

MINUTES OF REGULAR MEETING
OF THE CITY COUNCIL OF THE CITY OF NELIGH, NEBRASKA
December 10, 2024

The regular meeting of the Mayor and City Council of the City of Neligh was held at the City Council Chambers on Tuesday, December 10, 2024 at 7:00 P.M. Present Mayor Joe Hartz and Council Members Dale Wilkinson, Ted Hughes, Leonard Miller, and Stephanie Lundgren. Also in attendance were City Attorney James McNally, Economic Development Director Lauren Sheridan-Simonsen, City Supt. Dan Donaldson, Police Chief Logan Lawson, City Clerk Danielle Klabenes, News Reporter Sarah Coffey, Lee Wilkinson, Michelle & Tim Land, and newly elected City Council Member Tyler Pedersen. Notice of this meeting was given in advance thereof by publication in the Antelope County News on December 4, 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 November 12th regular minutes as presented. Seconded by Hughes. *Roll call votes in favor were Miller, Lundgren, Wilkinson, and Hughes.* Opposed: none. Motion carried.

TREASURER REPORT

Clerk Klabenes reported the November Treasurer's report showed the spinning reserves for the October month reported in November were \$4,100 and higher than anticipated with reduced requests for generation. She reported the sales tax presented included both August and September receipts totaling \$12,014. She reported the city's hydro power supplier, WAPA, had sent a notice of a proposed rate increase of approximately 6% for 2025 and 6% for 2026. *Hughes moved to approve the November treasurer's report as presented.* Seconded by Lundgren. Roll call votes in favor were Miller, Wilkinson, Hughes, and Lundgren. Opposed: none. Motion carried.

PUBLIC COMMENTS

Mayor Hartz reported on the new statute providing for public comments and explained that if comments were not about an agenda item, the City Council could not take any action on it and would have to have the matter added to the agenda at a future meeting. Tim and Michelle Land shared a comment with concern about the Chamber of Commerce nativity scene not having lights on at the Antelope County Courthouse. Tim Land offered to provide a generator and fuel for the lighting of the nativity scene. It was noted that Boyd's Electric was notified of the motion light and ground fault issue. No action was taken.

PUBLIC HEARING FOR RESOLUTION OF NECESSITY

Mayor Hartz opened a hearing for the purpose of hearing support, opposition, criticism, suggestions, or observations to the Resolution of Necessity for sewer improvements in Sewer Improvement District 2024-1. Time: 7:12 P.M. Clerk Klabenes reported a public hearing must be held to allow individuals subject to assessments of the project to come forward and speak, and that since no assessments are being made on the project the agenda item was a formality to comply with state statute. Having no public comments, the hearing was closed at 7:13 P.M.

RESOLUTION 2024-19

Lundgren introduced and moved for passage of Resolution 2024-19 adopting a resolution of necessity for Sewer Improvement District 2024-1. Seconded by Miller. Roll call votes in favor were Wilkinson, Miller, Hughes, and Lundgren. Opposed: none. Thereupon Mayor Hartz declared Resolution 2024-19 adopted.

CITIZEN ADVISORY REVIEW COMMITTEE REPORT ON LB840

Mayor Hartz opened the public hearing for the LB840 report at 7:17 P.M. Garrett Jacobsen reported the LB840 had received \$59,152 in sales tax revenue since the April meeting and had received \$138,337.85 from loan payments since the April meeting. He reported the expenses of \$46,301 included \$8,000 in community grant programs, \$38,055 in professional fees, and \$246 in advertising. He reported the September balance of the LB840 account was \$211,934 and the balance of the Market Rate Housing Loan Program was \$781,072. It was noted that the Market Rate Housing Loan Program was created with a \$500,000 grant to the Chamber of Commerce as a not-for-profit and a \$250,000 match from LB840. He 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 to state statutes. Hearing no public comments, the mayor closed the hearing at 7:20 P.M. *Council member Wilkinson moved to approve the Citizens Advisory Review Committee report on the LB840 program.* Seconded by Lundgren. Roll call votes in favor were Hughes, Wilkinson, Miller, and Lundgren. Opposed: none. Motion carried.

