

MINUTES OF REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF NELIGH, NEBRASKA
March 11, 2025

The regular meeting of the Mayor and City Council of the City of Neligh was held at the City Council Chambers on Tuesday, March 11, 2025 at 7:00 P.M. Present were Mayor Joe Hartz and Council Members Steph Lundgren, Leonard Miller, Ted Hughes, and Tyler Pedersen. Also in attendance were City Attorney James McNally, City Supt. Dan Donaldson, Economic Development Director Lauren Sheridan-Simonsen, City Clerk Danielle Klabenes, Police Chief Logan Lawson, Auditor Kyle Overturf, Riley Schroeder, Cameron Paulk, and Ray Connot. Notice of this meeting was given in advance thereof by publication in the Antelope County News on March 5, 2025. 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 Danielle Klabenes recorded the minutes. The Pledge of Allegiance was recited.

APPROVAL OF MINUTES

Council member Hughes moved to approve the February 4th regular meeting minutes as presented. Seconded by Pedersen. Roll call votes in favor were Lundgren, Pedersen, and Hughes. Abstain: Miller. Opposed: none. Motion carried.

TREASURER REPORT

Clerk Klabenes reported that the ACE Distribution of \$7049 was received in February which was used to pay for the CodeRed emergency notification system. She reported the February treasurer's report showed the old loan and new loan for JDM Enterprise in the LB840 account. She reported on the difference between the bond payments for the generation plant as recorded in the total energy costs provided by the City Attorney and the bond payments for the generation plant automatic controls as recorded in a new quarterly report showing the spinning reserves compared with the average bond payment for the fiscal year. She reported the city's 3% electric rate increase in October 2024 was lower than area and regional communities reporting recent electric rate increases ranging from 5-14% to be effective in March and April 2025. *Lundgren moved to approve the February 2025 treasurer's report as presented.* Seconded by Miller. Roll call votes in favor were Pedersen, Hughes, Miller, and Lundgren. Opposed: none. Motion carried.

PUBLIC COMMENTS

No public comments were heard, and no action was taken.

2023-2024 FISCAL YEAR AUDIT

Auditor Kyle Overturf of Almquist, Maltzahn, Galloway & Luth of Grand Island presented the 2023-2024 fiscal year audit. He reported on the importance of city council involvement and oversight and noted the city council asked questions and held discussion on the treasurer's report or financial reports. He reported on several pages of the audit noting the responsibility of management to include city council management with a 3-person staffed office to assist with segregation of duties in small offices. He reported Neligh's operating grants of 11% exceeded most cities of comparable size of 1%. He noted an increase in debt of \$33,000 due to the garbage truck and generation automatic controls. He noted the supportive operating income of the Electric and Sewer funds, while the Water fund had a small operating loss. He reviewed the special assessments on two project balances for Countryside Acres and Neligh Independent Living and noted the four-tax increment financing project balances with respect to the receivable and payable portions. He recommended that not all investment interest should be going to the General Fund and to consider interest allocation to specific departments.

He also reported on a comparison to other cities of comparable size in a peer group of 1,000 to 3,000

population for all other benchmark calculations which included department budgets, state allocations, sources of revenue, operating income, debt ratio, levy rates and cash reserves. *Council Member Miller moved to approve the 2023-2024 fiscal year audit prepared by Almquist, Maltzahn, Galloway & Luth.* Seconded by Pedersen. Roll call votes in favor were Miller, Pedersen, Hughes, and Lundgren. Opposed: none. Motion carried.

NELIGH YOUNG MEN'S CLUB REQUEST FOR LIGHTS ON NELIGH MILL BRIDGE

Neligh Young Men's Club President Cameron Paulk requested consideration for the Young Men's Club to install lights on the Neligh Mill Bridge like the lights attached to the Riverside and Russell Park swinging bridge. He reported the Young Men's Club would like to cover the cost and installation with the approval of the council. *Lundgren moved to approve the Neligh Young Men's Club request to light the Neligh Mill Bridge.* Seconded by Hughes. Roll call votes in favor were Pedersen, Hughes, Lundgren, and Miller. Opposed: none. Motion carried. The City Council also thanked the Neligh Young Men's Club for providing lights to the Giving Tree.

