

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

February 13, 2024

The regular meeting of the Mayor and City Council of the City of Neligh was held at the City Council Chambers on Tuesday, February 13, 2024, at 7:00 P.M. Present were 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, City Clerk Danielle Klabenes, Police Chief Logan Lawson, and Don Weinman. Notice of this meeting was given in advance thereof by publication in the Antelope County News on February 7, 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 January 9th regular, and January 23rd special meeting minutes as presented. Seconded by Hughes. *Roll call votes in favor were Lundgren, Wilkinson, and Hughes.* Opposed: none. Abstain: Miller. Motion carried.

TREASURER REPORT

Clerk Klabenes reported the January Treasurer's report showed the disbursement of two LB840 loans, but the reimbursement had not been made to the General fund yet. She reported the largest receipt on record for the Lottery was received the prior week which would appear on the February report next month. She reported the ACE Distribution of \$7,003 was received which pays for the CodeRed emergency notification system. She reported a comparison of the first four months of the fiscal year showing the net electric financials were more favorable in 2024 than in 2023. *Lundgren moved to approve the January 2024 treasurer's report as presented.* Seconded by Hughes. Roll call votes in favor were Lundgren, Hughes, Miller, and Wilkinson. Opposed: none. Motion carried.

CONSULTANT AGREEMENT FOR GRANT WRITING FOR RIVERSIDE PARK INCLUSIVE PLAYGROUND PROJECT

City Clerk Klabenes requested consideration to contract with Al Vacanti of Vacanti Municipal Consulting Services for grant writing assistance. She reported the application with the Nebraska Game & Parks Land and Water Conservation Fund for the Riverside Park Phase 2 Inclusive Playground was daunting in the size and steps required to apply the grant offering 50% reimbursement of the project cost. She reported the consultant has experience in writing and in receiving an award of this grant for two other communities which did not guarantee an award for Neligh but would certainly secure a strong application submission for consideration. She reported if the agreement were approved that services would begin right away for the application to be submitted in September 2024. She reported the agreement provided for the \$10,000 consultant fee to be split with one half of the payment in the current fiscal year and the second half of the payment made in the next fiscal year. She reported the first payment could be paid with the existing funds collected. Discussion was held that the first payment for consulting services would not affect the budget and the second payment could be budgeted for the next fiscal year in August budget planning. *Lundgren moved to approve a consultant agreement with Vacanti Municipal Consulting Services for grant writing assistance for the Riverside Park Inclusive Playground.* Seconded by Miller. Roll call votes in favor Wilkinson, Lundgren, Hughes, and Miller. Opposed: none. Motion carried.

STEALTH BROADBAND TOWER LEASE

Clerk Klabenes reported the tower lease with Stealth Broadband would expire at the end of the month. She requested consideration for renewal of the tower lease for three years effective March 1st. She reported the monthly amount would remain the same based on the schedule the city council had set for different leases. She reported City Superintendent Donaldson, and the clerk had no concerns for recommended changes. Discussion was held that Stealth Broadband was active in the community and within the Chamber of Commerce. *Wilkinson moved to approve a three-year tower lease renewal with Stealth Broadband at \$200 a month effective March 1st, 2024.* Seconded by Lundgren. Roll call votes in favor were Miller, Wilkinson, Hughes, and Lundgren. Opposed: none. Motion carried.

2024 HOLIDAY AND SERVICE HOURS FOR ALL MUNICIPAL OPERATIONS

Clerk Klabenes reported that at last month's meeting the Council had asked the department heads to discuss options for holidays that fell on a weekday. She reported Christmas Eve was the only holiday requested for different consideration from any other weekday holiday observed on the day of occurrence, such as 4th of July. She reported four options were proposed with two options for a full day closure and two options for half a day closure with both holiday pay and employee accrued paid leave proposed. Discussion was held for considering a plan for Christmas Eve whether it fell on a weekday or a weekend to remove the annual revisit for the holiday schedule.

Discussion was held that when Christmas Eve fell on a Saturday only those employees regularly scheduled to work on Saturday would receive the benefit. Discussion was held that regular Saturday services included the Library, Tree Dump and Compactor and each of those departments carried different operation hours so to consider one uniform time to close operations, such as 12:00pm noon. Discussion was held that when Christmas Eve fell on a Saturday only the employees that are regularly scheduled to work on the Saturday would receive the benefit since the other full-time and part-time employees did not normally work on a Saturday. Discussion was held for reviewing holidays for the police department during budget planning. Following further discussion, *Wilkinson moved to state that when Christmas Eve fell on a weekday or a Saturday that municipal operations will close at noon on Christmas Eve with the afternoon regularly scheduled hours to be paid as holiday pay for the balance of the regular shift after 12:00 noon for the employees regularly scheduled to work that day of the week that Christmas Eve fell on.* Seconded by Miller. Roll call votes in favor were Miller, Hughes, Lundgren, and Wilkinson. Opposed: None. Motion carried.

