

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

August 13, 2024

The regular meeting of the Mayor and City Council of the City of Neligh was held at the City Council Chambers on Tuesday, August 13, 2024, at 7:00 P.M. Present were Mayor Joe Hartz and Council Members Dale Wilkinson, Stephanie Lundgren, Ted Hughes, and Leonard Miller. Also in attendance were City Attorney James McNally, City Supt. Dan Donaldson, City Clerk Danielle Klabenes, Police Chief Logan Lawson, News Reporter Kelli Garcia, and Don Weinman. Notice of this meeting was given in advance thereof by publication in the Antelope County News on August 7, 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 Joe 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 July 9th regular meeting minutes as presented. Seconded by Hughes. Roll call votes in favor were Miller, Lundgren, Hughes, and Wilkinson. Opposed: none. Motion carried.

TREASURER REPORT

Clerk Klabenes reported the Nebraska Department of Economic Development (DED) had contacted the city office about the CDBG annual loan receipts of less than \$35,000 and the DED recommended that the City Council de-obligate the funds. She reported that the de-obligation meant the funds would lose the federal identity and become general funds for the city to use at their discretion. She reported the funds could be used for housing, demolition, or any other purpose. She reported that as the current CDBG loans continued loan repayment, those funds would also become de-obligated. *It was moved by Miller to approve the Nebraska Department of Economic Development's recommendation to de-obligate the CDBG loan funds. Seconded by Lundgren. Roll call votes in favor were Wilkinson, Lundgren, Hughes, and Miller. Opposed: none. Motion carried. Discussion was held that the American Rescue Plan Act (ARPA) funds of \$265,659 were held in the general fund for the East Highway 275 water and sewer project and that the ARPA funds were the result of a COVID program for cities. Council member Hughes moved to approve the July 2024 treasurer's report as presented. Seconded by Miller. Roll call votes in favor were Hughes, Miller, Lundgren, and Wilkinson. Opposed: none. Motion carried.*

WATER AND SEWER EAST HIGHWAY 275 PROJECT

City Supt. Donaldson reported that all documents were signed with U.S. Department of Agriculture, State Revolving Fund, the engineer, and the contractor. He reported that with the contracts signed, the contractor was able to purchase materials for the project. He reported the project was estimated to begin in approximately one month. No action was taken.

SEWER AND TRASH CHARGES DURING RENOVATION AND SPEED LIMIT BY DELUXE MOTEL

Discussion was held for the billing of sewer and trash charges during a renovation of a home neighboring the Deluxe Motel using electric and water services. Discussion was held that sewer, water, and trash charges could be removed from the bill if the water were shut off. Discussion was held that electric and water services were needed during the renovation and the solid waste from the project was taken to the compactor. Discussion was held that part of the trash charge on the monthly utility bill was for the use and operation of the tree dump and compactor, and renovations generated solid waste. It was the consensus of the city council to continue with the current rules and regulations for billing of water, sewer, and trash charges.

Discussion was held for traffic speed going by the Deluxe Motel. Discussion was held that the hotel is located at the same change in traffic speed slowing down from 40 to 30 miles per hour which does add noise. Discussion was held that local police were patrolling the area more. No action was taken.

MILES PETERSON MOVING PERMIT 2024-27

City Supt. Donaldson reported Miles Peterson had applied for a moving permit for a building from the fairgrounds to his home as the Antelope County Ag Society prepares to construct a new exhibit building. The Supt. reported the building was loaded on the trailer and the height of the loaded trailer would clear the electric lines in the path of the move. *Hughes moved to approve the Moving Permit 2024-27 for Miles Peterson. Seconded by Wilkinson. Roll call votes in favor were Hughes, Miller, Lundgren, and Wilkinson. Opposed: none. Motion carried.*

