

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

September 12, 2017

The regular meeting of the Mayor and City Council of the City of Neligh was held at the City Council Chambers on Tuesday, September 12, 2017 at 7:00 P.M. Present were Council Members Leonard Miller, Ted Hughes and Dale Wilkinson. Absent was Steph Wanek. 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, Officer Hart, News Reporter Carrie Pitzer, John Trecek, Tom Nelson, Jeri Anderson, Matt Kalin, Steve Simonsen and Dennis & BJ Koch. Notice of this meeting was given in advance thereof by publication in the Neligh News and Leader on September 6, 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 August 8th regular and August 16th special meeting minutes as presented. Seconded by Wilkinson. Roll call votes in favor were Wilkinson, Miller, Hughes. Opposed: None. Absent: Wanek. Motion carried.

TREASURER'S REPORT

Clerk Klabenes reported the strong solid waste revenues for August reflected the tire amnesty and recycling assistance grant proceeds. She reported the surplus real property line item would be used for the recent asbestos removal at 209 Main Street and future demolition costs. She reported on the general fund balance and the adjustment for in-lieu proceeds in the street department. *Wilkinson moved to approve the August 2017 treasurer's report as presented.* Seconded by Miller. Roll call votes in favor were Miller, Hughes, Wilkinson. Opposed: None. Absent: Wanek. Motion carried.

2016-2017 AMENDED BUDGET HEARING OPENED

Mayor Hartz declared the hearing opened to hear support, opposition, criticism, suggestions or observations for the 2016-2017 amended budget. Time: 7:06 P.M. City Clerk Klabenes reported the 2016-2017 expenditures exceeded the adopted budget due to refinancing bonds for street and the electric generation plant at a lower interest rate. She reported the 2016-2017 expenditures were estimated \$1,231,544 higher than budgeted for the \$2,760,285 refinanced bonds. Discussion was held that the balance of the investments and debt covenants recorded in the annual budget as expenditures were not spent during 2016-2017 and offset the refinanced bonds amount to explain the difference between estimated expenses and the refinanced bonds amount. The hearing was left opened.

ORDINANCE 603 ISSUING ELECTRIC REVENUE BONDS FOR ELECTRIC IMPROVEMENTS AND EQUIPMENT

John Trecek of Ameritas Investments presented the ordinance for electric revenue bonds for \$400,000 over 10 years with average interest of 2.3397%. He reported the bonds would be optional for refinancing or additional payment after 5 years. *Council member Wilkinson introduced the following ordinance entitled:*

AN ORDINANCE AUTHORIZING THE ISSUANCE OF ELECTRIC UTILITY REVENUE BONDS, SERIES 2017, OF THE CITY OF NELIGH, NEBRASKA, IN THE PRINCIPAL AMOUNT OF FOUR HUNDRED THOUSAND DOLLARS (\$400,000) TO PAY THE COSTS OF CONSTRUCTING ADDITIONS AND IMPROVEMENTS TO THE ELECTRIC UTILITY OF THE CITY; PRESCRIBING THE FORM OF SAID BONDS; PLEDGING AND HYPOTHECATING THE REVENUES AND EARNINGS OF THE ELECTRIC UTILITY FOR THE PAYMENT OF SAID BONDS; ENTERING INTO A CONTRACT ON BEHALF OF THE CITY WITH THE HOLDERS OF SAID BONDS; PROVIDING FOR THE SALE OF THE BONDS; AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER; PROVIDING FOR THE DISPOSITION OF THE BOND PROCEEDS AND ORDERING THE ORDINANCE PUBLISHED IN PAMPHLET FORM.

And moved that the statutory rule requiring reading on three different times be suspended. Council member Hughes seconded the motion to suspend the rules and upon roll call vote on the motion, the following Council members voted YEA: Wilkinson, Miller, Hughes. The following voted NAY: None. Absent: Wanek. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule was declared suspended for consideration of said ordinances.

