REGULAR MEETING OF THE CITY COUNCIL

**TUESDAY APRIL 9, 2019**

A meeting of the Mayor and Council of the City of Plainview, Nebraska, was held at the Council Chambers in said City on the 9th day of April at 6:30 o’clock P.M.

Roll call was held and present were: Council Members: Smith, Cornett, Schlote and Yosten. Absent: Mayor Seip

The Pledge of Allegiance was then recited.

President Schlote opened the meeting and announced to individuals in attendance that a full copy of the new Nebraska Open Meetings Act was posted on the east wall of the Council Chambers.

Notice of the meeting was given in advance thereof by Publication, a designated method for giving notice, as shown by the Affidavit of Publication attached to these minutes. 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 Mayor and Council of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

Michael Holton was present as City Administrator.

Courtney Retzlaff was present as City Clerk.

Bruce Curtiss was present as City Attorney.

Cornett moved to approve the March 12th regular meeting minutes. Smith seconded the motion. Motion carried 4-0.

Cornett moved to approve council claims and payroll. Yosten seconded the motion. Motion carried 4-0.

Manor Administrator Juleen Johnson was present to give updates on staffing and upcoming events at the facility.

Police Chief Yosten presented his monthly report and questions were raised on the amount of information included for unlicensed vehicles. Discussion on Nebraska state statutes in regards to release of information will be held next month.

Economic Development Director Susan Norris stated that the proposed townhomes were fully funded by the investors and approval of the application to NENEDD for the NE Affordable Housing Trust Funds will be held during the upcoming public hearing. PCED will pay for the Gazelle A.I. program and a special meeting will need to be held to discuss IRP funding from the City.

City Superintendent Curt Hart gave updates on the work done during the recent flooding and reminded that the rebuilding of the gravel roads in town will take some time. Hart also stated that they are preparing for summer projects in the park and pool.

Kyle Overturf of Almquist, Maltzahn, Galloway and Luth was present to discuss the 2017-2018 audit for the City. Funds were transferred to pooled cash and will be completed again for the next 2 years to bring the balance to zero. Overturf explained the discrepancies noted in the audit report and stated that overall the net position of the City has increased. He also showed the benchmarking statistics and discussed the steps necessary to make the City aligned with other comparable municipalities.

Mayor appointments were made by Council President Schlote for the newly formed CDA Board and also for a new member of the Library Board.

CDA members and term years are Brett Korth, 1 year; Jodie Johnson, 2 years; Kevin Lingenfelter, 3 years; Dr. Mary Dougherty, 4 years; and Grant Dummer, 5 years. Cornett moved to approve the appointments as listed for the CDA Board. Smith seconded the motion. Motion carried 4-0.

Megan Porter was appointed as a new member to the Library Board, replacing Toni Arehart who resigned as she is moving in May. Cornett moved to approve Porter to the Library Board. Yosten seconded the motion. Motion carried 4-0.

Council President Schlote read the following proclamation for National Library Week 2019:

**WHEREAS**,libraries are not just about what they have for people, but what they do for and with people;

**WHEREAS**, libraries have long served as trusted and treasured institutions, and library workers and librarians fuel efforts to better their communities, campuses and schools;

**WHEREAS**, librarians are leaders in their institutions and organizations, in their communities, in the nation and in the world;

**WHEREAS**, librarians continue to lead the way in leveling the playing field for all who seek information and access to technologies;

**WHEREAS**, libraries and librarians look beyond their traditional roles and provide transformative opportunities for education, employment, entrepreneurship, empowerment and engagement, as well new services that connect closely with patrons’ needs;

**WHEREAS**, libraries and librarians lead their communities in innovation, providing a variety of programming;

**WHEREAS**, libraries, librarians, library workers and supporters across America are celebrating National Library Week.

**NOW, THEREFORE**, be it resolved that I, Daren Seip, Mayor, proclaim National Library Week, April 7-13, 2019. I encourage all residents to visit the library this week and explore what’s new at your library, and engage with your librarian.

Council President Schlote read the following proclamation for Nebraska Public Transportation Week 2019:

**WHEREAS,** Nebraska Public Transportation Week has been declared for April 7-13, 2019

**AND WHEREAS**, The date was chosen to honor the public transportation systems across Nebraska, including the local system better known as the Plainview Handivan.

