

MINUTES OF REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF NELIGH, NEBRASKA
October 10, 2017

The regular meeting of the Mayor and City Council of the City of Neligh was held at the City Council Chambers on Tuesday, October 10, 2017 at 7:00 P.M. Present were Council Members Steph Wanek, Leonard Miller, Dale Wilkinson and Ted Hughes. Also in attendance were City Attorney Jim McNally, City Supt. Dean Bly, Generation Supervisor Josh Capler, Economic Development Director Gabriel Steinmeyer, Police Chief Michael Wright, City Clerk Danielle Klabenes, News Reporters Laura Anderson and Carrie Pitzer, City Engineer John Zwingman, Colton Marsh, Rhonda Heithoff, Jennifer Pellatz, Don Weinman, Don & Judy Zegers and Steve Kuester. Notice of this meeting was given in advance thereof by publication in the Neligh News and Leader on October 10, 2017. 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. 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 Hughes moved to approve the September 12th regular meeting minutes as presented. Seconded by Wilkinson. Roll call votes in favor were Miller, Wilkinson, Hughes, Wanek. Opposed: None. Motion carried.

TREASURER'S REPORT

Clerk Klabenes reported the stronger general fund for the end of the fiscal year. She reported the separated CDBG de-obligated funds as discussed last month and reported on the Surplus Real Property funds designated for the house demolition and asbestos removal of 209 Main Street. She reported on the annual statement of receipts and disbursements as required by statute. She reported on the annual summary report of checking, saving and investment funds noting which investments were restricted for the line of credit for the power supplier or generation bond debt covenants. *Hughes moved to approve the September 2017 Treasurer's report, annual treasurer's report and annual bank summary report for 2016-2017 as presented.* Seconded by Miller. Roll call votes in favor were Hughes, Wanek, Wilkinson, Miller. Opposed: None. Motion carried.

NELIGH AMERICAN LEGION SPECIAL DESIGNATED LIQUOR LICENSE

Colton Marsh of the NYMC reported on a special designated liquor license request for Novemberfest. He reported the event will be organized and run the same as the previous two years and requested consideration for the special liquor license to meet formalities. *Wilkinson moved to approve the special designated liquor license for the Neligh American Legion Post 172 for the Neligh Young Men's Club Novemberfest on November 4th at the American Legion.* Seconded by Wanek. Roll call votes in favor were Wilkinson, Hughes, Miller, Wanek. Opposed: None. Motion carried.

2018 STREET INTERSECTION REPAIRS

City Engineer John Zwingman reported he was preparing to have two intersections of interest topographed with plans and specs at the following meeting. He reported the designated street intersections were 8th and P Street and 5th and F Street. He reported bid letting may be held with the alley paving project between 3rd and 4th street behind the ESU #8. Discussion was held that the ESU #8 project was projected to run on a 18 month schedule and bid letting for the paving projects may be separated as the street intersections required completion prior to the end of the 2018 fiscal year. Discussion was held for the full alley and sewer replacement with ½ of the alley cost share with the ESU #8. City Engineer Zwingman requested consideration for the contract for the street intersections. *Hughes moved to approve a contract with Advanced Engineering Services for 2018*

street intersection repairs for \$4,500. Seconded by Wanek. Roll call votes in favor were Miller, Wilkinson, Wanek, Hughes. Opposed: None. Motion carried.

UTILITY DISCONNECT POLICY FOR TENANTS AND LANDLORDS

Discussion was held for the current disconnect policy for delinquent utility accounts and the procedure for tenants or property owner's final utility bills. Local property owners of rental properties Don Zegers and Steve Kuester reported that property owners should not be responsible for a tenant's unpaid bill from disconnection. Both property owners reported that the tenant should be responsible for the utility bill for tenant's own utility usage. Discussion was held for property owner's financial benefit from renting a property and owners should monitor the tenant's. Discussion was held that notices of disconnection were mailed to both tenants and property owners 7-10 business days in advance as required by state law. Discussion was held whether the collection of a tenant's unpaid bill ultimately was the responsibility of the property owner or the city through collection processes or uncollectible write-offs. Discussion was held for raising utility deposit amounts or collecting more than the current bill however discussion noted that neither of these suggestions would take the place of responsibility for a tenant's unpaid bill. Discussion was held for tabling the agenda item to the November meeting to research additional utility companies and continue discussion with property owners. No action was taken and the matter was tabled to next month.

APPOINTMENTS

Mayor Hartz recommended the reappointment of Al Stelling to the Economic Development Board for a 3-year term. *Motion was made by Wilkinson to approve the appointment as presented. Seconded by Hughes. Roll call votes in favor were Miller, Hughes, Wanek, Wilkinson. Opposed: None. Motion carried.*

INSURANCE DEDUCTIBLE INCREASE

Clerk Klabenes reported that the city department heads had met with a LARM representative and Council Member Hughes to review equipment and vehicles within the city insurance policy. She reported the discussion had asked LARM to provide a cost estimate for increasing the insurance deductible from \$250 to either \$500 or \$1000. She reported the LARM representative had reported that cities did not carry a \$250 deductible any longer. She reported the \$500 deductible estimated a savings of \$1,270 and the \$1,000 deductible estimated a savings of \$4,300. *Wilkinson moved to approve increasing the city vehicle insurance deductible with LARM from \$250 to \$1,000 effective in the current fiscal year. Seconded by Hughes. Roll call votes in favor were Hughes, Miller, Wanek, Wilkinson. Opposed: None. Motion carried.*