Said ordinances were then read by title and thereafter, *Council member Wilkinson moved for final passage of the ordinance,* which motion was seconded by Council member Hughes. The Mayor then stated the questions, "Shall Ordinance No. 603 be passed and adopted?" Upon roll call vote, the following Council Members voted YEA: Wilkinson, Miller, Hughes. The following voted NAY: None. Absent: Wanek. The passage and adoption of said ordinance, having been concurred in by three-fourths of all members of the City Council, the Mayor declared the ordinances were adopted and approved of the same and affixed his signature thereto and ordered the City Clerk to publish said ordinances in pamphlet form as prescribed by law.

TILDEN AMERICAN LEGION SPECIAL DESIGNATED LIQUOR LICENSE

Tom Nelson reported he appreciated the prayer prior to opening the meeting and the pledge of allegiance recitation. He requested a special designated liquor license for an October wedding reception. *Hughes moved to approve the special designated liquor license for the Tilden American Legion Heninger Post 170 for October 21st for a reception at the Antelope County Fair Building.* Seconded by Miller. Roll call votes in favor were Miller, Wilkinson, Hughes. Opposed: None. Absent: Wanek. Motion carried.

RESOLUTION 2017-9 LARM INSURANCE DISCOUNT PLAN

Clerk Klabenes reported the city's insurance carrier LARM requested approval of the fiscal year policy by resolution as approved last month. Discussion was held that the cost of property insurance had increased and to protect the citizens fiscally, public bids were received resulting in lowering the cities insurance rates considerably. Discussion was held that department heads had reviewed equipment, property and vehicle schedules for updating the lists and a quote with higher vehicle deductibles was requested for the following month. Discussion was held for monitoring the next year's premium for substantial increases and provide the city the option to seek bids again in the event the premium did inflate. *Council member Miller introduced and moved for passage of Resolution 2017-9 approving the insurance coverage for the city with LARM for a 2 year commitment 4% discount plan in premium with annual payment plan.* Seconded by Wilkinson. Roll call votes in favor were Wilkinson, Hughes, Miller. Opposed: None. Absent: Wanek. Thereupon Mayor Hartz declared Resolution 2017-9 adopted.

ORDINANCE 604 PROHIBITING CROSS BOW AND BOW AND ARROW

City Attorney McNally reported the list of firearms prohibited from discharge in city limits as listed in the ordinance presented. Discussion was held for the lease between the City and the Antelope County Archery Club for use of Russell Park for the Archery Club organized archery events. Discussion was held for amending the ordinance to provide an exception at city approved locations. *Council member Wilkinson introduced the following ordinance entitled:*

AN ORDINANCE OF THE CITY OF NELIGH, NEBRASKA, PROHIBITING THE DISCHARGE OF CERTAIN FIREARMS, BOW AND ARROWS AND OTHER PROJECTILES WITHIN THE CITY; PROVIDING PENALTIES FOR VIOLATION OF THIS ORDINANCE; REPEALING ALL CONFLICTING ORDINANCES AND PARTS OF ORDINANCES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

And moved that the statutory rule requiring reading on three different times be suspended. Council Member Miller seconded the motion to suspend the rules and upon roll call vote on the motion, the following Council Members voted YEA: Hughes, Wilkinson, Miller. The following voted NAY: None. Absent: Wanek. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter, *Council member Wilkinson moved for final passage of the ordinance,* which motion was seconded by Council member Miller. The Mayor then stated the question, "Shall Ordinance No. 604 be passed and adopted?" Upon roll call vote, the following Council Members voted YEA: Hughes, Wilkinson, Miller. The following voted NAY: None. Absent: Wanek. The passage and adoption of said ordinance, having been concurred in by three-fourths of all members of the City Council, the Mayor declared the ordinance was adopted and approved of the same and affixed his signature thereto and ordered the City Clerk to publish said ordinances one time as prescribed by law.