**AND WHEREAS**, Public transportation systems across the state of Nebraska are celebrating public transportation to help them remain independent.

**AND WHEREAS**, every year thousands of Nebraska citizens are able to participate in using public transportation to help them remain independent.

**AND WHEREAS**, Plainview has continued to support the use of public transportation throughout the year.

**AND WHEREAS**, Plainview recognizes the hard work and dedication that the city staff and especially the drivers do to help make the Plainview Handivan service an integral part of the lives of many residents in the community.

**NOW THEREFORE BE IT RESOLVED**, that by virtue of the authority invested in me as Mayor of the City of Plainview, Nebraska, I, Daren Seip, do hereby issue this proclamation to celebrate public transportation and I do hereby declare April 7-13, 2019 to be “Public Transportation Week”

The recent sale of D&K Lanes to 4D Hospitality, Inc. made it necessary to transfer the current Keno Operator’s license. Cornett moved to transfer the City of Plainview Keno Operator’s license to 4D Hospitality, Inc. dba D&K Lanes from D&K Lanes. Yosten seconded the motion. Motion carried 4-0.

The current location of the Farmer’s Market will no longer be available due to the RC&D moving out of Plainview. Cornett moved to allow the Farmer’s Market to utilize the west side of Chilver’s Park. Smith seconded the motion. Motion carried 4-0.

Discussion on a possible City ordinance for the recently passed State law on vacant property registrations was held. City Attorney Curtiss presented a rough draft to the council to review and action will be taken on Ordinance #949 at the May council meeting.

**At 7:34 PM Council President Schlote opened the Public Hearing for application to NENEDD for Housing Grant**

Economic Development Director Susan Norris explained that plans are underway for a 4-plex to be constructed at 901 N 4th Street. The total grant will be $808,000 with private investors contributing $179,000 towards the project. Council would need to approve a resolution to apply for the housing trust funds.

At 7:40 PM Smith moved to close the public hearing. Cornett seconded the motion. Motion carried 4-0.

Council member Cornett introduced the following resolution and moved for its adoption:

**RESOLUTION #582**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PLAINVIEW, NEBRASKA APPROVING APPLICATION TO THE NEBRASKA DEPARTMENT OF ECONOMIC DEVELOPMENT FOR NEBRASKA AFFFORDABLE HOUSING TRUST FUNDS FOR MULTI-FAMILY NEW CONSTRUCTION, A COPY OF WHICH IS ATTACHED HERETO; PROVIDING FOR THE MAYOR TO EXECUTE.**

Whereas, the City of Plainview, Nebraska, is an eligible unit of a general local government authorized to file an application under the Nebraska Affordable Housing Trust Fund (NAHTF) which was established by the 1996 Nebraska Affordable Housing Act. The Act was adopted to address the state’s affordable housing needs and called for a portion of the documentary stamp tax from Nebraska real estate transactions to be transferred to the NAHTF. These funds are distributed to support the provision of decent, affordable housing statewide, to encourage economic development and promote the general prosperity of all Nebraskans.

Whereas, the City of Plainview, Nebraska, has obtained its citizens’ comments on community development and housing needs; and has conducted public hearing(s) upon the proposed application and received public comment respecting the application for an amount of $500,000 from the Nebraska Affordable Housing Trust Fund Program with $450,000 for multi-family new construction of 4 two bedroom rental townhomes in the City of Plainview, $33,000 for housing management costs and $17,000 for general administration of the grant. Local investors will provide $50,000 in matching funds for a total project cost of $550,000; and,

NOW, THEREFORE, BE IT RESOLVED BY the City Council of the City of Plainview, that the Mayor of Plainview be authorized and directed to proceed with the formulation of any and all contracts, documents or other memoranda between the City of Plainview and the Nebraska Department of Economic Development so as to effect acceptance of the grant application and the required Release of Fund documents for Nebraska Affordable Housing Trust Funds.

Council member Yosten seconded the foregoing motion and on roll call on the passage and adoption of said resolution, the following voted Aye; Smith, Cornett, Schlote and Yosten Nay: None. Whereupon the Mayor declared said motion carried and Resolution #582 is passed and adopted.

