

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

May 14, 2024

The regular meeting of the Mayor and City Council of the City of Neligh was held at the City Council Chambers on Tuesday, May 14, 2024, at 7:00 P.M. Present were Mayor Joe Hartz and Council Members Ted Hughes, Dale Wilkinson, Stephanie Lundgren, and Leonard Miller. 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 News Reporter Carrie Pitzer. Notice of this meeting was given in advance thereof by publication in the Antelope County News on May 8, 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 April 3rd special meeting and April 9th regular meeting minutes as presented. Seconded by Hughes. Roll call votes in favor were Lundgren, Miller, Hughes, and Wilkinson. Opposed: none. Motion carried.

TREASURER REPORT

Clerk Klabenes reported that the demolition costs for one garage were reimbursed to the city was reflected in the CDBG De-obligated April revenues. She reported the April Park Foundation expenses were for the purchase of three pieces of the inclusive playground equipment for the phase one project. She reported no update was received from the Nebraska Department of Revenue on the March sales tax yet. *Lundgren moved to approve the April 2024 treasurer's report as presented.* Seconded by Miller. Roll call votes in favor were Wilkinson, Lundgren, Hughes, and Miller. Opposed: none. Motion carried.

WATER AND SEWER EAST HIGHWAY 275 PROJECT

Clerk Klabenes reported the city's contact from the USDA office had advised on a staffing shortage issue within the Office of General Counsel (OGC). She reported the OGC held the anticipated loan documents for the project to proceed and for project bids to be awarded. She reported the USDA representative estimated the loan documents would be available by May 27th which was in 2 weeks. She reported the city engineer had been in contact with the contractors who had submitted bids, and the contractors advised no significant changes in unit prices have come forward, but the city will have to work with the contractors if a significant unit price comes along. No action was taken.

4th OF JULY ARCHERY EVENT WITH ANTELOPE COUNTY 4-H AND ANTELOPE COUNTY SHOOTERS CLUB

Wilkinson moved to approve the use of Russell Park on July 6th-7th for the Antelope County 4-H and Antelope County Shooters Club archery event during the Old Mill Days. Seconded by Miller. Roll call votes in favor were Miller, Wilkinson, Lundgren, and Hughes. Opposed: none. Motion carried. City attorney McNally reported the new swinging bridge would be done for the 4th of July and a dedication ceremony would be coordinated with the Neligh Young Men's Club. Discussion was held about reseeding the grass in Russell Park. Discussion was held for a grant for the phase two inclusive playground including a separate trail grant for a nature trail in Russell Park and a dog park.

DANGEROUS BUILDING UPDATES

City Attorney McNally reported notices to property owners to proceed with removal or demolition of dangerous buildings by July 1st would be going out. The City Attorney reported that if property owners did not take care of the property's dangerous buildings themselves by the July 1st deadline that the city would proceed with demolition and assessing the cost to the property. Discussion was held that the old standard gas station was sold, and the new property owner was working on the asbestos removal and a demolition permit. *Wilkinson moved to approve the city to proceed with demolition unless the property owners completed the demolition by July 1st for the properties located at 709 P Street, 801 East 3rd Street, 603 K Street, and 606 East 3rd Street.* Seconded by Miller. Roll call votes in favor were Hughes, Miller, Lundgren, and Wilkinson. Opposed: none. Motion carried.

The city attorney reported the owner of the six-plex on D Street would receive certified mail for compliance with the dangerous building before the city could proceed further. No action was taken, and the matter was tabled.

DEMOLITION PERMIT APPLICATION UPDATES

Discussion was held for the demolition permit application to define how debris is removed from a

demolition site, where the debris would be taken, and what was allowable for a basement hole to be filled without debris at the site. Discussion was held that the updated application further defined what the debris was and what excavation was expected. *Hughes moved to approve the updated demolition permit application as presented.* Seconded by Wilkinson. Roll call votes in favor were Lundgren, Miller, Hughes, and Wilkinson. Opposed: none. Motion carried.

BOY SCOUT CABIN IN FRED PENN PARK

Mayor Hartz reported the funds for the Boy Scouts for the cabin in Fred Penn Park would not be able to continue as the insurance alone was hard to pay for. The mayor requested the City Council consider buying the building to help the Boy Scouts and insure the building under the City policy. Discussion was held to consider an agreement between the Boy Scouts and the city for the city to own the building and be responsible for maintenance and appliances like an agreement with the Lions Club. Discussion was held whether the property could be transferred for a dollar by a bill of sale from the Boy Scouts to the city and what the legal considerations were. *Wilkinson moved to direct the City Attorney to research possibilities for the transfer of the Boy Scout cabin in Fred Penn Park to the City of Neligh.* Seconded by Miller. Roll call votes in favor were Miller, Wilkinson, Hughes, and Lundgren. Opposed: none. Motion carried.