DANGEROUS BUILDING UPDATES

City Supt. Donaldson reported a demolition permit was approved for the Wynn building on Highway 275 and the property owner was waiting for the contractor to start. He reported the Hanson property on 2nd Street had finished demolition and the building permit would be finished with the confirmation of setbacks. He reported the

basement for the new home would start soon. He reported the Payne property on 3rd Street was cleaned out, the demolition permit was approved, and the house was scheduled for a fire training burn in the fall. He reported the Morrison property on 7th Street was also approved for a demolition permit and scheduled for a fire training burn this fall. He reported the Mack property on 3rd Street was demolished and cleaned up the lot. He reported the Whitesel property on 3rd Street was approved for a demolition permit for the house, but the garage would remain and be renovated and re-roofed. He reported the Parra property on 8th Street was working on a demolition application and gathering proposals for demolition. He reported the Snider property on F Street was going to be renovated and the property cleaned up. He reported the Lockwood property on D Street was to be renovated as the property owner ordered replacement windows and was working with contractors for interior work. City Attorney McNally reported that 4 to 5 new properties were scheduled for notice to improve and clean up in the Spring of 2025. Discussion was held for reviewing Norfolk's ordinance for interior home conditions at next month's meeting. *Wilkinson moved to approve the July dangerous building update as presented by the City Attorney and the City Superintendent.* Seconded by Miller. Roll call votes in favor were Lundgren, Hughes, Wilkinson, and Miller. Opposed: none. Motion carried.

HEARING DATE SET FOR DANGEROUS BUILDING APPEAL

City Clerk Klabenes reported Don Zegers had filed an appeal for the K Street property and requested a public hearing for the appeal as provided in the municipal code. Discussion was held for holding the hearing at a regular scheduled meeting, so the citizens did not pay for a separate special meeting. Discussion was held that if the budget hearing were scheduled for the regular September meeting, that the budget hearing could not be restricted by time. *It was moved by Miller to set a public hearing date on September 10th following the completion of the budget hearing for the dangerous building appeal filed by Don Zegers for 703 K Street.* Seconded by Hughes. Roll call votes in favor were Wilkinson, Miller, Hughes, and Lundgren. Opposed: none. Motion carried.

ONE-AND-SIX-YEAR STREET PLAN

Lundgren moved to set a public hearing for the One-and-Six Year Street Plan for September 10th at 7:30 P.M. and to authorize the city clerk to advertise the hearing. Seconded by Miller. Roll call votes in favor were Lundgren, Miller, Wilkinson, and Hughes. Opposed: none. Motion carried.

JOINT PUBLIC HEARING REPRESENTATIVES

City Clerk Klabenes reported one of the legislature changes last year including appointing one city representative and one elected official to attend a joint public hearing, also referred to as the pink postcard public hearing, with all other political subdivisions if the city budget proposed an increase in property tax request by more than 2% plus the allowable growth. She reported the city valuation was to be released later that week to begin estimating whether the city would be attending the joint public hearing. *Wilkinson moved to designate Mayor Joe Hartz as the elected official and Danielle Klabenes, City Clerk as the city representatives to present the city property tax request at a Joint Public hearing, if applicable.* Seconded by Lundgren. Roll call votes in favor were Wilkinson, Hughes, Miller, and Lundgren. Opposed: none. Motion carried.

BUDGET HEARING DATE SET

Clerk Klabenes reported a separate budget hearing is required by statute and could be held on the same day as the regular meeting or on a different day but could not be limited by time. She reported the hearing would review the budget documents and figures and provide time for questions. *Lundgren moved to set a budget hearing date of September 10th at 6:30 P.M.* Seconded by Miller. Roll call votes in favor were Hughes, Lundgren, Wilkinson, and Miller. Opposed: none. Motion carried.