MOVING PERMIT 2017-18

Jeri Anderson reported for the One Room School House Committee. She reported plans for relocating the former country school to Neligh for placement on the vacant lot on Highway 275 east of the Antelope County Museum. She reported a moving permit had been filed and the cost for lifting or dropping electric lines for the relocation was estimated by city electric personnel at \$1,537.63. She reported a building permit was filed and estimated with a \$54 fee. She requested consideration for a donation of the permit fees for the project. She reported Antelope County owned the lot and the school house once the structure was set in place. She reported gas and electric services were being researched. *Hughes moved to approve Moving permit 2017-18 and Building permit 2017-25 for the Antelope County Country School House and to waive the fees for electric line moving cost and building permit fees.* Seconded by Miller. Roll call votes in favor were Hughes, Wilkinson, Miller. Opposed: None. Absent: Wanek. Motion carried.

2016-2017 AMENDED BUDGET HEARING CLOSED

There being no objections or comments received, Mayor Hartz declared the amended 2016-2017 budget hearing closed at 7:32 P.M. *Hughes introduced and moved for passage Resolution 2017-10 to amend the 2016-2017 budgeted expenditures by \$1,234,544 due to refinancing street and electric generation bonds at a lower interest rate for total proposed disbursements from \$6,561,690.00 to \$7,793,234.00.* Seconded by Wilkinson. Roll call votes in favor were Wilkinson, Miller, Hughes. Opposed: None. Absent: Wanek. Thereupon Mayor Hartz declared Resolution 2017-10 adopted.

2017-2018 BUDGET HEARING AND SETTING TAX REQUEST HEARING OPENED

Mayor Hartz declared the hearing opened to hear support, opposition, criticism, suggestions or observations for the 2017-2018 budget and for the final tax request at a different amount than the prior year tax request. Time: 7:34 P.M. Clerk Klabenes reported on property tax asking, the city valuation, anticipated expenditures, municipal levy calculations, capital improvements and the proposed levy. The hearing was left opened.

RESOLUTION 2017-11 WRITING OFF UNCOLLECTIBLE ACCOUNTS

Clerk Klabenes reported on 4 accounts that the city was unable to collect due to maximum collections from credit agencies or statute of limitations exhausted. Discussion was held for a mowing invoice for a property with unpaid real estate taxes. City Attorney McNally recommended allowing the property to continue with the tax sale request submitted to the County Attorney. *Hughes introduced and moved for passage Resolution 2017-11 writing off uncollectible accounts for accounting purposes in the amount of \$2,394.28 for the fiscal year ending September 30, 2017.* Seconded by Wilkinson. Roll call votes in favor were Wilkinson, Miller, Hughes. Opposed: None. Absent: Wanek. Thereupon Mayor Hartz declared Resolution 2017-11 adopted.

CRA NAME CHANGE TO NELIGH DEVELOPMENT AGENCY

City Attorney McNally advised the council to change the name by a motion of the current CRA to the Neligh Development Agency for bookkeeping and banking records. *Wilkinson moved to authorize the change of the accounting and bank account name from the Community Redevelopment Authority to the Neligh Development Agency.* Seconded by Miller. Roll call votes in favor were Miller, Wilkinson, Hughes. Opposed: None. Absent: Wanek. Motion carried.

NYMC HAUNTED TRAIL IN PENN PARK

Steve Simonsen and Vince Kallhoff reported the club would like to use the wooded property at Penn Park for a Halloween Haunted Trail as previously done. Simonsen presented a copy of the club's certificate of insurance for such special event on city property. *Hughes moved to approve a haunted trail in Penn Park by the Neligh Young Men's Club for October 27-29th.* Seconded by Miller. Roll call votes in favor were Miller, Hughes, Wilkinson. Opposed: None. Absent: Wanek. Motion carried.

CDBG DE-OBLIGATED FUNDS

Clerk Klabenes reported that following an annual audit for 2016 CDBG housing rehab funds, the State Economic Development office determined the amount of funds received did not exceed a federal minimum of \$35,000 and deemed the funds as de-obligated. She reported the city was required to transfer the funds to a separate bank account and could choose to continue a housing rehab program with the de-obligated funds or use the funds for an alternative project such as demolition. Discussion was held for the split accounting for either decision to separately track the de-obligated funds. Discussion was held for an annual review of CDBG funds would consider each year separately for housing rehab or an alternative option, such as demolition funds. Discussion was held for consideration of demolition of 209 Main Street with available funds and contacting a contractor currently working in Neligh on another demolition project. *Council member Hughes moved to authorize the City Supt. to contact Porter Construction for a demolition estimate not to exceed the demolition funds available and to de-obligate the 2016 CDBG funds for demolition use.* Seconded by Wilkinson. Roll call votes in favor were Wilkinson, Miller, Hughes. Opposed: None. Absent: Wanek. Motion carried.