**At 7:40 PM Council President Schlote opened the Public Hearing for approval of the Class CK Liquor License for 4D Hospitality, Inc. dba D&K Lanes.**

Owner Randy Dee was present to discuss his purchase of D&K Lanes from Dave and Kim Korth and also his future plans for the business.

There being no further discussion Yosten moved to close the public hearing at 7:43 PM. Smith seconded the motion. Motion carried 4-0.

Motion was made by Cornett to approve the liquor license for 4D Hospitality, Inc. dba as D&K Lanes. Smith seconded the motion. Motion carried 4-0.

Keno grant applications for the quarter were submitted by 4 local organizations. Council President Schlote reminded those in attendance of the available balance in the Keno fund. City Clerk Retzlaff also stated that funding of the full amount asked by each organization may not be possible as Keno revenue has decreased in recent years.

The first was submitted by TeamMates for scholarships and fees associated with the organization in the amount of $2,000. The group had last submitted an application in 2010. Cornett moved to approve $1,000 to TeamMates. Smith seconded the motion. Motion carried 4-0.

The second application was from Highway Twenty HotRod Association in the amount of $5,000 for expenses related to the upcoming car show in June. Dr. Jim Thor, Rick Mosel and Ricky Christiansen were present to discuss the positives of the car show for the City. In was agreed that the event is well run and brings many to town during Klown Days weekend. It was also noted that the group had received a grant for the full amount the previous 2 years. Smith moved to approve $2,500 for the Highway Twenty HotRod Association. Cornett seconded the motion. Motion carried 4-0.

The Manor and Hospital Foundations submitted an application in the amount of $1,200 for the upcoming July 2nd Fireworks and BBQ event held at the Plainview Manor. Last year the group was awarded funds and they hope to continue to make the event bigger each year. Smith moved to award $1,200 to the foundations. Cornett seconded the motion. Motion carried 4-0.

The final application was received from Plainview Ballbackers for $1,800 to help pay for the renovations to the concession stand. The City is assisting in paying for this project as well and Keno funds have been used for several years to help the organization with various expenses. Cornett moved to approve $1,000 to Ballbackers. Smith seconded the motion. Motion carried 4-0.

The Pool Board made recommendations for pool staff and wages for the upcoming season.

Employees recommended were as follows: Caiti Ziegenbein, Manager; Brittany Waldow, Assistant Manager; Full-time lifeguards Sophia MacGregor, Alexa Mayer, Andrea Haase, Abby Rafert, Kenady Hammer and Jade Rickard; Part-time guards Matt Christensen and Will Gunning.

Cornett moved to approve the employees as recommended by the pool board. Smith seconded the motion. Motion carried 4-0.

Wages recommended by the pool board were as follows: Manager $12.00/hr., Assistant Manager $11.00/hr., returning lifeguards $9.75/hr. and new lifeguards $9.00/hr.

Cornett moved to approve the wages as presented by the pool board. Yosten seconded the motion. Motion carried 4-0.

Prices for the pool were also discussed and council agreed to keep pool rates the same as last year. Rates will be as follows: Family pass (must live in household and a list provided to pool staff) $100.00, individual pass $55.00, 0-3 no charge, 4-12 $2.00, 13 and up $3.00; pool parties $75/hr.; public swim lessons $25 for 2 week session; private lesson fee is set by lifeguard leading the lessons.

The Park Board recommended Eli Lanham for seasonal help this summer. Cornett moved to approve Lanham as a park employee. Yosten seconded the motion. Motion carried 4-0. Wage for Lanham was recommended at $10 per hour. Cornett moved to approve the wage. Yosten seconded the motion. Motion carried 4-0.

Special Designated Liquor licenses for Klown Days June 7-8 were then discussed by the council.

Keystone Bar applied for 3 liquor licenses. The first was for June 7th from 5:30 PM to 2:00 AM for a beer garden. Cornett moved to approve the license. Yosten seconded the motion. Motion carried 4-0. The second was for a beer garden on June 8th from 5:30 PM to 2:00 AM. Smith moved to approve the license. Yosten seconded the motion. Motion carried 4-0. The third was for the car show held on June 8th. In previous years the license has allowed for patrons to possess alcoholic beverages the entire length of downtown Plainview. Police Chief Yosten expressed concerns over liability issues in conjunction with the lack of fencing on intersections. After some discussion, council did not allow the license as presented. Cornett moved to amend the beer garden license on June 8th from 8:00 AM to 2:00 AM. Yosten seconded the motion. Motion carried 4-0.

