REGULAR MEETING OF THE CITY COUNCIL

**TUESDAY AUGUST 13, 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 13th day of August 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.

Council 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.

City Attorney Curtiss stated that the executive session listed for disciplinary action for the Police Chief would not be held. A letter must be sent to the employee from the Mayor that states what violations the officer has made before any further action is taken.

Cornett moved to approve the July 9th regular meeting minutes. Smith seconded the motion. Motion carried 4-0.

Cornett moved to approve the July 30th special 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.

Chief Police Yosten gave his monthly report and council noted that the calls had increased from the previous month.

Economic Development Director Susan Norris gave the council updates on the NAHTF loan for the proposed townhouses will be pushed back until September due to the money being used for disaster funding. Results of the recent DTR survey were reviewed and plans will be made to begin Phase 1 for a grant from NENEDD. Norris showed those in attendance drawings of the proposed community building and also stated that the IRP funding will need to be formally deobligated by the City.

City Superintendent Curt Hart updated on the installation of new fire hydrants, maintenance of gravel streets, the closing of the pool for the season and the demolition of the house at 206 S King Street. Hart also stated that Bill Dane will be leaving the City in the near future.

City Administrator Holton issued an apology to the council for events that transpired prior to the meeting and stated with the pending resignation of the Mayor there will be many preventative steps necessary to be taken in order for the City to continue to move forward.

Randy Hellbusch of Nebraska Rural Water Association presented a water and sewer rate study for the town. The current rates have been in effect since 2013 and with cost of inflation the City will need to look at increasing both rates.

The current water rates are $11.24 minimum charge per month with $1.34 per thousand gallons for the first 10,000 gallons. Any usage over 10,000 gallons will be charged $1.57 per 1,000 gallons. Hellbusch presented a monthly minimum of $15.00 with $1.70 per thousand for the first 10,000 gallons and $2.00 per gallon thereafter. An annual 2% increase over the next 2 years would then bring the rates to $15.30 minimum, with $1.75 per 1,000 gallons up to 10,000 gallons and then $2.05 thereafter. In year 3 the rates would increase to $15.60, $1.80 and $2.10 respectively. Hellbusch stated that by spacing out the increases it would allow the city to meet its necessary expenses without creating a large increase to the customer bills.

Sewer rates were also shown with a 3 year plan for increases. The current rates are minimum charges for residential $15.73 and commercial $22.46. An add-on amount of $1.69 per thousand gallons of water used based on winter usage is also assessed to the customers. The increases for the next 3 years would be as follows: year 1: $16.05, 22.90 and $1.72; year 2: $16.40, $23.40 and $1.75; year 3: $16.75, $23.90 and $1.80.

Council will study the rates proposed and make any changes as the city moves into budget season to make sure all necessary expenses can be covered by the departments.

Holton stated to the council that the need for new water meters will be discussed at future meetings as the current system will become obsolete in 2021. The cost of the meters will need to be calculated into any rate adjustments that are passed.

Blake Nincehelser was present to give a year end update for the Ballbackers summer season.

The concession stand by the north fields was extensively remodeled, a new shed was constructed for storage of equipment and both tournaments were busy with Klown Days bringing in 16 teams and the Legion tournament hosting 17. He reported that the group will be taking over youth soccer this fall in addition to football, volleyball and basketball. The grand stand at Pride Field has been invaded by termites and will need to be demolished.

Keystone Bar applied for a Special Designated Liquor license on September 14 from 11:00 AM – 2:00 AM. A benefit will be held for Conner Slater and his family with a poker run, auction and outdoor concert. Sherry Ristow was present and asked to close the street between Keystone and Madison County Bank from the alley to Locust Ave. Cattle fence and a trailer will be used to secure the intersections. Cornett moved to approve the liquor license. Smith seconded the motion. Motion carried 4-0.

City Clerk Retzlaff and City Administrator Holton stated that Community Clean-Up Days will be held again September 21st and 22nd. A notice to all residents will go out on their September utility bill and it will also be advertised in the Plainview News and on social media.