2017-2018 BUDGET HEARING CLOSED

There being no comments or objections heard, Mayor Hartz declared the 2017-2018 budget hearing closed at 8:07 P.M. *Wilkinson moved to grant an additional 1% allowable increase in restricted funds as a means of budget calculations.* Seconded by Hughes. Roll call votes in favor were Hughes, Miller, Wilkinson. Opposed: None. Absent: Wanek. Motion carried.

Council member Hughes moved to adopt the 2017-2018 budget for a total expenditure requirement of \$7,428,671.00 and unused budget authority of restricted funds of \$3,730.00. Seconded by Miller. Roll call votes in favor were Wilkinson, Miller, Hughes. Opposed: None. Absent: Wanek. Motion carried.

APPROPRIATION ORDINANCE 605

Council member Wilkinson introduced the following budget ordinance entitled as follows:

AN ORDINANCE OF THE CITY OF NELIGH, ANTELOPE COUNTY, NEBRASKA, TO ADOPT THE BUDGET STATEMENT TO BE NAMED "THE ANNUAL APPROPRIATION BILL"; TO APPROPRIATE SUMS FOR NECESSARY EXPENSES AND LIABILITIES FOR THE 2017-2018 FISCAL YEAR; TO PROVIDE FOR AN EFFECTIVE DATE.

And moved that the statutory rule requiring reading on three different times be suspended. Council Member Miller seconded the motion to suspend the rules and upon roll call vote on the motion, the following Council Members voted YEA: Miller, Hughes, Wilkinson. The following voted NAY: None. Absent: Wanek. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule was declared

suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter, *Council member Wilkinson moved for final passage of the ordinance*, which motion was seconded by Council member Miller. The Mayor then stated the question, "Shall Ordinance No. 605 be passed and adopted?" Upon roll call vote, the following Council Members voted YEA: Hughes, Wilkinson, Miller. The following voted NAY: None. Absent: Wanek. The passage and adoption of said ordinance, having been concurred in by three-fourths of all members of the City Council, the Mayor declared the ordinance was adopted and approved of the same and affixed his signature thereto and ordered the City Clerk to publish said ordinances one time as prescribed by law.

RESOLUTION 2017-12 TAX LEVY FOR 2017-2018 FISCAL YEAR

There being no comments or objections heard, Mayor Hartz declared the final tax request hearing closed at 8:10 P.M. *Council member Miller introduced and moved for passage Resolution 2017-12 adopting a different tax levy from last year for the 2017-2018 fiscal year as follows:*

<i>General Fund - \$326,750.90</i>	<i>Levy - .4714381</i>
<i>Debt Service - \$197,530.00</i>	<i>Levy - .2849974</i>
<hr/>	
<i>Total - \$524,280.90</i>	<i>TOTAL - .7564355</i>

Seconded by Wilkinson. Roll call votes in favor were Wilkinson, Hughes, Miller. Opposed: None. Absent: Wanek. Thereupon Mayor Hartz declared Resolution 2017-12 approved and adopted.

ORDINANCE 606 SETTING SALARIES AND BENEFITS FOR EMPLOYEES

Council member Wilkinson introduced Ordinance 606 entitled as follows:

AN ORDINANCE OF THE CITY OF NELIGH, ANTELOPE COUNTY, NEBRASKA, SETTING AND ESTABLISHING WAGES AND SALARIES FOR OFFICERS AND EMPLOYEES OF THE CITY FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2017 AND CONTINUING TO AND THROUGH SEPTEMBER 30, 2018; SETTING RATES OF CONTRIBUTION TOWARD EMPLOYEES' HOSPITALIZATION INSURANCE AND RETIREMENT; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