ELECTRIC VEHICLE WIRING AND CHARGER REBATES

Discussion was held for electric vehicle rebates for a charging station and wiring offered by large power suppliers such as Nebraska Public Power, Omaha Public Power, Southern Public Power, or Lincoln Electric Systems. Discussion was held that the original electric rebates the City of Neligh offered were to encourage customers to switch from gas power to electric power and the cost differential was greater when this rebate started than the current rebates offered for LED lights. Discussion was held that it is unknown the monetary impact of how much electricity needs to be generated to recover an electric vehicle rebate and how much it costs to charge one electric vehicle due to variable factors with distance traveled during the day which impacts the length of time required to charge the vehicle. Discussion was held that offering an electric vehicle rebate is a progressive and green energy consideration and charging times would typically occur in the evening during lesser peak energy times, but the financial numbers were not known yet. The matter was tabled, and no action was taken.

DANGEROUS BUILDING UPDATES

City Attorney McNally reported the Highway 14 property should be addressed with respect to final clean up and the debris remaining could not be buried in the ground but required removal from the site. He reported a property on 3rd Street had received a burn permit for March. Discussion was held about sending a letter to the owner for cleanup within a set time or the city would conduct the cleanup and assess the cost to the property. Supt. Donaldson reported that a Highway 275 property was currently being sold to a new owner who had called to discuss demolition and new construction plans. He reported a property on 8th and P Street was to move forward with demolition within the next month while a contractor was available to do the demolition. *Hughes moved to approve the January update on dangerous buildings as presented by the City Attorney and City Supt.* Seconded by Lundgren. Roll call votes in favor were Miller, Wilkinson, Hughes, and Lundgren. Opposed: None. Motion carried.

CITY SALES TAX TO 1.5% FOR PUBLIC IMPROVEMENTS

Clerk Klabenos reported she had confirmed with the Nebraska Department of Revenue on the Nebraska statute which provided that the city council could ask the voters to reconsider increasing the city sales tax by .5% for public improvements such as street improvements. She reported that following the 2022 ballot that did not pass, that the ballot must wait 23 months before the citizens can reconsider at an election and the November 2024 election was an option for Neligh citizens to reconsider. Discussion was held that record inflation numbers were seen and felt in 2022 when the .5% sales tax increase ballot was first brought before the voters. Discussion was held that while the city can not use property tax funds to campaign, that the city can provide information about the ballot measure. Discussion was held on whether a .25% increase in city sales tax should be proposed instead of .5%. Discussion was held for seeking a board to assist with communication of the ballot measure. *Wilkinson moved to authorize and direct the City Attorney to prepare the documents for a fall election to increase the city sales tax from 1% to 1.5% for public improvements on the November 2024 ballot.* Seconded by Miller. Roll call votes in favor were Wilkinson, Lundgren, Hughes, and Miller. Opposed: None. Motion carried.

ECONOMIC DEVELOPMENT DIRECTORS REPORT

Economic Development Director Lauren Sheridan-Simonsen reported the annual audit on the workforce housing grant was completed on February 5th. She reported she anticipated the release of \$510,000 workforce housing grant funds soon. She reported the annual review which cost \$4,000 would be due each year for the next five consecutive years. She reported the Hild Construction townhouse would be complete in mid-spring and currently had nine individuals interested in the housing. She reported the BTB Construction remodel of the home on 204 F Street would be starting in the spring or early summer. She reported a contractor was interested in four rental townhome units for a total of eight units through the Nebraska Affordable Housing Trust Fund grant. She reported the National Park Service recommended changes for the CLG ordinance which would be revised for the CLG to resubmit for the 2025 grant cycle. She reported additional pages for the Neligh 150 books were available at the Economic Development office. She extended congratulations to State Farm on its 10th anniversary. She reported the Assistant ED Director was busy with assistance in the annual review process, updating a holiday light display, educating local businesses on the Grow Nebraska national small business program for businesses less than five years old, and continuing to work on the application for the Community for Kids. The director reported

the Ag and Home Expo had two booths available for the 10th year of the show. *Wilkinson moved to approve the Economic Development Director's report as presented.* Seconded by Hughes. Roll call votes in favor were Wilkinson, Hughes, Miller, and Lundgren. Opposed: none. Motion carried.

The Director reported she had received an AST Electric Incentive application from the new owners of 719 Fitness Center. *Council member Lundgren moved to approve the AST application for 719 Fitness Center from JDM Enterprises for two-year discounted utilities.* Seconded by Hughes. Roll call votes in favor were Lundgren, Wilkinson, Hughes, and Miller. Opposed: none. Motion carried.

Sheridan-Simonsen reported the ED Board recommended applying to the Nebraska Affordable Housing Trust Fund grant for an 8-rental unit housing. She reported grant writing assistance from Five Rule Rural Planning would be made as the ED Director would write the grant. Discussion was held for the level of Low to Moderate Income including a 2-person household income of \$80,000 or 120% of low to moderate income. *Hughes moved to authorize the ED Director to submit an application to the Nebraska Affordable Housing Trust Fund.* Seconded by Lundgren. Roll call votes in favor were Miller, Wilkinson, Hughes, and Lundgren. Opposed: None. Motion carried.