RESOLUTION 2025-3 FOR DIAL-A-RIDE OPERATING ASSISTANCE FOR 2025-2027

City Clerk Klabenes reported on the biannual budget for federal and state operating assistance for the transit program for July 1, 2025, through June 30, 2027. She reported that the Nebraska Department of Transportation had started a strategic planning period of 5 years to gauge future vehicle and infrastructure needs. She reported a few of the budgeted projects for the Neligh Dial-A-Ride Public Transit included a bus replacement for the 2006 bus, interior cameras for the buses and exterior vehicle wraps for the vehicles. She reported on the transit services for Sunday church services currently had three churches participating but a fourth church was interested in participating. Discussion was held about the difference between the total project costs and the agency funding amounts was the local revenue collected which was deducted from total project costs before allocation to the federal, state, and local agencies. No public comment was heard. *Council Member Lundgren introduced and moved for passage Resolution 2025-3 requesting federal funding of \$173,784, state funding of \$45,689, and local match funding of \$45,689 for the two-year fiscal years of 2025-2027 for the Dial A Ride Public Transportation operation.* Seconded by Hughes. Roll call votes in favor were Lundgren, Pedersen, Miller, and Hughes. Opposed: None. Thereupon Mayor Hartz declared Resolution 2025-3 adopted.

SETTING A PUBLIC HEARING DATE FOR DANGEROUS BUILDING

City Clerk Klabenes reported that Ray Connot had filed an appeal as provided by statute following the determination of two of his properties that were determined to be dangerous buildings. She requested a date be set for a public hearing where Connot could present information for consideration of the dangerous building determination. *Lundgren moved to set a public hearing date of April 8, 2025, at 7:15 P.M. for the dangerous building appeal filed by Ray Connot for 507 East 4th Street and 301 J Street.* Seconded by Pedersen. Roll call votes in favor were Hughes, Pedersen, Lundgren, and Miller. Opposed: none. Motion carried.

RESOLUTION 2025-4 SETTING MUNICIPAL SCHEDULE OF FEES FOR 2024-2025

Clerk Klabenes reported on the updated fees for the fiscal year according to budget with a few proposed for consideration. She reported on the process involved for special designated liquor licenses, noting both the Police Chief and City Clerk involvement, noting how many communities were charging a nominal fee for administrative work, and noting that both the arborist and plumbing licenses of \$25 were much less intensive. Discussion was held for the golf car, ATV and UTV proposed increase from \$20 to \$30 and that in comparison to other communities, Neligh's fees were much lower. Discussion was held that from the benchmark audit report, Neligh's administrative work was about half of the benchmark threshold it should be operating at and slight changes to the schedule of fees would support the benchmark report. *Lundgren introduced and moved for passage Resolution 2025-4 setting rates and fees for municipal services in the 2024-2025 Schedule of Fees with the inclusion of the special designated liquor license \$25.00 fee.* Seconded by Pedersen. Roll call votes in favor were Miller, Hughes, Lundgren, and Pedersen. Opposed: none. Thereupon Mayor Hartz declared Resolution 2025-4 adopted.

GREAT PLAINS FRANCHISE AGREEMENT

Discussion was held for the Great Plains Franchise Agreement of 15 years which would expire at the end of the month. Clerk Klabenes reported that the attorney for Great Plains had proposed a one-page ordinance renewal with the same terms as done with other communities at renewal time. Discussion was held for consideration of the 3% franchise fee to match the 5% franchise fee other companies in the same business, such as Stealth, were charged. Discussion was held about proposing the franchise fee change to Great Plains and to table the agreement to the next meeting. No action was taken.

