

MINUTES OF BOARD OF EQUALIZATION HEARING FOR THE CITY OF NELIGH, NEBRASKA

February 13, 2018

A Board of Equalization meeting of the City Council of the City of Neligh met at the Council Chambers on February 13, 2018 at 7:00 P.M. Present were Council members Steph Wanek, Ted Hughes, Leonard Miller and Dale Wilkinson. Absent: Mayor Joe Hartz. Also in attendance were City Attorney Jim McNally, City. Supt. Dean Bly, Generation Supervisor Josh Capler, Police Officer Phil Hart, Economic Development Director Gabriel Steinmeyer, City Clerk Danielle Klabenes, City Engineer John Zwingman, News Reporters Laura Anderson and Carrie Pitzer, Rhonda Heithoff, Pat Meuret, Jeff Carr, Cori and Rob Starkey, Bill & Alice Lyons, Les & Janice Ritter, Pat Marshall, Eddie Pellatz and Jared Anderson. Notice of the meeting was given in advance thereof by publication on January 10, 17, 24 & 31 and February 7, 2018. Notice of this meeting was given to the Mayor and all members of the Council and a copy of their acknowledgement 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. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public. Council President Hughes presided over the meeting and City Clerk Klabenes recorded the minutes. The Pledge of Allegiance was recited.

PUBLIC HEARING FOR NELIGH INDEPENDENT LIVING ASSESSMENTS

Council President Hughes reported the City Council was convening as a Board of Equalization for the purpose of levying special assessments to pay for the Street Improvement District 2017-1 and Sanitary Sewer and Water Extension Districts No. 2016-1 also known as Neligh Independent Living of said City at a total cost of \$363,523.21.

City Engineer John Zwingman explained the final assessment schedule for the project was provided following the Council's December meeting recommendations. He reported the paving schedule provided for the assessable costs as 10% to neighbors and 90% to the developer based on benefit received. The total assessable paving costs were \$98,656.16 and the city's general obligation costs were \$146,107.95, which included paving, storm sewer, intersection and tree removals. Council President Hughes asked for public comments with no comments heard.

City Engineer Zwingman reported the sewer schedule provided for assessable costs at 100% to the developer based on benefit received as the single neighbor previously had sewer services and received no benefit from the project. The total assessable sewer costs were \$8,567.55 and the city's general obligation costs were \$3,070.20, which included connecting manholes and constructing new manholes. Council President Hughes asked for public comments with no comments heard.

Engineer Zwingman reported the water schedule provided for assessable costs at 10% to neighbors and 90% to the developer based on benefit received. Council members discussed previous discussions for assessable costs of 5% to neighbors and 95% to developer, based on increased fire protection and better water service to existing neighbors. The City Engineer reported that the schedule presented would then decrease the neighbors assessable cost to half the amount presented. The total assessable water costs were \$91,125.09 and the city's general obligation costs were \$15,996.26, which included fire hydrants, valves leading to hydrants, the "T" in front of the hydrant and seeding and erosion control. Developer Pat Meuret reported he had not requested the water line be moved and noted that the council had previously passed a motion for the 95% and 5% split. *Wilkinson moved to approve the change in the water assessment schedule presented of 90% to developer 10% to neighbor to a 95% developer and 5% neighbor assessable costs for the water schedule.* Seconded by Miller. Roll call votes in favor were Wanek, Miller, Hughes, Wilkinson. Opposed: None. Motion carried.

INTEREST RATE

Discussion was held for setting an interest rate for unpaid assessments in fifteen equal assessments on an annual basis. Payment of an assessment within 50 days of the public hearing would not be charged interest. City Clerk Klabenes reported the bonding agent recommended an interest rate between 4.5 - 5%, which was similar to previously assessed projects in 2013 and 2014. Following discussion for considering to bond the project sooner than the March 2019 bond anticipation date, *Miller moved to establish the interest rate at 4.5% on all unpaid assessments and 9.5% delinquent interest for a total of 14% interest for a period of 15 years as set by State Statute.* Seconded by Wanek. Roll call votes in favor were Wilkinson, Miller, Hughes, Wanek. Opposed: None. Motion carried.

RESOLUTION 2018-2 SETTING SPECIAL ASSESSMENTS

There being no further comments, *Wilkinson introduced and moved for passage Resolution 2018-2 setting special assessments of \$198,348.80 based on benefit received and payable over a 15 year period plus interest at 4.5%. Payment No. 1 becomes delinquent after 50 days of April 4, 2018. All assessments paid within the first 50 days shall bear no interest.* Wanek seconded the motion for its passage and adoption. Roll call votes in favor were Miller, Wanek, Wilkinson, Hughes. Opposed: None. Thereupon Council President Hughes declared Resolution 2018-2 adopted.

There being no further business to conduct as a Board of Equalization, *Wilkinson moved to adjourn the public hearing.* Seconded by Miller. Roll call votes in favor were Wanek, Wilkinson, Miller, Hughes. Opposed: None. Thereupon Council President Hughes declared the Board of Equalization meeting adjourned. Time 7:24 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 the foregoing is a true and correct copy of proceedings had and done by the Board of Equalization on February 13, 2018; 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 at the meeting for examination and copying by members of the public; 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.