And moved that the statutory rule requiring reading on three different times be suspended. Council Member Hughes seconded the motion to suspend the rules and upon roll call vote on the motion, the following Council Members voted YEA: Miller, Wilkinson, Hughes. The following voted NAY: None. Absent: Wanek. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter, *Council member Wilkinson moved for final passage of the ordinance*, which motion was seconded by Council member Miller. The Mayor then stated the question, "Shall Ordinance No. 606 be passed and adopted?" Upon roll call vote, the following Council Members voted YEA: Wilkinson, Hughes, Miller. The following voted NAY: None. Absent: Wanek. The passage and adoption of said ordinance, having been concurred in by three-fourths of all members of the City Council, the Mayor declared the ordinance was adopted and approved of the same and affixed his signature thereto and ordered the City Clerk to publish said ordinance in pamphlet form as prescribed by law.

ORDINANCE 607 SETTING ELECTRIC AND WATER RATES

City Attorney McNally reported the proposed rates were discussed at the budget workshop which was also discussed at the time of annexation when the council intended to review commercial electric rates. He reported the proposed decreased rates were about 90% of the current rates for small commercial businesses and were comparable to surrounding community utility rates. Clerk Klabenes reported the water rate increase of \$.25 was discussed at the budget workshop which water rates had not changed for 8 years. *Council member Wilkinson introduced Ordinance 607 entitled as follows:*

AN ORDINANCE OF THE CITY OF NELIGH, NEBRASKA, ESTABLISHING FEES TO BE CHARGED FOR WATER AND GENERAL SERVICE (GS) ELECTRICAL USAGE FOR CUSTOMERS OF THE MUNICIPAL WATER AND ELECTRICAL SYSTEM OF THE CITY; AUTHORIZING THE CLERK/TREASURER TO UPDATE THE MUNICIPAL SERVICE RATE SCHEDULES; REPEALING ALL CONFLICTING ORDINANCES OR PARTS OF ORDINANCES; AND ESTABLISHING AN EFFECTIVE DATE.

And moved that the statutory rule requiring reading on three different times be suspended. Council Member Hughes seconded the motion to suspend the rules and upon roll call vote on the motion, the following Council Members voted YEA: Wilkinson, Hughes, Miller. The following voted NAY: None. Absent: Wanek. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter, *Council member Wilkinson moved for final passage of the ordinance with an effective date of October 21, 2017*, which motion was seconded by Council member Miller. The Mayor then stated the question, "Shall Ordinance No. 607 be passed and adopted?" Upon roll call vote, the following Council Members voted YEA: Hughes, Miller, Wilkinson. The following voted NAY: None. Absent: Wanek. The passage and adoption of said ordinance, having been concurred in by three-fourths of all

members of the City Council, the Mayor declared the ordinance was adopted and approved of the same and affixed his signature thereto and ordered the City Clerk to publish said ordinance one time as prescribed by law.

ARMY TANK AGREEMENT WITH US ARMY

Clerk Klabenes reported the US Army property division requested an annual agreement for the army tank on display in Riverside Park, similar to the US Air Force jet on display. *Wilkinson moved to approve the US Army TACOM Life Cycle Management Command agreement with the City of Neligh for an army tank on display in Riverside Park.* Seconded by Hughes. Roll call votes in favor were Miller, Wilkinson, Hughes. Opposed: None. Absent: Wanek. Motion carried.

APPOINTMENTS

Mayor Hartz recommended the following appointments: Park Foundation – Angie Belitz, re-appointment for 3 year term; Park Board – Steve Simonsen for unexpired term to December 2019; Economic Development Board – Krista Schindler for unexpired term to October 2017 and following 3 year term; City Council member to Economic Development Board (liaison) – Leonard Miller; and NCG Representative – Leonard Miller, for annual meeting delegate in October 2017. *Motion was made by Hughes to approve the appointments as presented.* Seconded by Wilkinson. Roll call votes in favor were Wilkinson, Hughes, Miller. Opposed: None. Absent: Wanek. Motion carried.