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

**RESOLUTION #586**

**WHEREAS,** State of Nebraska Statutes, sections 39-2115, 39-2119, 39-2120, 39-2121, and 39-2520(2), requires an annual certification of program compliance to the Nebraska Board of Public Roads Classifications and Standards;

**AND WHEREAS,** State of Nebraska Statute, section 39-2120 also requires that the annual certification of program compliance by each municipality shall be signed by the Mayor or Village Board Chairperson and shall include a copy of a resolution of the governing body of the municipality authorizing the signing of the certification form.

**NOW THEREFORE BE IT RESOLVED,** BY THE MAYOR AND COUNCIL OF THE CITY OF PLAINVIEW, NEBRASKA, THAT:

1. The Mayor is hereby authorized the sign the attached Municipal Annual Certification of Program Compliance form.

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 Council President declared said motion carried and Resolution #586 is passed and adopted.

City Administrator Holton stated that no decisions on gap paving would be made this evening and he had received cost analysis for asphalt overlay as an alternative for concrete.

A lengthy discussion was held on the enforcement of the dog ordinance. Several members of the community were present to question why a dog that had been loose and chased others, resulting in injuries to a child and another dog, had not been licensed or restrained properly by the owners. Matt and Michelle Martindale were present to show the council pictures of their dog who was attacked while being walked near the home of the dog that was running loose. Martindales stated that their dog required surgery resulting in $1,000 worth of expense to the couple. The current City code states that any dog that attacks another domestic animal resulting in veterinary attention will be apprehended by the Plainview police and destroyed. Community members stated that not taking care of the dog opens up the possibility for more problems in the future and the City could be liable if another attack should occur.

As there were no law enforcement officers present to answer questions, council made a motion to have the ordinance enforced as written. Cornett moved to have Officer Neumann contact the owner of the dog the next morning and confiscate the dog. Smith seconded the motion. Motion carried 4-0.

Holton stated that he is completing preliminary figures for the 2019-2020 budget. Workshops will be held on August 20th and 27th.

A concern over the understanding of conflict of interest was raised and council was asked to review their city codes. The need to keep nuisance properties under control was also a concern of those present.