RESOLUTION 2024-6 FOR CITY INSURANCE RENEWAL WITH LARM FOR FISCAL YEAR 2024-2025

Discussion was held for the city insurance renewal options with commitment levels and discounts varying from a 5% discount for a 3-year commitment to a 0% discount and 90-day notice only. Clerk Klabenes reported that if the city would like to begin the process to seek other bids, a gradual step-down process is required therefore since the city opted for a 3-year commitment last year, the city would need to select a 2-year commitment for the next fiscal year. Discussion was held that the city went out for bids in 2017 and for about 5 years after that, the annual renewal increases were minor. Discussion noted that the spike in inflation 3 years ago was also seen in insurance renewals. The discussion noted that LARM insurance is designed to cover municipalities while private insurance carriers have differences in providing equal coverage. *Council member Miller introduced and moved for passage Resolution 2024-6 approving a 2-year commitment with a 4% discount for an annual premium of \$164,629.00 for the city insurance policy for the 2024-2025 fiscal year.* Seconded by Hughes. Roll call votes in favor were Wilkinson, Lundgren, Miller, and Hughes. Opposed: None. Therefore, Mayor Hartz declared Resolution 2024-6 adopted.

APPOINTMENTS

Mayor Hartz recommended the re-appointment of Ray Ahrens to the Park Foundation for a 3-year term and the new appointment of Doug Bolling to the Economic Development Board and Neligh Development Agency to fill the unexpired term to October 2025 from the vacancy of Al Stelling. *Wilkinson moved to approve the*

appointments as presented. Seconded by Lundgren. Roll call votes in favor were Miller, Hughes, Lundgren, and Wilkinson. Opposed: none. Motion carried.

ECONOMIC DEVELOPMENT DIRECTORS REPORT

Economic Development Director Lauren Sheridan-Simonsen was absent. City Clerk Klabenes reported the ED Board had met and reviewed an application for a rental home sidewalk and concrete replacement through the façade grant. She reported the ED Board did not recommend approval of the application as sidewalk repairs and replacement were the responsibility of the property owners. No action was taken.

Clerk Klabenes reported the Chamber of Commerce contract would be tabled to next month to allow the City Council an opportunity to review the Chamber's recommendation at the budget workshop later that week. The clerk reported the Chamber of Commerce recommended an increase in the Assistant Director's base wage by 5% plus the cost of living granted to all city employees. No action was taken.

Discussion was held for the Village of Clearwater contract with the Economic Development office for 400 hours. *Hughes moved to approve the Village of Clearwater contract for the 2024-2025 fiscal year at \$18,436.37 for 400 hours with the Neligh Economic Development office.* Seconded by Miller. Roll call votes in favor were Lundgren, Wilkinson, Hughes, and Miller. Opposed: none. Motion carried.

Discussion was held for the welcome signs and cost estimates to be discussed at the budget workshop meeting later that week. Discussion was held for the use of tax increment financing on rental housing projects and the consensus was to see what legislature changes come across and are implemented for tax increment financing when a project is presented.

POLICE REPORT

Chief of Police Logan Lawson reported that with the July activity including the Old Mill Days, Quad County Tournament, and the start of the County Fair the traffic increased but there were no issues. He reported increased work with the Department of Health and Human Services in July for child welfare intakes and domestic violence. He reported an offer was extended to a third officer who accepted the position and will be enrolled in the academy in January with official council approval of the hire to follow in September. *Wilkinson moved to approve the July numeric and written police reports as presented.* Seconded by Hughes. Roll call votes in favor were Wilkinson, Hughes, Miller, and Lundgren. Opposed: none. Motion carried.