RESOLUTION 2025-6 FOR THE APPOINTMENT FOR ACE BOARD OF DIRECTORS

Council member Hughes introduced and moved for passage Resolution 2025-6 appointing Council Member Leonard Miller as the ACE Board Representative and City Superintendent Dan Donaldson as Alternate. Seconded by Pedersen. Roll call votes in favor were Lundgren, Pedersen, and Hughes. Opposed: none. Abstain: Miller. Motion carried. Thereupon Mayor Hartz declared Resolution 2025-6 adopted.

ECONOMIC DEVELOPMENT DIRECTORS REPORT

Economic Development Director Lauren Sheridan-Simonsen reported the Assistant Director Shelby Snodgrass had a delayed start as her family fell ill which passed through the home. She reported the new Assistant Director really enjoyed the position, she was a pleasure to work with, and as a previous business owner Snodgrass holds a deeper understanding and appreciation for business owners. *Pedersen moved to approve the hire of Shelby Snodgrass for the Assistant Economic Development Director position at \$25.00 per hour retroactive to January 27, 2025. Seconded by Hughes. Roll call votes in favor were Miller, Lundgren, Pedersen, and Hughes. Opposed: none. Motion carried.*

The Director reported that the Chamber of Commerce had approved of an updated contract for the calendar year and requested consideration of the updated contract. *Lundgren moved to approve the revised Chamber of Commerce contract for the period of the 2025 calendar year for 600 hours at \$25.00 per hour for a total of \$15,000 annually. Seconded by Hughes. Roll call votes in favor were Miller, Pedersen, Lundgren, and Hughes. Opposed: none. Motion carried.*

The Director reported as the process to recertify for the Leadership Community Certification begins, one requirement on the application is a resolution from the governing board. *Council Member Miller introduced and moved for passage Resolution 2025-5 supporting the recertification of Neligh to the Nebraska Department of Economic Development as a Leadership Community. Seconded by Pedersen. Roll call votes in favor were Hughes, Lundgren, Miller, and Pedersen. Opposed: none. Motion carried. Thereupon Mayor Hartz declared Resolution 2025-5 adopted.*

Director Sheridan-Simonsen also reported that the balance of the market rate revolving housing loan was over \$700,000 for further housing construction projects in the community. She reported the siding was available and the plumbing and HVAC were on site for the 6-plex project on D Street. She reported business retention visits would begin for the Leadership Community Certification process and zoning questions would be addressed by the Police Chief, City Superintendent and City Clerk. She reported with two new Certified Leadership Government cities added, that Neligh was still the only city north of Interstate 80. She reported Nebraska Main Street had received a grant from Historic Preservation which offered two local businesses an in-depth analysis at no cost. She reported that the New Moon Community Theater and Neligh Flower Shop were selected as both buildings were in the downtown Historic District. She reported the March opening of the previous Burrito Loco was renamed to What's Up Tacos at the new Highway 275 location with a touchless payment system and soon to offer a touch pad Drive Thru. She reported the Nebraska Community Foundation Youth Engagement Survey showed the youth interested in engagement with the city comprehensive plan and strategic plan. The Director thanked the High School Principal, Sue Williams, for her assistance with completion of the survey. She reported the Chamber of Commerce banquet was scheduled for later that week. She reported Clearwater projects included a website, an LB840 loan and year-round lighting opportunities. The Director also thanked City Supt. Donaldson and Park Supt. Thieman for their assistance on various maintenance projects in the ED Office.

Peterson moved to approve the Economic Development Director's report as presented. Seconded by Hughes. Roll call votes in favor were Hughes, Pedersen, Lundgren, and Miller. Opposed: none. Motion carried.

