

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

The regular meeting of the Mayor and the City Council of the City of Neligh was held at the City Council Chambers on Tuesday, January 10, 2017 at 7:00 P.M. Present were Mayor Joe Hartz and Council Members Dale Wilkinson, Steph Wanek, Ted Hughes and Leonard Miller. Also in attendance were City Attorney Jim McNally, Police Chief Mike Wright, City Supt. Dean Bly, Economic Development Director Greg Ptacek, Generation Supervisor Josh Capler, Library Director Jennifer Norton, City Clerk Danielle Klabenes, News Reporters Joan Wright and Jamie Schmitz, Dan Duren, Ron Gilg and Rhonda Heithoff. Notice of this meeting was given in advance thereof by publication in the Neligh News and Leader on January 4, 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. Mayor Hartz offered a prayer before opening the 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 December regular meeting minutes as presented.* Seconded by Wilkinson. Roll call votes in favor were Miller, Wilkinson, Wanek, Hughes. Opposed: None. Motion carried.

#### **TREASURER'S REPORT**

Clerk Klabenes reported the lower general fund balance continued during the early part of the fiscal year. She reported on the ordinance for the bond anticipation note on the water and sewer project for the Neligh Independent Living would be presented in February with funds available in March. *Wilkinson moved to approve the December 2016 treasurer's report as presented.* Seconded by Wanek. Roll call votes in favor were Wilkinson, Hughes, Miller, Wanek. Opposed: None. Motion carried.

#### **EMPLOYEE HEALTH INSURANCE**

Dan Duren of Benefit Management presented health insurance renewal options for February 1<sup>st</sup> with Blue Cross Blue Shield and United Health Care plans. He reported he saw policies increasing 10-55% across the state and reported the Affordable Care Act had become non-affordable. He reported on the differences in deductible, co-insurance, maximum out of pocket expenses and monthly premiums for several silver and bronze Blue Cross Blue Shield Plans. He reported United Health Care used a managed care approach which he found to be more difficult for providers and insurers. Clerk Klabenes reported she had contacted area medical facilities for references on United Health Care since she had not worked with the company. She reported the references stated United Health Care was more difficult to acquire pre-authorizations for services than Blue Cross Blue Shield, reported of differences in facility and doctor handling of in-network and out-of-network costs and reported the medical facilities noted a delay in payment of claims. She reported employees were evenly split between two Blue Cross Blue Shield policies with the premium, deductible, co-insurance and out of pocket costs associated with the plans. Following discussion, *Hughes moved to approve the Blue Cross Blue Shield Silver203 plan renewal for employee health insurance effective February 1, 2017.* Seconded by Wilkinson. Roll call votes in favor were Miller, Wilkinson, Wanek, Hughes. Opposed: None. Motion carried.

#### **SEMI-ANNUAL LIBRARY STATISTICAL REPORT**

Library Director Jennifer Norton presented the statistical report. She reported the library was re-accredited at the highest level possible at the gold level from the Nebraska Library Commission and was recognized by the Library Journal as a Five-Star library. She reported nearly 1/3 of the circulation materials were DVD's with a total circulation of all materials exceeding 56,000. She reported the library hosts three groups including a Young Writers Group, a Teen Book Group and a new Tween reading group. She explained that the Friends of the Library purchase a book for each participant and she meets once a month at the school during lunch or recess with the youth groups. She reported an application was filed for an internship grant through the Nebraska Library Commission for a student to work at the library during the summer and anticipated a notice of award in February. She thanked the mayor and council for the nice library Neligh has and extended her appreciation. The Mayor and Council thanked the library staff for their dedication to services and programs at the library and thanked the citizens for making the library great. *Wanek moved to approve the semi-annual library statistical report.* Seconded by Hughes. Roll call votes in favor were Hughes, Wilkinson, Miller, Wanek. Opposed: None. Motion carried.

#### **ONE-AND-SIX-YEAR STREET PLAN**

Discussion was held for street projects to consider including in the one-and-six-year street plan prior to the public hearing the following month. Discussion was held for adding Wylie Drive to the six-year plan. City Supt. Bly reported he continued to receive complaints about the road. *Wilkinson moved to set the public hearing for the One-and-Six Year Street Plan for Tuesday, February 14, 2017 at 7:00P.M. and to add Wylie Drive to the six-year plan.* Seconded by Wanek. Roll call votes in favor were Wanek, Miller, Hughes, Wilkinson. Opposed: None. Motion carried.

## **ORDINANCE NO. 598 USE OF GOLF CAR VEHICLES**

Mayor Hartz asked the City Attorney if the use of golf car vehicles could be added to the existing ATV/UTV ordinance. City Attorney McNally explained that the state statute was separate for ATV/UTV from golf car vehicles and advised to keep separate ordinances. Discussion was held for safety concern and the purposes to use golf car vehicles in town. Mayor Hartz asked for a motion to consider waiving the three readings. No motion was made so the matter failed for lack of a motion.

## **EMPLOYEE LEAVE FOR PART-TIME EMPLOYEES**

Following a review of the amended personal leave policy to provide paid personal leave to part-time employees in the first year of employment based on the first 3 months of employment at the same calculation as part-time employees personal leave after the first year of employment, *Wanek moved to approve the personal leave policy for part-time employees.* Seconded by Miller. Roll call votes in favor were Miller, Wilkinson, Wanek. Opposed: Hughes. Motion carried.