NPPD RATE INCREASE FOR POLE FEES

Clerk Klabenos reported Nebraska Public Power District (NPPD) had sent notice of the pole fees for electrical attachments to increase from \$21 to \$25 effective January 2025. She reported that the city had four poles applicable for this fee. *Hughes moved to approve the NPPD rate increase for pole fees of \$25.00 per pole for electrical attachments effective January 1, 2025.* Seconded by Miller. Roll call votes in favor were Lundgren, Miller, Hughes, and Wilkinson. Opposed: none. Motion carried.

RESOLUTION 2024-20 YEAR-END CERTIFICATION OF CITY STREET SUPERINTENDENT

Lundgren introduced and moved for passage of Resolution 2024-20 authorizing the mayor to sign a Year End Certification verifying that the City Engineer was appointed in 2024. Seconded by Wilkinson. Roll call votes in favor were Lundgren, Miller, Wilkinson, and Hughes. Opposed: None. Thereupon Mayor Hartz declared Resolution 2024-20 adopted.

MAINTENANCE AGREEMENT WITH THE NEBRASKA DEPARTMENT OF TRANSPORTATION

Clerk Klabenos reported on the 3% increases proposed for the next 5 years for maintenance agreements for snow removal, preservation, and maintenance of the 1.94 lane miles within city limits. *Wilkinson moved to approve the maintenance agreement with the Nebraska Department of Transportation for Highways 14 and 275 at \$3,938.20.* Seconded by Hughes. Roll call votes in favor were Wilkinson, Hughes, Miller, and Lundgren. Opposed: None. Motion carried.

APPOINTMENTS

Mayor Hartz recommended the re-appointment of Bennie Taylor to the Planning Commission 3-year term, re-appointment of David Buller to the Board of Adjustment 3-year term, and new appointment of Randy Marcove to the Economic Development and NDA Boards 3-year term. *Hughes moved to approve the appointments as presented.* Seconded by Wilkinson. Roll call votes in favor were Lundgren, Miller, Hughes, and Wilkinson. Opposed: none. Motion carried.

HOUSING COMMITTEE RECOMMENDATION FOR CDBG LOAN APPLICATION

Council member Wilkinson moved to approve the Housing Committee recommendation for a CDBG loan application for applicant #158. Seconded by Hughes. Roll call votes in favor were Hughes, Lundgren, Wilkinson, and Miller. Opposed: none. Motion carried.

SIDEWALKS ALONG WYLIE DRIVE TO PENN PARK

Discussion was held that the residents on Wylie Drive had come to the City Council with safety concerns about the traffic on Wylie Drive which led to installing stop signs for east and west-bound traffic. Discussion was held for an estimated 1,200 feet extending from the intersection of Wylie and N Street to Penn Park for an estimate of sidewalk length. Discussion was held that three youths skateboard on the road because no sidewalks were available. Discussion was held that the neighbors might want to consider installing sidewalks for safety reasons on both the north and south sides of Wylie Drive. No action was taken. The matter was tabled.

ECONOMIC DEVELOPMENT DIRECTORS REPORT

Economic Development Director Lauren Sheridan-Simonsen reported the Rural Workforce Housing Loan closing for the 6-plex apartment building closed the previous week to begin a 15-month construction period allowed to build six new apartments. The Director reported the auditor annual review for the housing program went well. She reported Five Rule Rural Planning had met with the City Supt., City Clerk, and the ED Director to begin planning for redevelopment areas in the community. She reported the Neligh Community Center was holding a Sunday brunch, the Memory Tree was officially set up and Grammy's Kitchen would be opening that week. She reported the Past Forward conference report she attended for the Certified Leadership Government (CLG) was provided. She reported the Phase II environmental site assessment for the Theater was requested which would include testing of the soil gas and air of neighboring properties, including a former car dealership where the current Thriftway Market is located. The Director reported holiday events including the Chamber of Commerce parade of lights was well attended and thanked the Antelope County Visitors Promotion fund for contributing. She reported the Great Elf Hunt was underway with Chamber Big Bucks awarded. The Director welcomed Overland Rehab Physical Therapy as a new Chamber member. The Director requested the Chamber of Commerce contract be tabled to allow time for an updated contract to be provided. The matter was tabled, and no action was taken.