ECONOMIC DIRECTORS REPORT

Economic Development Director Gabriel Steinmeyer reported on one new downtown revitalization application for 319 Main for façade grant of \$8,707.91 to replace and repair store front windows and doors and a rear door. He reported of one planning grant for Pitzer Digital for \$250 from LB840 funds for design renderings for planned building restoration. He reported a number of businesses were looking at downtown revitalization applications. *Miller moved to approve the application as recommended by the application committee for 319 Main façade grant of \$8,707.91.* Seconded by Wilkinson. Roll call votes in favor were Wilkinson, Hughes, Miller. Opposed: None. Absent: Wanek. Motion carried.

Miller moved to approve the planning grant for Pitzer Digital of \$250. Seconded by Wilkinson. Roll call votes in favor were Hughes, Wilkinson, Miller. Opposed: None. Absent: Wanek. Motion carried.

The director reported Sly's Chill and Grill would like to request a street closure for a Community Block Party. *Wilkinson moved to approve a street closure from 4th and Main Street to the Pinnacle Bank Drive thru and Main from 5:00-7:00P.M. on September 17th for Sly's Chill and Grill block party.* Seconded by Miller. Roll call votes in favor were Hughes, Miller, Wilkinson. Opposed: None. Absent: Wanek. Motion carried.

Steinmeyer reported the option for an electrical inspection for downtown revitalization projects could be required by the city, however the state economic development office did not require such. It was the consensus of the council that commercial businesses had to follow state electrical inspections and the council did not require an additional inspection.

The Director reported on an amended agreement for Economic Development services with Clearwater which included a revision to increasing hours of service for 2017-2018 to 800 hours and listing a quarterly schedule of payment for services at designated dates. *Hughes moved to approve the 2017-2018 economic development services agreement with the Village of Clearwater as amended.* Seconded by Miller. Roll call votes in favor were Miller, Wilkinson, Hughes. Opposed: None. Absent: Wanek. Motion carried.

ED Director Steinmeyer also reported the found an outlet to relocate the tires outside of OK Tire to a farm north of town for use above feed bunks and a potential new business. He reported Neligh's application for historic downtown district was approved the by state review board and awaited the next step in the downtown historic designation. He reported that businesses in the historic district must adhere to the historic registry guidelines and historic nature if using city funds, but did not have the same restrictions when using private funds. He reported on a workforce housing grant becoming available in late October with applicants from a regional or county area. He reported that one option included amending the LB840 plan to include workforce provisions providing the leverage of LB840 funds to pool with matching funds. *Hughes moved to approve the Economic Development Director's report.* Seconded by Miller. Roll call votes in favor were Wilkinson, Miller, Hughes, Opposed: None. Absent: Wanek. Motion carried.

POLICE REPORT

Mayor Hartz thanked the police officers for the work they provide to citizens and the position they place themselves in daily. *Hughes moved to approve the August police report of 435 calls.* Seconded by Miller. Roll call votes in favor were Hughes, Wilkinson, Miller. Opposed: None. Absent: Wanek. Motion carried.

Mayor Hartz reported had had received requests to consider the golf car vehicle ordinance again. He reported that he would like to consider trying the use of golf car vehicles within city limits for one year. Discussion was held that the proposed ordinance followed the same requirements as state statute and consistent with drivers must have a valid driving operator's license. Discussion was held that one council member was concerned with golf car vehicles backing up and safety in seeing the vehicle. Discussion was held for imposing a fee for use of all golf car vehicles, ATV and UTV's beginning January 1, 2018 within the city limits. *Council*

member Miller introduced Ordinance 608 entitled as follows:

AN ORDINANCE OF THE CITY OF NELIGH, NEBRASKA, DEFINING AND REGULATING GOLF CAR VEHICLES; PROVIDING PENALTIES FOR VIOLATION OF THIS ORDINANCE; REPEALING ALL CONFLICTING ORDINANCES AND PARTS OF ORDINANCES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