The Chamber of Commerce applied for a license for the BBQ to be held on June 8th in the Bandshell Park. Council did not feel that alcohol in the park should be allowed, and after some discussion, 2 changes were made to the license as presented. The time will be from 5:00 PM to 9:00 PM and the organization will be required to fence in the area where liquor is served. An area of 100 X 150 ft. was approved for the area by the council. Cornett moved to approve the license as changed. Smith seconded the motion. Motion carried 3-1 with Yosten voting no.

City Administrator Holton gave updates on the repairing of city streets following the recent floods, the Handivan application had been approved and the LENRD agreed to pay $5,500.00 for the wellhead protection grant.

City Attorney Curtiss gave an update on vacant houses in town.

Council would like to review employee evaluations before the upcoming budget season.

It was moved by Cornett, seconded by Smith to adjourn the meeting. Motion carried 4-0.

TIME: 8:41 P.M.

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Brian Schlote, Council President (SEAL)

ATTEST:

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Courtney Retzlaff, City Clerk/Treasurer

I, the undersigned, City Clerk for the City of Plainview, Nebraska, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Mayor and Council on 04/9/19; 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 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.

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Courtney Retzlaff, City Clerk/Treasurer (SEAL)

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| --- | --- | --- | --- |
| 14133 | City of Plv Housing Authority | Loan Pmt | 100.00 |
| 14134 | Ingram Library Services | Books/Audiobooks | 62.72 |
| 14135 | Pace Analytical Services, LLC | Su | 655.00 |
| 14136 | Floor Maintenance | Su | 57.36 |
| 14137 | Midwest Bank | Qtrly Loan Pmts | 8,777.30 |
| 14137 | Midwest Bank | Emp HSA | 300.00 |
| 14138 | Casey's General Stores Inc | Fuel | 612.95 |
| 14139 | Verizon Wireless | Cellphones | 489.85 |
| 14140 | League of NE Municipalities | Conf. Registration | 1,079.00 |
| 14141 | Bush & Roe Inc | 1/2 Insurance | 45,428.00 |
| 14142 | Subway | Su | 36.42 |
| 14143 | City of Plv Housing Authority | Loan Pmt | 111.00 |
| 14144 | City of Plv Osm/Plv Housing | Loan Pmt | 145.02 |
| 14145 | City of Plainview | Pool Sales Tax | 6,429.96 |
| 14146 | City of Plainview | Library Sales Tax | 3,450.29 |
| 14147 | City of Plainview | Manor Sale Tax | 3,450.29 |
| 14148 | City of Plainview | Eco Dev Sales Tax | 3,450.29 |
| 14149 | Madison Co Bank | Qtrly Loan Pmts | 6,257.45 |
| 14151 | New York Life | Emp Ins | 77.70 |
| 14152 | Postmaster | Postage | 182.00 |
| ACH | Allied Benefit Services | Emp Ins | 11,774.96 |
| ACH | Black Hills Energy | Gas | 1,968.67 |
| ACH | Casey's Business MasterCard | Fuel | 167.31 |
| ACH | Comm Bankers Merch Svc | Svc | 605.99 |
| ACH | EFTPS | Fed Tax W/H | 5,108.28 |
| ACH | EFTPS | Fed Tax W/H | 5,175.32 |
| ACH | Dearborn National Life Ins | Emp Ins | 66.00 |
| ACH | Francotyp-Postalia | Postage | 1,000.00 |
| ACH | Healthplan Services Inc | Emp Ins | 129.00 |