CITY SUPT. & ELECTRIC REPORT

City Supt. Donaldson reported July was a busy month and the cross training across different departments to cover the daily work was a tremendous help. He reported curb replacement in front of The Fountain and painted crosswalk and parking lines were underway. He reported parking lines on the city street were painted at the Catholic Church, Neligh Faith & Community Church, and Grace Lutheran Church. He reported the pool closed early for the season due to cooler temperatures and the pool would be pressure tested this fall. He reported if the budget allowed for concrete replacement on the deck, that the project may be done in the fall instead of the spring. He reported that the Manager and Assistant Manager did an excellent job this season with a lot of young first year lifeguards who did a fantastic job. He reported the exit interviews revealed most lifeguards were planning to return next year as well as both Managers. He noted the minimum wage increase this year and again for 2025. He reported Tanner and Brad did an excellent job on the ballfields in the park this summer. He reported the sewer plant was running well and fall jetting would begin soon. He reported on a water line leak at Eye Physicians and new water taps coming for the Nielsen Apartments and an addition at NAPA which Rutjens will assist with boring both taps as city equipment will not dig deep enough. He reported Solid Waste was going well. He reported the electric department finished the locates from the Black Hills Energy meter relocation. He reported the generation plant was still operating on the 5-minute runs and would be running the 1-hour testing per generator for power output verifications for Tenaska. *Hughes moved to approve the Supt. report as presented.* Seconded by Miller. Roll call votes in favor were Wilkinson, Lundgren, Miller, and Hughes. Opposed: None. Motion carried.

Discussion was held that the Boy Scout cabin was transferred to the City of Neligh and the building was insured on the city's coverage. Discussion was held for a long-term use agreement for the Boy Scouts should they have an increase in participation and need to use the cabin. Discussion was held about renting out the cabin for anyone to use for graduations, family reunions or other events like the Pavilion. The City Attorney and City Clerk will work on this. No action was taken, and the matter was tabled.

City Supt. Donaldson reported Nebraska Department of Transportation (NDOT) was planning to redo Highway 14 from Elgin to Neligh in 2026. He reported that NDOT offered to add new LED crosswalks if the city extended the sidewalks at two residences along 8th Street west to Highway 14. He reported that property owners would have to maintain the sidewalks, but both would be placed in the city right-of-way. *Hughes moved to approve installing sidewalks along 8th Street west to Highway 14 as part of the Highway 14 Department of Transportation project.* Seconded by Lundgren. Roll call votes in favor were Miller, Wilkinson, Lundgren, and Hughes. Opposed: none. Motion carried.

Wilkinson moved to approve the hire of Jeremiah Bartak for the Street and Solid Waste Departments at \$18.00 an hour effective August 6, 2024. Seconded by Hughes. Roll call votes in favor were Lundgren, Wilkinson, Miller, and Hughes. Opposed: none. Motion carried.

City Clerk Klabenes reported the Land and Water Conservation Fund grant application for the Parks Upgrades requested the council to approve a resolution for the inclusive playground, pickleball courts, disc golf, dog park and an ADA-accessible fishing dock. *Lundgren introduced and moved for passage of Resolution 2024-5 to the Nebraska Game and Parks Land and Water Conservation for the development of outdoor recreation in Riverside, Russell, and Fred Penn Parks.* Seconded by Hughes. Roll call votes in favor were Lundgren, Hughes, Miller, and Wilkinson. Opposed: none. Thereupon Mayor Hartz declared Resolution 2024-5 adopted.

NEW MOON THEATER REPORT

Council member Lundgren reported the board had met with the Sherwood Foundation to work on a grant for the theater. She reported the board was planning to meet with the theater board from Ord, Nebraska for advice on how to ask for large contributions and marketing the project. She reported the Dueling Pianos fundraiser was scheduled for later that week and another fundraiser was planned for December. *Hughes moved to approve the New Moon Theater report as presented.* Seconded by Miller. Roll call votes in favor were Wilkinson, Hughes, Miller, and Lundgren. Opposed: None. Motion carried.

APPROVAL OF BILLS

Wilkinson moved to approve the Blackstrap invoices of \$170 for scale tickets. Seconded by Lundgren. Roll call votes in favor were Miller, Wilkinson, and Lundgren. Abstain: Hughes. Opposed: none. Motion carried.

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

There being no further business to conduct, *Miller moved to adjourn.* Seconded by Wilkinson. Roll call votes in favor were Hughes, Lundgren, Miller, and Wilkinson. Opposed: None. Thereupon Mayor Hartz declared the meeting adjourned. Time 9:01 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 August 13, 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