City Clerk

(SEAL)

February 13, 2018

The regular meeting of the Mayor and City Council of the City of Neligh was held at the Council Chambers on Tuesday, February 13, 2018 at 7:26 P.M. Present were Council members Dale Wilkinson, Ted Hughes, Leonard Miller and Steph Wanek. Absent: Mayor Joe Hartz. Also in attendance were City Attorney Jim McNally, City Supt. Dean Bly, Generation Supervisor Josh Capler, Police Officer Phil Hart, Economic Development Director Gabriel Steinmeyer, City Clerk Danielle Klabenes, City Engineer John Zwingman, News Reporters Laura Anderson and Carrie Pitzer, Rhonda Heithoff, Jeff Carr, Bill & Alice Lyons, Les & Janice Ritter, Pat Marshall, Eddie Pellatz and Jared Anderson. Notice of this meeting was given in advance thereof by publication in the Neligh News and Leader on February 7, 2018. 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. 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 Council Chambers, is available to the public. City Clerk Klabenes recorded the minutes.

APPROVAL OF MINUTES

Wilkinson moved to approve the January 9th regular meeting minutes as submitted. Seconded by Wanek. Roll call votes in favor were Hughes, Wanek, Miller, Wilkinson. Opposed: None. Motion carried.

TREASURER'S REPORT

Clerk Klabenes presented the January 2018 treasurer's report. She reported on the weak general fund balance with fewer revenues during this part of the fiscal year. She reported on the CDBG De-obligated funds available for a demolition project. She reported on the DTR funds direct deposited into the general fund by the State of Nebraska instead of the separate account created for DTR funds. *Wanek moved to accept the January treasurer report as submitted. Seconded by Miller. Roll call votes in favor were Wanek, Miller, Hughes, Wilkinson. Opposed: None. Motion carried.*

ONE-AND-SIX YEAR STREET IMPROVEMENT PLAN HEARING

Council President Hughes opened the One-and-Six Year Street Improvement Plan Hearing at 7:30 P.M. to receive oral or written comments from the general public. City Engineer John Zwingman reported the one-and-six year plan did not pre-empt or commit the city to complete the project. He reported the one year plan included the road south of the Neligh Mill Bridge, Wylie Drive with an updated cost, and 3 alleys in downtown Neligh including the alley behind ESU #8 between 3rd and 4th Streets with the City and the ESU #8 sharing costs 50/50 upon the ESU #8 remodel completion. He reported the six year plan included all the remaining gravel roads. Public comments were heard for interest in paving T Street. Engineer Zwingman explained the procedure to petition for paving with over 50% of neighbors in agreement to a paving project to propose to the City Council before budget planning. The hearing was left open.

RIVERSIDE PARK JET

City Clerk Klabenes reported the annual agreement between the US Air Force and the City of Neligh to display the aircraft in Riverside Park was the same as previous years. Discussion was held that in the event the City would decide to no longer display the aircraft, that it was the city's expense to return the aircraft to the US Air Force. *Wilkinson moved to approve the 2018 loan agreement for displaying the jet in Riverside Park between the Department of the United States Air Force and the City of Neligh. Seconded by Wanek. Roll call votes in favor were Hughes, Wilkinson, Wanek, Miller. Opposed: None. Motion carried.*

RESOLUTION 2018-3 DIAL-A-RIDE FUNDING FOR 2018-2019

Clerk Klabenes reported the Nebraska Department of Roads required the operating assistance applications by March 1st and the state followed a fiscal year running from July 1st to June 30th. She reported the operating costs were increasing from \$46,974 last year to a proposed \$48,439 for the 2018-2019 fiscal year. She reported the increased costs were due to an increase in fuel prices and an employee eligible for employee benefits that were not previously available. She reported the proposed budget would become the Dial-A-Ride budget in the fall for the city budget planning. *Wanek introduced and moved for passage Resolution 2018-3 requesting state funding of \$7,399.00 and federal funding of \$25,451.00 for the fiscal year 2018-2019 Dial-A-Ride Public Transportation operation. Seconded by Miller. Roll call votes in favor were Wilkinson, Miller, Wanek, Hughes. Opposed: None. Thereupon Council President Hughes declared Resolution 2018-3 adopted.*

ECONOMIC DIRECTOR REPORT

Economic Development Director Gabriel Steinmeyer reported on a new downtown revitalization application. He reported the Neligh Flower Shop applied for a Fix-the-Bones grant for a sub-floor and floor

surface and the review committee had recommended approval for the \$2,776.44 request in DTR funds. Discussion was held for emphasizing the schedule to complete projects for DTR. Director Steinmeyer reported that the Economic Development Board recommended a June 1st deadline for applications. The director reported the DTR funds committed to projects was slightly over \$150,000 to date. *Wilkinson moved to approve an application from the federal DTR as recommended by the application committee for Neligh Flower Shop for a Fix-the-Bones grant totaling \$2,776.44.* Seconded by Wanek. Roll call votes in favor were Wanek, Miller, Hughes, Wilkinson. Opposed: None. Motion carried.