## **CODE OF CONDUCT POLICY**

City Attorney McNally reported the Economic Development Board had adopted a Code of Conduct Policy and advised the Council to make a recommendation to other city boards and committees to consider adopting the same policy. He reported he would draft a letter to the other boards for consideration at the board's following meeting and recommended that upon the board's approval of the policy that a copy of such policy be filed at the City Clerk's office with the minutes of the meeting. City Attorney McNally credited ED Director Ptacek for preparing the Code of Conduct policy. *Wanek moved to authorize the City Attorney to prepare a letter for the City Council's recommendation to city boards to consider a Code of Conduct Policy and to return such policy to the City Office.* Seconded by Hughes. Roll call votes in favor were Wanek, Miller, Wilkinson, Hughes. Opposed: None. Motion carried.

## **APPOINTMENTS**

Mayor Hartz recommended the appointment of Ralph Overton to the Neligh Housing Authority for the unexpired term to April 2021. ED Director Ptacek reported 4 of the 5 Old Mill District Design Committee members were Steph Wanek, Melissa Smith, Al Stelling and James Zielinski. The Director reported the 5<sup>th</sup> member would be considered for appointment at the February meeting. *Hughes moved to approve the appointments as presented.* Seconded by Miller. Roll call votes in favor were Wilkinson, Miller, Wanek, Hughes. Opposed: None. Motion carried.

## **CHECKING ACCOUNT FOR DOWNTOWN REVITALIZATION FUNDS**

City Attorney McNally reported the Department of Economic Development recommended a separate bank account for the Downtown Revitalization grant funds. *Hughes moved to approve and authorize the city clerk/treasurer to open a non-interest bearing checking account at Pinnacle Bank for Downtown Revitalization grant funds with the same two signature requirement.* Seconded by Wilkinson. Roll call votes in favor were Hughes, Miller, Wanek, Wilkinson. Opposed: None. Motion carried.

## **ECONOMIC DEVELOPMENT DIRECTOR'S REPORT**

Economic Development Director Ptacek reported the Spartan Motors transfer from Smeal's was completed and the facility would be manufacturing firetrucks long term in Nebraska facilities such as the Neligh location. He reported that Spartan Motors will continue to make firetrucks and Smeal with a well respected brand will also continue to make trucks. He reported all Smeal ladders are installed on both Smeal and Spartan trucks.

The Director reported the Downtown Revitalization release of funds would be in February or March. He presented 4 applications that both the state and federal government would review with possible advisement of changes. He reported the Design Planning Grant application was a city funded application with up to \$250 reimbursement for a professional designer to prepare a façade plan and available to all 80 businesses eligible in the Old Mill District. He reported a second application with local funds from LB840 was for façade improvement to allow small projects such as tuck pointing, signage, sidewalks or cosmetic features with 75% grant funds offered. He reported of two applications which utilized the federal funds from Downtown Revitalization were for code deficiency, façade improvements and structural deficiencies such as indoor projects for ADA and energy efficiency. He reported the federal applications provided a 50% match up to \$25,000. He noted that both of the federal applications required an environmental review and a review by the State Historic Preservation Office and one application required working with the Nebraska Main Street Network.

Director Ptacek reported the two year grant required a program administrator such as Northeast Nebraska Economic Development District for general administration of the grant at a cost of \$35,000. Discussion was held for the cost of the contract and services provided for the fee. Ptacek reported the administrator would certify compliance with the state and federal rules and assure contractors followed wage guidelines. *Wanek moved to approve a contract for \$35,000 with Northeast Nebraska Economic Development District for general administration services with the Downtown Revitalization grant.* Seconded by Wilkinson. Roll call votes in favor were Miller, Wilkinson, Hughes, Wanek. Opposed: None. Motion carried.

Clerk Klabenes requested consideration to approve the state contract upon receipt following the City Attorney's approval in the event the contract arrived and must be returned between council meetings. *Hughes moved to approve the contract with the Nebraska Department of Economic Development for release of funds subject to approval by the City Attorney.* Seconded by Miller. Roll call votes in favor were Hughes, Wanek,

Wilkinson, Miller. Opposed: None. Motion carried.

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

### **POLICE REPORT**

Discussion was held for the emergency notification system called CodeRed with an all-call message to be sent later in the week encouraging residents and businesses to register for the weather warning messages. Chief Wright reported the camera system update was scheduled for February. *Wilkinson moved to approve the December police report of 418 calls.* Seconded by Wanek. Roll call votes in favor were Hughes, Miller, Wanek, Wilkinson. Opposed: None. Motion carried.

### **CITY SUPT. REPORT**

City Supt. Bly reported he would submit an application for the tire amnesty grant soon for possible July collection if awarded. He reported he was working with the State Department of Roads for possibly moving a stop sign for Smeal's trucks and the gate at Smeal's driveway may move farther out. He reported the street equipment was ready for winter weather. He reported he was watching for a dump truck with the state equipment sales.

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

### **ELECTRIC REPORT**

Generation Supervisor Capler reported of a few outages from strong wind storm. The Council commended and thanked Capler and two employees for work on Christmas night in the unfavorable winter wind and temperatures. He reported that following an audit from Municipal Energy Agency of Nebraska that the city's electrical records and site inspection were in compliance. He reported Southwest Power Pool required an urge test for all 4 generators to run at maximum power for 2 hours and the test would be run before mid-February. He reported part of the test would place meters on each of the stacks to check emissions for NESHAP.

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

### **APPROVAL OF BILLS**

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

There being no further business to conduct, *Wanek moved to adjourn.* Seconded by Miller. Roll call votes in favor were Wanek, Miller, Hughes, Wilkinson. Opposed: None. Thereupon Mayor Hartz declared the meeting adjourned. Time 8:43 P.M.

City of Neligh

\_\_\_\_\_  
Joe Hartz, Mayor

ATTEST

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Danielle Klabenes, City Clerk

## CERTIFICATION

I, the undersigned, City Clerk of the City of Neligh, Nebraska, hereby certify that January 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.

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City Clerk

(SEAL)