NET METERING AGREEMENT WITH NMPP

City Attorney McNally reported on an agreement where Nebraska Municipal Power Pool would provide a net metering policy and assistance with cost of energy rates in the event an application to install wind or solar energy would be made by a resident. He reported the net metering policy was a one-time fee of \$250 and each application for interconnection was \$1,000. Discussion was held that the application cost could be passed on to the resident and would be discussed further. *Hughes moved to approve the net metering agreement with NMPP for a one-time fee of \$250.00. Seconded by Wanek. Roll call votes in favor were Wanek, Hughes, Miller, Wilkinson. Opposed: None. Motion carried.*

ECONOMIC DIRECTORS REPORT

Economic Development Director Gabriel Steinmeyer reported on two new downtown revitalization applications. He reported Carhart Lumber requested \$3,700 in grant funds for a \$7,400 façade improvement project. He reported Wanek Pharmacy requested \$25,000 in grant funds for a \$62,500 façade improvement project which included electrical, awning, signage, labor and materials. He reported the Downtown Committee had approved both applications for further consideration of the City Council. Discussion was held for eligible businesses with visibility from the street and within the downtown revitalization designated area. *Wanek moved to approve the DTR applications as recommended by the application committee for Carhart Lumber and Wanek*

Pharmacy façade grants of \$28,700.00. Seconded by Miller. Roll call votes in favor were Miller, Wilkinson, Hughes, Wanek. Opposed: None. Motion carried.

The Director reported the Apple Mac Book Pro laptop purchase of \$2,500 approved during budget was to be split between two fiscal years with an Apple credit card and 0% interest financing. He requested authorization for use of the Apple financing credit card. Discussion was held for the credit card to be retained in the city office and used for the laptop purchase only. *Wanek moved to authorize an Apple credit card for the laptop for the Economic Development office with the City of Neligh named on the credit card and disposal of the credit card after purchase completion.* Seconded by Hughes. Roll call votes in favor were Wilkinson, Wanek, Miller, Hughes. Opposed: None. Motion carried.

ED Director Steinmeyer also reported the AG & Home Expo would be held in March 2018 and sponsors could contact his office for booth space. He reported an additional 12 DTR applications were in circulation. He reported he reached out to Oppidan and awaited a response. Discussion was held for the City Attorney to contact the owners of the former Pizza Hut for lawn care and maintenance. *Wanek moved to approve the Economic Development Director's report.* Seconded by Hughes. Roll call votes in favor were Wilkinson, Miller, Hughes, Wanek. Opposed: None. Motion carried.

POLICE REPORT

Police Chief Wright reported the police department received a \$6,000 grant from Region 11 for 3 AED's which would each be placed in the patrol cars. He reported the fire department had received a grant also from Region 11 for radio pagers. He reported now that the new fiscal year was beginning he would be working further on the radar unit approved during budget from the allocated lottery funds. Mayor Hartz reported of a dog barking in the neighborhood. Wright reported the home owner could be cited at the appropriate level to be cited. *Wanek moved to approve the September police report of 361 calls.* Seconded by Miller. Roll call votes in favor were Hughes, Miller, Wilkinson, Wanek. Opposed: None. Motion carried.

Chief Wright reported half of the animal complaints and noise complaints were due to cat complaints. He requested consideration for a cat licensing ordinance similar to the current dog ordinance and referenced other communities with cat licenses. Discussion was held for identifying pet cats to the rightful owner and address homes for cats without owners. It was the consensus of the council for the City Attorney to draft an ordinance similar to Ord, Nebraska for review at the next meeting. The matter was tabled. No action was taken.

CITY SUPT. REPORT

City Supt. Bly reported the county would like to give to the city a radio tower when the county receives a new tower. Discussion was held for determining a value on the tower for insurance purposes. *Wanek moved to accept the radio tower from Antelope County at no cost.* Seconded by Hughes. Roll call votes in favor were Wilkinson, Wanek, Miller, Hughes. Opposed: None. Motion carried.

The Supt. reported he would like to schedule a fall clean up weekend with extended hours for the tree dump for Saturday and Sunday, and the compactor open Saturday regular hours. He reported the city had been assisting the Village of Oakdale with water tests once a month and he requested consideration for an inter-local agreement with the village for such services until Oakdale personnel finished the tests and were certified. Supt. Bly reported he would attend a Village of Oakdale board meeting to discuss the agreement. It was the consensus of the city council to agree to a \$50 per trip fee for mileage and samples taken. The Supt. also reported Tanner Knutson was attending schooling in Wahoo and would be test taking in Norfolk for sewer plant certification and backup sewer personnel. He reported the Highway 275 storm sewers were being completed. Discussion was held for consideration of moving the City Council meetings to an earlier time during the winter months of December through March. City Attorney McNally will review the ordinance for further consideration.

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

ELECTRIC REPORT

Generation Supervisor Capler reported electrical work on the Neligh Independent Living project would be completed later in the week with pulling wire. He reported the utilities switch in the east annexation area was scheduled for Monday, October 16th and he would be visiting with affected customers. He reported the time of the switch would consider harvest schedules at Farmer's Pride. Discussion was held for payment to Elkhorn Rural Public Power would be made Monday, October 16th. The Supervisor reported the generation plant was running well. *Hughes moved to approve the Electric report.* Seconded by Miller. Roll call votes in favor were Wilkinson, Miller, Wanek, Hughes. Opposed: None. Motion carried.

APPROVAL OF BILLS

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

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

City of Neligh

Joe Hartz, Mayor

ATTEST

Danielle Klabenos, City Clerk

CERTIFICATION

I, the undersigned, City Clerk of the City of Neligh, Nebraska, hereby certify that October 10, 2017; 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)