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

TIME: 8:11 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 08/13/19; 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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| --- | --- | --- | --- |
| 14221 | Midwest Bank | Emp HSA July-Dec | 13,500.00 |
| 14222 | Curtiss Law Office P.C. L.L.O. | Pmt 206 S King | 5,716.59 |
| 14223 | Schaefer Grain Co. | Svc/Su | 677.50 |
| 14224 | Plainview Auto Supply Inc. | Su | 169.98 |
| 14225 | Rueter's | Su | 222.30 |
| 14226 | NCPPD | Svc | 9,077.67 |
| 14227 | N&B Gas Co | Su | 60.00 |
| 14228 | Sophia MacGregor | Reim | 50.00 |
| 14229 | Verizon Wireless | Cellphones | 494.23 |
| 14230 | Hawkins Inc | Su | 3,090.83 |
| 14231 | L.P. Gill Inc | Svc | 14,380.37 |
| 14232 | Carlson Home & Auto Inc | Svc | 75.00 |
| 14233 | Mitch's Food Center | Su | 594.38 |
| 14234 | City of Plv Housing Authority | Housing Loan Pmt | 100.00 |
| 14235 | City of Plv Housing Authority | Housing Loan Pmt | 222.00 |
| 14236 | City of Plainview | LB840 Pmts | 223.21 |
| 14237 | City of Norfolk | Svc | 246.50 |
| 14239 | Johnson Repair | Svc | 112.45 |
| 14240 | Western Oil, Inc. | Fuel | 472.93 |
| 14241 | City of Plv Osm/Plv Housing | Housing Loan Pmt | 42.00 |
| 14242 | Lentz Small Engine Marine | Svc | 631.20 |
| 14244 | City of Plainview | Pool Sales Tax | 6,028.29 |
| 14245 | City of Plainview | Library Sales Tax | 3,192.76 |
| 14246 | City of Plainview | Manor Sales Tax | 3,192.76 |
| 14247 | City of Plainview | Eco Dev Sales Tax | 3,192.76 |
| 14248 | Midwest Bank | Emp HSA July | 300.00 |
| 14249 | Scottsbluff Country Court | Pmt | 81.37 |
| 14250 | GreatAmerica Financial Services | Copier Lease | 143.37 |
| 14251 | Aflac | Emp Ins | 475.41 |
| 14252 | New York Life | Emp Ins | 77.70 |
| 14253 | Postmaster | Postage | 183.05 |
| 14254 | Plainview American Legion Auxillary | Ads | 40.00 |
| 21236 | City Employees | Payroll 7-15-2019 |  |
| 21258 |  |  | 22,661.82 |
| 21259 | City Employees | Payroll 7-30-2019 |  |
| 21282 |  |  | 23,653.07 |
| 21283 | Alexa Meyer | Swim Lessons | 105.00 |
| 21284 | 2 A.M. Signs & Graphics | Svc | 70.00 |
| 21285 | Andrea Haase | Swim Lessons | 75.00 |
| 21286 | Arnie Mohlman | Meter Refund | 105.66 |
| 21287 | Bader's Highway & Street | Svc | 9,978.00 |
| 21288 | Bomgaars | Su | 19.78 |
| 21289 | Bonta Lawn Care | Svc | 224.00 |
| 21290 | Eileen Bramer | Reim | 74.80 |
| 21291 | Brittany Waldow | Swim Lessons | 250.00 |
| 21292 | Bruce Yosten | Reim | 84.40 |
| 21293 | Bud's Sanitary Service LLC | Svc | 4,752.00 |
| 21294 | Bud's Sanitary Service LLC | Tote Lease | 1,165.21 |
| 21295 | Caiti Ziegenbein | Swim Lessons | 400.00 |
| 21296 | Caroline Akinnigbagbe | Intern Pmt | 703.00 |
| 21297 | CDS Inspections & Beyond | Svc | 150.00 |
| 21298 | City of Norfolk | Svc | 126.75 |
| 21299 | City of Plainview | LB840 Pmts | 223.21 |
| 21300 | City of Plainview C&D Sinking Fund | Pmt | 2,000.00 |
| 21301 | City of Plv CDBG Housing | Housing Loan Pmt | 100.00 |
| 21302 | City of Plv Housing Authority | Housing Loan Pmt | 100.00 |
| 21303 | Classic Rentals | Su | 280.22 |
| 21304 | Cornhusker International Trucks Inc | Svc | 520.65 |
| 21305 | Cornhusker Press | Dog Tags | 85.30 |
| 21306 | Courtney Retzlaff | Mileage | 60.55 |
| 21307 | Credit Bureau Services Inc | Pmt | 66.93 |
| 21308 | Curtiss Law Office P.C. L.L.O. | Legal Fees | 1,250.00 |