He also reported of 3 entities working on business plans for one new business in town. He encouraged attendance at the Ag & Home Expo would be held March 6 – 7. He reported on a rural workforce housing grant with a 1:1 match with options for CORE or NENEDD as grant administrators. He reported the funds would establish a revolving loan fund for new housing such as duplex or triplex units for home occupation within 24 months. Discussion was held for the Finance Committee with Council Members Wilkinson and Miller to meet with the Director and an Economic Development Board member to discuss the city funding contribution. *Wilkinson moved to approve CORE as grant administrator for the rural workforce housing grant.* Seconded by Wanek. Roll call votes in favor were Miller, Wilkinson, Hughes, Wanek. Opposed: None. Motion carried.

The Director also reported that Brent Comstock originally of Auburn, Nebraska, would be speaking to Neligh-Oakdale students and surrounding school students about entrepreneurship in rural Nebraska. He reported the speaker will be open to the public on February 20th and requested up to \$1,000 from LB840 funds for the speaker cost. *Wanek moved to approve an amount not to exceed \$1,000 from LB840 funds for the youth entrepreneur speaker on February 20, 2018.* Seconded by Wilkinson. Roll call votes in favor were Miller, Wilkinson, Wanek, Hughes. Opposed: None. Motion carried.

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

POLICE REPORT

Officer Phil Hart reported for Chief Wright who was out for a family appointment. Clerk Klabenes reported that Chief Wright was waiting for one more quote on the trailer to present on. *Wilkinson moved to approve the January police report of 331 calls.* Seconded by Wanek. Roll call votes in favor were Wanek, Wilkinson, Hughes, Miller. Opposed: None. Motion carried.

ONE-AND-SIX-YEAR STREET PLAN

There being no oral or written comments received in reference to the One-and-Six Year Street Improvement Plan, *Council member Wanek moved to close the hearing at 8:34 P.M. and introduced and moved for passage Resolution 2018-4 adopting the One-and-Six Year Street Improvement Plan as prepared by Advanced Consulting Engineering Services with the amendments to include the downtown business alleys between 4th and 5th Streets and 2nd and 3rd Streets both between L Street and M Street in the one year plan.* Seconded by Wilkinson. Roll call votes in favor were Miller, Wilkinson, Wanek, Hughes. Opposed: None. Thereupon Council President Hughes declared Resolution 2018-4 adopted.

CITY SUPT. REPORT AND ELECTRIC REPORT

City Supt. Bly reported a recycling company from Laurel, Nebraska offered containers to place in the compactor for recycling cardboard, plastics, paper and tin and aluminum cans. He reported the Laurel company would provide transportation for the pickup of recycling materials. Discussion was held whether the quantity accumulated in Neligh's recycling could be regularly transported for a weekly pickup. Supt. Bly reported he would have more information next month.

Supt. Bly reported the Ball Board requested to rebuild a wider dugout and add a wider dugout behind 3rd base of the Legion field for the home field dugout at their expense. Discussion was held if the structure would interfere with county fair activities. Supt. Bly reported the parking and road area would not be affected. Discussion was held for the Ball Board to present two options.

The Supt. also reported on an estimate and historic narrative for the Russell Park sign would match the style of other park signage. He reported the cost of the sign was donated by the Kalvelage Trust.

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

ELECTRIC REPORT

Generation Supervisor Capler reported on one outage for the month on the west side of town due to a broken jumper wire. He reported the One Room School House was successfully moved into town earlier that day with no issues. He reported the new relay was installed on the sub-feeder inside the generation plant at a lower cost than expected. He reported the install went smooth. Supervisor Capler reported he would have the test run setup during the month with the relay now installed. He reported Lineman Ellenwood was doing really well learning the generation plant and electrical system.

City Attorney McNally reported the city had reached a winter peak last month at 5,123 and Neligh always had a winter peak as reflected in the MEAN winter invoice. Discussion was held for the nearly two-week period of very cold temperatures.

Council member Wilkinson reported the ACE Board of Directors approved a rebate of \$250,000 with Neligh's rebate approximately \$5,000. He reported this was the highest rebate approved which provided for the CodeRed Emergency notification system. He reported he was re-elected to the executive committee and the council thanked Council member Wilkinson for his service.

Wanek moved to approve the January electric operations report. Seconded by Miller. Roll call votes in favor were Wanek, Miller, Hughes, Wilkinson. Opposed: None. Motion carried.

APPROVAL OF BILLS

Moved by Wilkinson to approve the bills as submitted. Seconded by Wanek. Roll call votes in favor were Wilkinson, Wanek, Miller, Hughes. Opposed: None. Motion carried.

There being no further business to conduct, *Miller moved to adjourn.* Seconded by Wanek. Roll call votes in favor were Hughes, Miller, Wilkinson, Wanek. Opposed: None. Thereupon Council President Hughes declared the meeting adjourned. Time 8:55 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 the foregoing is a true and correct copy of proceedings had and done by the City Council on February 13, 2018; 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 at the meeting for examination and copying by members of the public; 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.

City Clerk

(SEAL)