stumps were removed along Penn Lake and under the walkway of the Cowboy Trail bridge. He reported he received an offer for a mural to be applied under the bridge this spring. He reported that the Nebraska Game and Parks, City personnel and the State Department of Transportation would be working together on further cleanup of the Belmar Creek and Cowboy Trail bridge this spring. He reported the 34-page updated emergency contact and scenario document for the water department was submitted before the deadline and would be updated every 3 years after. He reported a new inspector visited the sewer treatment plant and the plant passed with no violations. He reported the state solid waste inspector visited the compactor and the facility passed with no violations. He reported the new garbage truck and newer features were well received by city personnel. He reported First Star Recycling was planning a visit this month to look at the facilities and the plastic bales from Blackburn Manufacturing. He reported no electric outages last month and continued tree-trimming assistance with the county.

City Attorney McNally reported that he and the City Supt. were on a call earlier that morning regarding the forecasted low temperatures with a great possibility that the city will generate in a similar setup to the summer generation. He reported on a generation startup test later in the week that would qualify the city as an on-status generation facility which would provide weekly payments for generation status. A discussion was held about procedures we have learned for the window of time to start generation motors without decreasing the electric load that would restrict the city's reimbursement or revenue for generation. Discussion was held for pursuing discussions with SPP for recovering generation expenses. *Wilkinson moved to approve the City Supt. report as presented.* Seconded by Hughes. Roll call votes in favor were Wilkinson, Lundgren, and Hughes. Opposed: none. Absent: Miller. Motion carried.

NEW MOON THEATER REPORT

Theater Liaison Lundgren reported on a successful New Year's Eve event and she thanked the community for the support. She reported the Theater Board was awaiting the drawings from the Architect and reported the parapet was finished and capped on the top of the theater. She reported the Brownfields grant would pay for mold remediation and the grant required some matching funds. City Supt. Donaldson reported the theater's engineer had contacted him about the recommended amperage and considerations for gas and electric for the building. *Hughes moved to approve the New Moon Theater report as presented.* Seconded by Wilkinson. Roll call votes in favor were Hughes, Lundgren, and Wilkinson. Opposed: None. Absent: Miller. Motion carried.

APPROVAL OF BILLS AND GARBAGE TRUCK FINANCING

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

Wilkinson moved to the Blackstrap invoices for weigh tickets totaling \$290. Seconded by Lundgren. Roll call votes in favor were Lundgren and Wilkinson. Abstain: Hughes. Opposed: None. Absent: Miller. Mayor Hartz voted in favor. Motion carried.

Council Member Lundgren moved to enter into executive session for the prevention of needless injury to the reputation of an individual to discuss police officer personnel. Seconded by Hughes. Roll call votes in favor were Lundgren, Wilkinson, and Hughes. Opposed: None. Absent: Miller. Motion carried. Time 9:06 P.M. Also attending the closed session were City Attorney James McNally, City Clerk Danielle Klabenes, and Police Chief Logan Lawson. Those present for the executive session met in the Council Chambers after the audience exited the room.

The City Council reconvened into open session at 9:55 P.M. No action was taken.

There being no further business to conduct, *Lundgren moved to adjourn.* Seconded by Wilkinson. Roll call votes in favor were Wilkinson, Hughes, and Lundgren. Opposed: None. Absent: Miller. Thereupon Mayor Hartz declared the meeting adjourned. Time 9:56 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 January 9, 2024; 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