| ACH | ICMA | Conf. Registration | 329.00 |
| ACH | Mass Mutual | Pension | 2,425.49 |
| ACH | Mass Mutual | Pension | 2,425.49 |
| ACH | Midwest Bank | NSF Check | 24.00 |
| ACH | Midwest Bank | Svc | 50.00 |
| ACH | NE Dept. of Rev | State W/H Tax | 1,212.89 |
| ACH | NE Dept. of Rev | Sales & Use Tax | 1,614.05 |
| ACH | Office Max | Su | 89.78 |
| ACH | Otterbox | Su | 31.99 |
| 20879 |  |  |  |
| 20893 | Thru | Payroll 3-15-2019 | 19,400.76 |
| 20894 |  |  |  |
| 20901 | Thru | Payroll 3-29-2019 | 17,139.09 |
| 20902 | Aflac | Emp Ins | 475.41 |
| 20903 | Anchor Scientific Inc | Su | 147.88 |
| 20904 | Barco | Su | 484.22 |
| 20905 | Baum Hydraulics Corp | Su | 171.15 |
| 20906 | Eileen Bramer | Reim | 184.00 |
| 20907 | Bud's Sanitary Service, LLC | Tote Lease | 1,165.21 |
| 20908 | Bud's Sanitary Service, LLC | Svc | 4,752.00 |
| 20909 | Bud's Sanitary Service, LLC | Totes | 900.00 |
| 20910 | Casey's Business MasterCard | Fuel | 1,014.92 |
| 20911 | Casey's General Stores Inc | Fuel | 102.49 |
| 20912 | CDS Inspections & Beyond | Svc | 150.00 |
| 20913 | City of Plainview C&D Sinking Fund | Pmt | 2,000.00 |
| 20914 | Classic Rentals | Su | 187.70 |
| 20915 | Comfort Inn | Hotel Room | 199.90 |
| 20916 | Curtiss Law Office | Legal Fee | 1,250.00 |
| 20917 | Custom Heating-Air Conditioning | Svc | 229.00 |
| 20918 | Dd Steel | Su | 886.03 |
| 20919 | Electrical System Sinking Fund | Pmt | 2,000.00 |
| 20920 | GreatAmerica Financial Services | Copier Lease | 171.19 |
| 20921 | Green Line Equipment | Su | 43.06 |
| 20922 | Hometown Leasing | Copier Lease | 241.88 |
| 20923 | Ingram Library Services | Books/Audiobooks | 493.34 |
| 20924 | Johnson Repair | Svc | 115.79 |
| 20925 | Kaylene Christensen | Cleaning | 240.00 |
| 20926 | Lavern Petersen | Svc | 157.50 |
| 20927 | Mahaska | Su | 69.60 |
| 20928 | Matheson Tri-Gas Inc | Su | 30.82 |
| 20929 | Mike Holton | Reim | 30.00 |
| 20930 | Mike Wingert | Reim | 25.52 |
| 20931 | Mitch's Food Center | Su | 134.56 |
| 20932 | Murphy Tractor & Equip | Su | 131.96 |
| 20933 | NCDHD | Tetanus Shots | 220.00 |
| 20934 | NE Public Health Env Lab | Water Samples | 52.00 |
| 20935 | NMPP | Dues | 955.94 |
| 20936 | NE Rural Water Assoc | Dues/Annual Cont. | 375.00 |
| 20937 | Nicolle Francis | Meter Refund | 309.39 |
| 20938 | NCPPD | Svc March 2019 | 9,945.32 |
| 20939 | VOID |  |  |
| 20940 | One Call Concepts | Qtrly Svc | 21.48 |
| 20941 | Petersen Electric | Svc | 505.90 |
| 20942 | Plainview Auto Supply Inc. | Su | 16.55 |
| 20943 | Plainview News | Ads/Su | 709.89 |
| 20944 | Plainview Public Schools | Liq. License Fees | 650.00 |
| 20945 | Plainview Rural Fire Protection Dist. | Qtrly Pmt | 4,625.00 |
| 20946 | Plainview Telephone Co Inc | Phone Svc | 1,264.42 |
| 20947 | Productivity Plus Account | Su | 29.89 |
| 20948 | Schaefer Grain Co | Su | 621.00 |
| 20949 | Schmader Electric Co Inc | Svc | 463.00 |
| 20950 | Steinkraus Service | Fuel/Repairs | 2,706.20 |
| 20951 | Troy Johnston | Reim | 40.00 |
| 20952 | Volkman | Svc | 154.25 |
| 20953 | Water Tower Bond Acct | Pmt | 2,800.83 |
| 20954 | Wilkens Industries, Inc | Su | 329.25 |
| 20955 | Willow Creek Veterinary Service | Svc | 85.67 |