| 21309 | Dd Steel | Su | 43.79 |
| 21310 | Electrical System Sinking Fund | Pmt | 2,000.00 |
| 21311 | Floor Maintenance | Su | 153.08 |
| 21312 | Follett School Solutions Inc | License | 870.45 |
| 21313 | Francotyp-Postalia Inc | Postage | 181.92 |
| 21314 | Glenda Elston | Meter Refund | 350.00 |
| 21315 | Great Plains Communications | Svc | 43.59 |
| 21316 | Green Line Equipment | Su | 21.60 |
| 21317 | Hawkins Inc | Su | 1,676.16 |
| 21318 | Hoffart Machine Repair | Svc | 66.60 |
| 21319 | Hometown Leasing | Copier Lease | 241.88 |
| 21320 | IIMC | Dues | 195.00 |
| 21321 | Iowa Library Association | Registration | 240.00 |
| 21322 | Jade Rickard | Swim Lessons | 325.00 |
| 21323 | JEO Consulting Group Inc | Svc | 300.00 |
| 21324 | Kaylene Christensen | Cleaning Svc | 240.00 |
| 21325 | L.P. Gill Inc | Svc | 16,217.91 |
| 21326 | Little Detroit Body Shop | Svc | 130.60 |
| 21327 | Mahaska | Su | 55.20 |
| 21328 | Manzer Equipment Inc | Su | 328.77 |
| 21329 | Matheson Tri-Gas Inc | Su | 115.24 |
| 21330 | Melissa Forbes | Mileage | 60.55 |
| 21331 | Menards | Su | 49.50 |
| 21332 | Miller & Associates Consulting Engineers | Svc | 1,774.55 |
| 21333 | Mitch's Food Center | Su | 1,010.34 |
| 21334 | Moeller Sprinkler Service | Svc/Su | 523.00 |
| 21335 | Municipal Supply Inc of Omaha | Su | 4,879.66 |
| 21336 | NE Public Health Env Lab | Svc | 47.00 |
| 21337 | Nebraska Environmental Products | Sewer Vac Truck | 35,000.00 |
| 21338 | NMPP | Svc | 1,699.42 |
| 21339 | NE Statewide Arboretum | Dues | 100.00 |
| 21340 | NCPPD | Svc | 9,687.13 |
| 21342 | NCPPD | Rate Stablization Pmt | 20,492.00 |
| 21343 | Pierce Co Commissioners | Culverts | 450.50 |
| 21344 | Plainview Auto Supply Inc. | Su | 196.92 |
| 21345 | Plainview Telephone Co Inc | Svc | 1,266.58 |
| 21346 | Productivity Plus Account | Svc/Su | 3,776.08 |
| 21347 | Rueter's | Su | 48.58 |
| 21348 | Sargent Drilling | Svc | 600.00 |
| 21349 | Schaefer Grain Co. | Su | 595.35 |
| 21350 | Sophia MacGregor | Swim Lessons | 75.00 |
| 21351 | Southeast Library System | Registration | 210.00 |
| 21352 | Steinkraus Service | Fuel | 563.65 |
| 21353 | Tiffany Ziemer | Meter Refund | 241.62 |
| 21354 | Verizon Wireless | Cellphones | 494.23 |
| 21355 | Water Tower Bond Acct | Pmt | 2,800.83 |
| 21356 | West Hodson Lumber | Su | 709.50 |
| 21357 | Western Oil, Inc. | Fuel | 1,028.31 |
| 21358 | Zee Medical Service | Su | 291.70 |
| ACH | Amazon | Su | 13.89 |
| ACH | Allied Benefit Services | Emp Ins | 10,807.18 |
| ACH | Black Hills Energy | Gas | 1,651.12 |
| ACH | Casey's Business Mastercard | Fuel | 3,814.43 |
| ACH | Community Bankers Merchant Svc | Svc | 675.00 |
| ACH | Eakes Office Solutions | Su | 112.00 |
| ACH | Ebay | Su | 233.33 |
| ACH | EFTPS | Fed W/H Tax | 6,135.62 |
| ACH | EFTPS | Fed W/H Tax | 6,452.19 |
| ACH | Dearborn Life Insurance Co | Emp Ins | 66.00 |
| ACH | Healthplan Services Inc | Emp Ins | 129.00 |
| ACH | In The Swim | Su | 31.76 |
| ACH | Mass Mutual | Pension | 2,425.49 |
| ACH | Mass Mutual | Pension | 2,425.49 |
| ACH | Midwest Bank | NSF Check | 119.52 |
| ACH | Midwest Bank | Svc | 50.00 |
| ACH | NE Dept of Rev | State W/H Tax | 1,524.23 |
| ACH | NE Dept of Rev | Sales & Use Tax | 2,212.87 |
| ACH | NE UC Fund | Unemp Tax | 121.57 |
| ACH | Office Max | Su | 26.14 |
| ACH | Spectra Associates Inc | Su | 219.00 |