Discussion was held for Taylor Realty and Appraisal submitted a digital façade grant application for a new website with a project cost of \$4,416 and grant request of \$1,000. *Hughes moved to approve the digital facade grant application of \$1,000 to Taylor Realty & Appraisal for a new website.* Seconded by Wilkinson. Roll call votes in favor were Wilkinson, Lundgren, Miller, and Hughes. Opposed: None. Motion carried.

POLICE REPORT

Chief of Police Logan Lawson reported training requirements for 2023 were completed in January. He reported the DARE program with fifth grade students began in the second semester of school. He thanked the City Supt. for all the work on the new office construction. He reported he and the HR Committee interviewed a 9-year certified officer and extended a verbal offer to the candidate which was accepted, pending the council's approval. He reported the officer had to complete a firearms qualification to reactivate his certification and go through the pre-employment process with the city. *Wilkinson moved to approve the hire of Aubrey Miller as a Police Officer at a \$60,000 salary following completion of firearms qualification and reactivated certification and pre-employment testing, and an employment bonus of \$1,000 after one-year employment, \$2,000 after two years and \$3,000 after three years.* Seconded by Hughes. Roll call votes in favor were Lundgren, Miller, Hughes, and Wilkinson. Opposed: None. Motion carried.

The Chief reported he was in contact with Flock Safety on the license plate readers. He reported a revised offer for two cameras at \$3,000 was proposed instead of the original five cameras at \$3,000 in order to allow for shared readers with other agencies. He reported the readers could be integrated into the city cameras and that the camera project was the priority before adding the license readers. No action was taken.

Hughes moved to approve the January numeric and written police reports as presented. Seconded by Wilkinson. Roll call votes in favor were Hughes, Lundgren, Wilkinson, and Miller. Opposed: none. Motion carried.

CITY SUPT. & ELECTRIC REPORT

City Supt. Donaldson reported the city crew did an excellent job with the snow removal in January as each storm presents different challenges. He reported streets were being built up and filling potholes with the nice weather. He reported advertising for pool lifeguards and managers had begun and the Park Supt. and City Supt. were ordering pool chemicals. He reported concrete work on the northside of the pool was scheduled for March. The Supt. reported the colder January temperatures created sewer plant challenges with actuators freezing. He reported the Sewer Operator and City Supt. attended wastewater training in Crofton the previous week. He reported the north well replacement piping and upgrades were scheduled for the end of February. He reported First Star Recycling of Omaha had toured the Transfer Station after a tour of Blackburn Manufacturing. He reported the City Supt. and City Clerk had attended another zoom meeting with Northeast Nebraska partners for the continuation of a Hub and Spoke program and Neligh's facility was described as a gold star representation of community recycling. He reported the electric generation plant had operated two times during the January freezing weather and received very good communication. He reported one test was left to be eligible for the spinning reserve status. He reported the engine heater upgrades and flushing the units was scheduled with CAT next week. He reported on an update from the City Engineer who had to amend the bid specs to bore through the business entries for the water and sewer project and bid letting would be postponed to March 14th at 1:30 pm to provide advertising through March 13th. Mayor Hartz extended thanks to Sewer Operator Walt Patras for all his work on the wastewater treatment plant. *Hughes moved to approve the City Supt. report as presented.* Seconded by Lundgren. Roll call votes in favor were Lundgren, Hughes, Miller, and Wilkinson. Opposed: none. Motion carried.

Discussion was held for a community spring clean-up weekend and to set a specific date later in the spring. *Lundgren moved to approve a community clean-up weekend in April for a date yet to be announced and waived compactor fees for the Saturday event for Neligh residents only.* Seconded by Hughes. Roll call votes in favor were Wilkinson, Lundgren, Miller, and Hughes. Opposed: None. Motion carried.

NEW MOON THEATER REPORT

Theater Liaison Lundgren reported the Theater Board was awaiting a report from the architects and a meeting date with the architect to review the report. She reported a public night would be held to show mock-ups

of the plans proposed by the board and architect. She reported the board was working with a grant writer and starting the process to apply for grants. *Miller moved to approve the New Moon Theater report as presented.* Seconded by Hughes. Roll call votes in favor were Miller, Wilkinson, Hughes, and Lundgren. Opposed: None. 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 Miller. Roll call votes in favor were Lundgren, Hughes, Wilkinson, and Miller. Opposed: None. Motion carried.

Wilkinson moved to the Blackstrap invoices for deicer totaling \$1,838.20. Seconded by Miller. Roll call votes in favor were Miller, Lundgren, and Wilkinson. Abstain: Hughes. Opposed: None. Motion carried.

There being no further business to conduct, *Miller moved to adjourn.* Seconded by Wilkinson. Roll call votes in favor were Lundgren, Miller, Wilkinson, and Hughes. Opposed: None. Thereupon Mayor Hartz declared the meeting adjourned. Time 9:02 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 February 13, 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