The Director also reported the new counseling business called Next Step Counseling had applied for the Attraction Startup and Transition (AST) program for electric utilities. *Wilkinson moved to approve the AST electric incentive for Next Step Counseling for 10% electric discount for the first year and a 5% electric discount for the second year.* Seconded by Hughes. Roll call votes in favor were Hughes, Lundgren, Wilkinson, and Miller. Opposed: none. Motion carried.

Council member Hughes moved to approve the Economic Development Director report as presented. Seconded by Miller. Roll call votes in favor were Lundgren, Miller, Wilkinson, and Hughes. Opposed: None. Motion carried.

POLICE REPORT

Chief of Police Logan Lawson thanked the Sherriff's Office and Officer Trent Howard for helping staff the police department in November during a leadership course he attended. He reported the camera project was finished with the upgrade and monitoring systems. He reported a new session of DARE with students kicked off in November. He reported that with an increase in calls revolving around mental health, he wanted to let people know that the police department can help with resources. He reported that the third officer did not come to town and advertising for a third officer has resumed. *Wilkinson moved to approve the November numeric and written police reports as presented.* Seconded by Lundgren. Roll call votes in favor were Wilkinson, Lundgren, Hughes, and Miller. Opposed: None. Motion carried.

CITY SUPT. REPORT

City Supt. Donaldson reported the Street Dept. was finishing a culvert installation project behind Pioneer Homes with Pioneer Homes funding the work to fill in the ditch for additional parking. He reported preparations for applying chains to snow equipment were being done that week. He reported the letters requesting tree trimming went very well with inspections and hiring of arborists as needed was to follow that week. He reported one pavilion was assembled inside the shop for the Russell Park mini park on the west side of the Swinging Bridge. He reported the sewer plant was operating very healthily with the foam extracted off the top and healthy bugs. He reported the water projects were being completed on H Street with sidewalks and driveways to be poured the following week. Currently, the water line was being bored under the Belmar Creek to the Countryside Acres subdivision to connect with 1st Avenue and D Street.

Supt. Donaldson reported the north well was discovered to have holes in the casing allowing sand to pull in. He reported the Finance Committee had met to review the estimated \$160,000 with sales tax repair that was not budgeted. He reported this time of the year was a good time to make the repair as the well was pumping less gallons of water compared to warmer months. *Council member Lundgren moved to approve the Sargent Drilling repair estimate for Well 84-1 pump of \$33,074.00 and liner installation of \$117,776.00.* Seconded by Hughes. Roll call votes in favor were Wilkinson, Miller, Lundgren, and Hughes. Opposed: none. Motion carried.

Supt. Donaldson reported that the last load of cardboard was clean and not contaminated and residents did a better job of recycling. He reported the new prices for landfill and hauling costs became effective January 1st which resulted in a \$4 increase per ton. He reported the city was paying for approximately 100 tons of solid waste right now compared to the summer months of 150 tons. He reported the labor costs with solid waste when inmate help is not available was about \$1776 per week. He reported the new meter installation for the electric department was still not completed yet and he thanked the City of Elgin for the use of their meter readers during the project. He reported a meeting with Tenaska was scheduled for that week and would address the text message notifications not coming through. Discussion was held for the spinning reserves were not covering the bond of the automatic controls and the city had not been running with spinning reserves for a full year yet.

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

NEW MOON THEATER REPORT

Theater Liaison Lundgren reported the theater had received a grant for operating funds of \$25,000 from the Sherwood Foundation which could help pay for further grant writing assistance. He reported the Theater had applied and joined the Nebraska Community Foundation to help with marketing and large donation requests. She reported the Tour of Homes event for the following weekend, which featured locations in both Neligh and Clearwater for the county-wide event and thanked Antelope County Visitors Fund for advertising. *Miller moved to approve the New Moon Theater report as presented.* Seconded by Hughes. Roll call votes in favor were Wilkinson, Hughes, Mille, and Lundgren. Opposed: None. Motion carried.