APPOINTMENTS

Mayor Hartz recommended the reappointment of Sheila Parks to the Tree Board for a three-year term, the reappointment of Koryn Koinzan to the LB840 Loan Review Committee for a four-year term, the reappointment of DeManda McGowen to the LB840 Citizen Advisory Review Committee for a four-year term and to table the new appointment of one member to the LB840 Citizen Advisory Review Committee. The mayor recommended the appointment of the Certified Local Government members and terms as Krista Schindler and Don "Harv" Ofe one-year term, Tessa Hain and Peter Sample two-year terms, and Doug Bolling three-year term. *Wilkinson moved to approve the appointments as presented.* Seconded by Lundgren. Roll call votes in favor were Hughes, Lundgren, Miller, and Wilkinson. Opposed: none. Motion carried. Mayor Hartz thanked all the volunteers who serve and support the city boards.

RESOLUTION 2024-2 APPLICATION FOR COMMUNITY DEVELOPMENT ASSISTANCE ACT

Clerk Klabenos reported in her working with the grant consultant for the phase two inclusive playground and additional amenities in Riverside and Russell Park that a financing tool was available for fundraising. She reported on an application for Community Development Assistance Act (CDAA) with the Nebraska Department of Economic Development offered state income tax credits to be used as incentives for large donations. She reported for a donation minimum of \$10,000 for the project each donation would receive a CDAA state income tax credit equal to 25% of the donation. She reported the application for the tax credits required the local government certification and review of the application. *Wilkinson moved to introduce the passage of Resolution 2024-2 authorizing the City Clerk to submit the application for Nebraska state income tax credits to the Nebraska Department of Economic Development for the Community Development Assistance Act.* Seconded by Lundgren. Roll call votes in favor were Wilkinson, Hughes, Miller, and Lundgren. Opposed: none. Thereupon Mayor Hartz declared resolution 2024-2 adopted. Discussion was held that a new director of History Nebraska was in place and a new letter requesting consideration to clean out the Elkhorn River bypass could be put on record. Discussion was held for protecting all the park improvements and park investments including the new asphalt road and new swinging bridge in Riverside Park.

ECONOMIC DEVELOPMENT DIRECTORS REPORT

Economic Development Director Lauren Sheridan-Simonsen reported on the beautiful mural on the north side of the Imperial building located south of the Antelope County Museum. She reported the building owner Cindy Hild spearheaded this project. She reported the city website included a new tab labeled "give to Neligh" where five nonprofits would have direct links to donate funds to specific projects. She reported the idea came from Del Ames as he and classmates were looking for a list of community projects to which they could donate. She reported the annual LB 840 report on current tax increment financing projects was submitted to the city office by the May 1st deadline and a copy of the report was available to view at City Hall. She reported the City of Neligh officially became the ninth community to receive the certified local government designation on April 11th. She reported a future recognition ceremony with History Nebraska had yet to set a date. She reported the local historic Preservation Commission had met and nominated the Neligh Carnegie Library to be added to the National Register of Historic Places. She reported on a duplex property built by Hild Construction and part of the Rural Workforce Housing Fund had one duplex sold. She reported funds in the amount of \$592,575 were still available to build upon and loan for housing projects. She reported the Nebraska Affordable Housing Trust Fund application was submitted the previous week for four new rental properties. She congratulated the new transition of Taylor Realty to Arrowhead Realty, congratulated the Antelope Memorial Hospital on their award as one of the top twenty critical access hospitals and best practice hospital in patient satisfaction, and congratulated Antelope County News and Pitzer Digital on their 30 and 96 awards respectively from the National Press Association. She reported local childcare providers were surprised and appreciated the gifts of appreciation on

May 10th for National Childcare Provider Appreciation Day. She reported seventy-five people had registered for the Brownfields Workshop in Neligh on May 21. She reported on the Village of Clearwater's award for the Nebraska Affordable Housing Trust Fund, and the Summerland-Advocate Messenger awards at the National Press Association. Mayor Hartz thanked the Village of Clearwater for a wonderful partnership.

Lundgren moved to approve the contract with Five Rule Rural Planning up to \$3,000 for assistance with submitting the Nebraska Affordable Housing Trust Fund application for a 4-plex housing project. Seconded by Hughes. Roll call votes in favor were Miller, Wilkinson, Lundgren, and Hughes. Opposed: none. Motion carried.

Wilkinson moved to approve a digital facade grant for \$1,000 to Neligh Family Dentistry for a professional video. Seconded by Hughes. Roll call votes in favor were Lungren, Miller, Wilkinson, and Hughes. Opposed: none. Motion carried.