And moved that the statutory rule requiring reading on three different times be suspended. Council Member Wilkinson seconded the motion to suspend the rules and upon roll call vote on the motion, the following Council Members voted YEA: Hughes, Wilkinson, Miller. The following voted NAY: None. Absent: Wanek. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter, *Council member Miller moved for final passage of the ordinance*, which motion was seconded by Council member Wilkinson. The Mayor then stated the question, "Shall Ordinance No. 608 be passed and adopted?" Upon roll call vote, the following Council Members voted YEA: Miller, Wilkinson, Hughes. The following voted NAY: None. Absent: Wanek. The passage and adoption of said ordinance, having been concurred in by three-fourths of all members of the City Council, the Mayor declared the ordinance was adopted and approved of the same and affixed his signature thereto and ordered the City Clerk to publish said ordinance one time as prescribed by law.

Wilkinson moved to establish a \$20 annual fee for ATV, UTV and golf car vehicles each calendar year beginning January 1, 2018. Seconded by Miller. Roll call votes in favor were Hughes, Miller, Wilkinson. Opposed: None. Absent: Wanek. Motion carried.

CITY SUPT. REPORT

City Supt. Bly reported on progress with the cement covers for the storm sewer. He reported water and sewer had been relocated for the Neligh Independent Living project and he was working on an easement between the Cowboy Trail and Highway 14 property. He reported Tanner Knutson would be attending the sewer certification class and serve as a second certified sewer operator. *Wilkinson moved to approve the Supt. report.* Seconded by Hughes. Roll call votes in favor were Miller, Wilkinson, Hughes. Opposed: None. Absent: Wanek. Motion carried.

ELECTRIC REPORT

Generation Supervisor Capler reported grade elevation behind the Neligh Independent Living project began this week and all electric was installed underground. He reported the August 21st power outage was due to an elbow in the cabinet that went out and kicked out power and was not related to the Watt's Electric electric improvement project. He reported he was pricing DC batteries for generation. Discussion was held for the Generation Supervisor to visit with Farmers Pride and JEO about the electric change over. *Hughes moved to approve the Electric report.* Seconded by Miller. Roll call votes in favor were Wilkinson, Miller, Hughes. Opposed: None. Absent: Wanek. Motion carried.

APPROVAL OF BILLS

Wilkinson moved to approve the Rutjens Construction invoice for storm sewer covers for \$7,212.00 and to hold the payment until project completion. Seconded by Miller. Roll call votes in favor were Miller, Hughes, Wilkinson. Opposed: None. Absent: Wanek. Motion carried.

Matt Kalin of JEO reported on the project status with electric distribution system improvements and reported on two pay applications for the project. He reported the first pay application was for the park and waste water treatment plan with electric services tied to the ERPPD line and was fully completed. He reported the second pay application was for underground work, grading, concrete pad and the step up transformer and to set the transformer on the pad. He reported the demobilization was estimated for late October. He reported discussions would begin with Elkhorn Rural Public Power for the change over on October 9th and coordinating 3 phase metering services. He reported the majority of the metering was completed. He reported he would follow up with the reclosure manufacturer to confirm no change in the schedule. Discussion was held for approving the pay applications for payment October 1st as budgeted for the 2017-18 fiscal year. *Miller moved to approve the pay application #1 and #2 to Watts Electric for \$135,120.86 and \$77,601.52 for 2017 electric distribution system improvements for October 1st payment.* Seconded by Wilkinson. Roll call votes in favor were Miller, Hughes, Wilkinson. Opposed: None. Absent: Wanek. Motion carried.

Miller moved to approve Drawdown #1 for general administration of NENEDD for \$3,746.56 and Drawdown #2 for commercial rehab to Neligh Flower Shop for \$1,750.00 and construction management to NENEDD of \$30 on CDBG Downtown Revitalization grant funds. Seconded by Wilkinson. Roll call votes in favor were Hughes, Wilkinson, Miller. Opposed: None. Absent: Wanek. Motion carried.

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

There being no further business to conduct, *Hughes moved to adjourn.* Seconded by Miller. Roll call votes in favor were Wilkinson, Hughes, Miller. Opposed: None. Absent: Wanek. Thereupon Mayor Hartz

declared the meeting adjourned. Time 9:44 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 September 12, 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)