APPROVAL OF BILLS

Wilkinson moved to approve Pay Application #2 to Rutjens Construction for \$218,013.08 for water project #1 and #2C. Seconded by Hughes. Roll call votes in favor were Miller, Lundgren, Wilkinson, and Hughes. Opposed: none. Motion carried.

Lundgren moved to approve the Blackstrap invoices totaling \$551.55. Seconded by Wilkinson. Roll call votes in favor were Miller, Lundgren, and Wilkinson. Abstain: Hughes. Opposed: none. Motion carried.

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

EMPLOYEE APPRECIATION

Lundgren moved to approve \$60 Chamber of Commerce Big Bucks to each employee for employee appreciation and to hold an employee appreciation banquet in late January or February 2025. Seconded by Miller. Roll call votes in favor were Hughes, Wilkinson, Lundgren, and Miller. Opposed: none. Motion carried.

RESOLUTION 2024-21 HONORING CITY COUNCIL MEMBER DALE WILKINSON

Hughes introduced and moved for passage Resolution 2024-21 honoring Council Member Dale Wilkinson for 16 years of service on the City Council. Seconded by Lundgren. Roll call votes in favor were Miller, Lundgren, and Hughes. Abstain: Wilkinson. Opposed: none. Motion carried. Mayor Hartz thanked Council Member Wilkinson for his years of service not only on the City Council, but also serving on the ACE Board of Directors and on the Goldenrod Housing Board. The Council and audience extended a round of applause, followed by a framed resolution presented to Wilkinson and a few pictures.

There being no further business to conduct, *Miller moved to adjourn. Seconded by Wilkinson. Roll call votes in favor were Miller, Lundgren, Hughes, and Wilkinson. Opposed: None. Thereupon Mayor Hartz declared the meeting adjourned. Time 8:26 P.M.*

Sine' Die

City Clerk Danielle Klabenes reviewed the election credentials of elected officials and recited the Oath of Office to Council member incumbent Leonard Miller and newly elected Council Member Tyler Pedersen. Mayor Hartz declared the meeting open at 8:30 P.M. Clerk Klabenes called roll as follows: Council Members Miller, Lundgren, Pedersen, and Hughes. Absent: none.

COUNCIL PRESIDENT

Miller moved to nominate Ted Hughes as Council President and that nominations cease. Seconded by Lundgren. Roll call votes in favor were Lundgren, Pedersen, and Miller. Abstain: Hughes. Opposed: None. Motion carried.

APPOINTMENTS

Mayor Hartz recommended the following members for the committees of

Standing Committees:

- Streets & Alleys – Hughes and Miller
- Finance – Miller and Pedersen
- Utilities – Pedersen and Hughes
- Fire, Park, Buildings, Grounds – Lundgren and Miller
- Human Resources – Hughes and Pedersen

Hughes moved to approve the appointments of standing committees as presented. Seconded by Pedersen. Roll call votes in favor were Miller, Lundgren, Pedersen, and Hughes. Opposed: None. Motion carried.

DESIGNATED SIGNATORIES

Lundgren moved to approve Mayor Joe Hartz, Council Members Ted Hughes and Leonard Miller, City Clerk Danielle Klabenes, and Deputy Clerk Jennifer Pellatz as authorized signers to be listed on the signature cards for Pinnacle Bank, Heritage Bank, and BankFirst. Seconded by Miller. Roll call votes in favor were Pedersen, Hughes, Lundgren, and Miller. Opposed: none. Motion carried.

JANUARY MEETING DATE

Discussion was held to confirm if a quorum of the council would be available to meet on the regularly scheduled January 14th meeting date. Discussion was held that Mayor Hartz and Council Member Miller would be traveling but Council Members, Hughes, Lundgren, and Pedersen would be available. No action was taken.

Moved by Miller and seconded by Lundgren to adjourn. Roll call votes in favor were Hughes, Lundgren, Miller, and Pedersen. Opposed: None. Thereupon Mayor Hartz declared the meeting adjourned. Time: 8:36 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 10, 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