POLICE REPORT

Chief of Police Logan Lawson reported Riley Schroeder had accepted an offer to join the Neligh PD. He reported Schroeder had ties to Neligh, was a military veteran and would attend the summer academy beginning in April and returning in mid-August. Schroeder introduced himself and the City Council welcomed him. *Lundgren moved to approve the hire of Riley Schroeder for Police Officer at \$47,000 salary, effective March 24, 2025, with an increase to \$52,000 salary upon completion of police academy and certification. Seconded by Pedersen. Roll call votes in favor were Hughes, Miller, Pedersen, and Lundgren. Opposed: none. Motion carried.*

City Attorney Jim McNally reported on a police officer training contract previously used for uncertified officers joining the police department. He reported the contract provided for a reimbursement schedule of training expenses if an officer did not retain employment with the Neligh Police for three years after certification. *Hughes moved to approve the police officer training contract for a three-year service agreement with Riley Schroeder upon training completion at the Nebraska Law Enforcement Training Center. Seconded by Pedersen. Roll call votes in favor were Miller, Lundgren, Pedersen, and Hughes. Opposed: none. Motion carried.*

The Chief reported much of February included weather issues with vehicle incidents, welfare checks, assisting the Department of Health and Human Services, and juvenile issues at the high school. The Chief reported the high school principal, Sue Williams, was wonderful to work with. He reported a large scam through Dollar General was still ongoing and involved the collaboration of six other agencies. He reported the DARE program wrapped up in February and thanked both Becky Kerkman and Blake Mooney for their assistance with the program. He concluded his report with a heartfelt tribute to a fellow officer and friend, Steven Binkerd, who was killed in a car accident in February. He reported Binkerd was a terrific investigator known for his investigative skills, was humble about his assistance, was a great mentor, would be terribly missed, and the local law enforcement community was better for having Binkerd part of it. *Hughes moved to approve the February written police report as presented. Seconded by Pedersen. Roll call votes in favor were Lundgren, Pedersen, Miller, and Hughes. Opposed: none. Motion carried.*

CITY SUPT. & ELECTRIC REPORT

Lundgren moved to approve the community cleanup weekend of April 26th & 27th with rain dates of May 3rd & 4th and waiving compactor fees on Saturday, April 26th for Neligh residents only. Seconded by Pedersen. Roll call votes in favor were Miller, Hughes, Pedersen, and Lundgren. Opposed: none. Motion carried.

City Supt. Donaldson reported on the difficulty in finding employees for the Solid Waste department but had one individual that he would like to hire starting with part-time work with the option to grow into a full-time position. He also reported he would like to hire a seasonal Park and Street employee. *Hughes moved to approve the hiring of Ray Branstiter as seasonal Park and Street department at \$16.50 per hour and Jason Voborny for Solid Waste department at \$16.50 per hour upon successful completion of pre-employment testing with a 90-day review to follow up. Seconded by Lundgren. Roll call votes in favor were Lundgren, Miller, Hughes, and Pedersen. Opposed: none. Motion carried.*

The City Supt. reported one full team snow removal last month that was in the daytime instead of the early morning or evening hours. He reported that street personnel had filled potholes four times already and the new mastic potholer was to arrive the following week. He reported Chad Kaup was back to work after a back surgery but would be on limited duty. He reported concrete replacement on the pool deck had begun between the baby pool and larger pool. He reported new stainless-steel ladders would replace the old rails and eight lifeguards and two managers had applied so far. He reported that the Ball Board was preparing for a new sprinkler system install for the north and south fields, while the Legion field would not be in use with the first year there would not be a junior or senior legion team. He reported he located a sixty foot four ½ foot wide with a bench fishing dock for Penn Park and had ordered the disc golf equipment as both projects were budgeted. He reported the tennis court could be painted for pickleball with a permanent net installed until next year when full