Discussion was held for updating the four welcome to Neligh signs along the highway corridors. Discussion was held that Love Signs was working on sign designs. Discussion was held that the brick supports were in good shape and no costs were available yet. Discussion was held for considering this project during budget planning. *Lundgren moved to approve the Economic Development Director's report as presented. Seconded by Hughes. Roll call votes in favor were Miller, Wilkinson, Lundgren, and Hughes. Opposed: none. Motion carried.*

POLICE REPORT

Chief of Police Logan Lawson thanked City Superintendent Donaldson for the office renovations he completed that included the framing and drywall, finishing trim and electric installation. The Police Chief reported the CodeRed notification message dispersed last week requesting grass and vegetation to be cleaned up to reduce the number of calls and visits the police had to make. He reported April investigations included a theft investigation, terroristic threats, nuisance violations, and a trespassing investigation. He reported the D.A.R.E. graduation was held last month with twenty-six students in the fifth-grade class completing the course. He thanked Mrs. Kerkman, Mr. Mooney, and Mrs. Anderson for their coordination and assistance. He reported he would still like to proceed with the license plate readers but will postpone the project until budget planning later this summer. *Wilkinson moved to approve the April numeric and written police reports as presented. Seconded by Miller. Roll call votes in favor were Hughes, Lundgren, Wilkinson, and Miller. Opposed: none. Motion carried. Mayor Hartz thanked Officer Miller for coming on board with the Neligh Police.*

CITY SUPT. & ELECTRIC REPORT

City Supt. Donaldson reported Black Hills Energy crews were doing good with yards, alleys, and quick responses in the relocation of gas meters. He reported street crews had been fixing alleys damaged from construction by the rains. He said the pool had thirteen lifeguards and two managers hired to operate the pool and two of the lifeguards would be taking the operator license to assist the pool managers. He reported a new concrete pool deck would be finished that day. He reported that years of a leak in the underground pool tunnel had washed out sand leaving voids which were now fixed with new concrete and rebar. He reported the paving of Riverside Park Road was delayed by the weather, the swinging bridge installation, and playground installation crews with so much activity in the park at the same time. He reported the road asphalt crew would be finished that week. He reported city personnel had started scraping and painting the concession stand exterior. On the sewer plant, he reported four new UV lights were installed and four replacement UV lights would be budgeted for in the next year. He reported Rutjens Construction had been called in to assist with cleaning the sewer lines in the residential hills where the city's jetter could not reach. He reported the water department had been receiving numerous locates but staff was doing a good job to keep up and the wells were running efficiently and keeping up. He reported one more VFD control was needed to be installed in one of the wells for all the existing wells to be upgraded. In the solid waste department, he reported fifty more residential blue garbage totes were purchased. In the electric department, he reported on one outage where tree limbs fell on lines during big winds. He reported electric personnel were installing a number of new services. He reported the small generator now operated with the other three larger generator engines to meet capacity. He reported the radiator of the small generator needed to be cleaned with new seals pressed into the thermostat housing. He reported an Omaha company would be assisting with the small generator repairs as no other business in our area had the tools to do this. He reported the shorter generation operation runs of five to six minutes would be our normal running time frame going forward and this provided electric production for our town while larger facilities were getting started to run. He reported the Tenaska reports on spinning reserves were now emailed on a regular basis. He reported the shorter generation runs were not long enough to use the fuel to flush the overflow tanks so to resolve this, the tanks will be filled to 85%. *Hughes moved to approve the Supt. report as presented. Seconded by Lundgren. Roll call votes in favor were Wilkinson, Hughes, Miller, and Lundgren. Opposed: None. Motion carried.*

Discussion was held for consideration of prohibiting parking on the terraces, or approximately forty feet of property between the sidewalk and street curb. Discussion was held that after driving through the community it was more appropriate to address the parking of items on terraces with the nuisance ordinances. No action was taken.

NEW MOON THEATER REPORT

Theater Liaison Lundgren reported the theater board was talking to a grant writer. She reported two

donations were received that evening to pay for architects to provide pictures for the public viewing. She reported these pictures were not blueprints and the architect had ties to the community from growing up in Neligh. She reported an August event was being planned before the sports season started to feature a new group and a new show for dueling pianos. *Hughes moved to approve the New Moon Theater report as presented.* Seconded by Wilkinson. Roll call votes in favor were Miller, Wilkinson, Hughes, and Lundgren. Opposed: None. Motion carried.

APPROVAL OF BILLS

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

NELIGH COMMUNITY CENTER BUILDING UTILITIES

Discussion was held that the Neligh Community Center was financially strapped. Mayor Hartz reported the Community Center Board had met earlier that day and discussed closing the center on Friday of that week. He reported the Meals on Wheels program was to be transferred but remained a decision of the Area Agency on Aging. He asked the council to consider assisting with the payment of utility bills for six months with lottery funds. He reported the center could be transferred to a nonprofit but could not be purchased or taken over by the city of Neligh. Discussion and concern were held for the social meeting place the Neligh Community Center offered and the much-needed service for Meals on Wheels. Discussion was held for assisting with utilities to include the city bill, the gas bill, and the telephone bill. *Hughes moved to pay for six months of utilities for the Neligh Community Center from Neligh lottery funds to include the city utility bill for electric, water, sewer, and trash, the gas bill, and phone bill.* Seconded by Wilkinson. Roll call votes in favor were Lundgren, Miller, Hughes, and Wilkinson. Opposed: none. Motion carried.

There being no further business to conduct, *Miller moved to adjourn.* Seconded by Lundgren. Roll call votes in favor were Hughes, Wilkinson, Lundgren, and Miller. Opposed: None. Thereupon Mayor Hartz declared the meeting adjourned. Time 8:45 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 May 14, 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