squares would be painted. He reported Scott Kester, Walt Patras and Josh Capler were attending water and wastewater classes that week for continuing education credits. He reported Kester was coordinating and keeping up with Rutjens Construction on the water project and Rutjens would be cleaning up Highway 275 grading and around the 3 taps of the north road for the sewer project. He reported Rutjens would then start by D Street by the Lift station and tie into the existing line to finish the sewer line to AKRS and then bore to the four" main to the lift station to D Street and pump to the wastewater treatment plant. He reported the next water project would be started by the West Hillview Motel and Water Tower, then come down 10th Street by the hospital. He reported on a ten inch valve that was inoperable and will be replaced with an in-serta valve estimated at \$1,000 per inch, and while it was pricey, it was a necessity. He reported work on the north well re-lining project would begin in one week. He reported the new meter reading project was closing in on tweaking about twenty meters and the first billing system was read with the new meters. On the sewer plant, he reported a lift station pump was in repair and the plant was running well. He reported a grant application was submitted for a baler to allow both plastic and cardboard bales, and the grant required a 20% match which was budgeted. He reported the City Supt. and City Clerks contacts from regional meetings and working with the Nebraska Recycling Council may help with Neligh becoming a hub in the area. In the Electric department, he reported the new meter system nearing completion, parts for streetlights had finally arrived and were being installed, and the plant had been asked to generate for only three short 5-minute runs lately. He reported an engineer would be onsite later that week to investigate the September blackout during the switchover which the city insurance carrier, LARM required due to the size of claims. He reported Nebraska Machinery Caterpillar would also be on site to help determine if Neligh were at fault. *Council member Pedersen moved to approve the City Superintendent report as presented. Seconded by Hughes. Roll call votes in favor were Pedersen, Hughes, Lundgren, and Miller. Opposed: none. Motion carried.*

NEW MOON THEATER REPORT

Theater Liaison Lundgren reported on the architect design pictures noting the work done by the grandson of the Tisthammer family who were residents of Neligh. She reported on the floor plans showing the south wall space for the bathrooms, the former video rental space for the ticket booth and concessions, seating to accommodate approximately 300, and an area for tables and potential dinner theaters. She reported that the Theater Board had received a \$25,000 operational expense grant which allowed for expenses for fundraisers so discussion for theater in the park in the summer was being held. She reported two new members joined the board of Sue Williams and Will Paul. She reported the last stage of the Brownfields grant was submitted, Pure Nebraska would be coming to town to feature the theater, and other grants were also being submitted. *Pedersen moved to approve the New Moon Theater report as presented. Seconded by Miller. Roll call votes in favor were Hughes, Pedersen, Lundgren, and Miller. Opposed: None. Motion carried.*

APPROVAL OF BILLS

Lundgren moved to approve the Blackstrap invoices for weigh tickets and deicer invoices totaling \$1703.30. Seconded by Pedersen. Roll call votes in favor were Miller, Lundgren, and Pedersen. Abstain: Hughes. Opposed: None. Motion carried.

Lundgren moved to approve the Boyd's Electric invoice for the park lift station totaling \$150.00. Seconded by Hughes. Roll call votes in favor were Miller, Lundgren, and Hughes. Abstain: Pedersen. Opposed: None. Motion carried.

Hughes moved to approve Pay Application #5 to Rutjens Construction for \$230,154.48 for sewer project #1. Seconded by Pedersen. Roll call votes in favor were Lundgren, Pedersen, Miller, and Hughes. Opposed: none. Motion carried.

Lundgren moved to approve the current claims as presented, except for the Blackstrap and Boyd's Electric invoices. Seconded by Miller. Roll call votes in favor were Pedersen, Hughes, Lundgren, and Miller. Opposed: none. Motion carried.

Pedersen moved to approve the recognition and honor of Grant Knutson for completion of the final Merchant's book and service hours for promotion to Journeyman with a pay raise to \$30.76 per hour as budgeted effective February 22, 2025. Seconded by Hughes. Roll call votes in favor were Miller, Lundgren, Pedersen, and

Hughes. Opposed: none. Motion carried.

There being no further business to conduct, *Miller moved to adjourn*. Seconded by Pedersen. Roll call votes in favor were Pedersen, Hughes, Lundgren, and Miller. Opposed: None. Thereupon Mayor Hartz declared the meeting adjourned. Time 9:26 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 March 11, 2025; 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