REGULAR MEETING OF THE CITY COUNCIL

**TUESDAY DECEMBER 13TH, 2016**

**\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\***

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 Dec at 7:00 o’clock P.M. Present were: Mayor Seip; Council Members: Wilson, Novicki, Naprstek, and Dummer. Absent: none

The Pledge of Allegiance was then recited.

Mayor Seip 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.

Dummer moved to approve minutes from the regular meeting Tuesday Nov 8th, 2016. Wilson seconded the motion. Motion carried 4-0.

Wilson moved to approve the minutes from the special meeting Monday Dec 5th, 2016. Novicki seconded the motion. Motion carried 4-0

Dummer moved to approve the claims and payroll against the city. Novicki seconded the motion. Motion carried 4-0.

Holton recognized the outgoing council members for their years of service to the city. Wilson had served for 12 years and Dummer for 4 years. Each were presented a plaque in appreciation.

The Oath of Office was read by the new council members Chad Huigens and Brian Schlote and also new City Clerk/Treasurer Courtney Retzlaff.

Manor Report was given by Juleen Johnson. An update was given on the claims against the city for equipment damaged during the power outage. Dennis Johnson stated that the claims cannot be turned into the city insurance as the city owns the Manor and cannot file a claim against themselves. Dennis Johnson suggested that a letter be written by the city explaining the sequence of events that caused the damage of the equipment. Discussion was also held on the property insurance of the Manor. Currently the Manor has their own property insurance. The question was raised that if the City were to assume the property insurance how would the insurance payments be handled and who would be responsible for the premium payments. Juleen Johnson and Dennis Johnson will review the policies of both the City and the Manor to see if any changes would be beneficial to both.

Naprstek moved that Dennis Johnson write a letter and give to Juleen Johnson to submit to the Manor’s insurance. Schlote seconded the motion. Motion passed 4-0.

Chief Yosten presented the police report. Schlote questioned if there was a need for more engine braking signs on roads leading into town. The council gave the directive to City Superintendent Cederburg to install signs on North and South 9th Street and North West Street. Novicki questioned the digital speed limit signs and why they have not been installed. Yosten and Cederburg will discuss the areas to place on each end of town.

Economic Development report was given by Nicole Darnall representing the LB840 committee. Pierce County Economic Development dues are $3,738.00 for the year. Schlote moved to pay the dues. Naprstek seconded the motion. Motion carried 4-0. The Post Café had applied for a LB840 grant for signage with a total cost of $1,049.50. LB840 will cover half of the cost $524.75. Naprstek moved to pass the matching grant. Novicki seconded. Motion carried 4-0.

Discussion was held on Resolution #538 for the sale of farm ground by the old lagoon. Curtiss stated that a survey needs to be completed before any further action can be taken. Lyle Lingenfelter was present and asked that he be contacted when the surveyor arrives. Further discussion will be tabled until after survey is completed. Holton informed the council that a surveyor had been contracted.

Schlote nominated Naprstek as the new council president. Novicki seconded the motion. Motion carried 3-0, Naprstek abstained.

Mayor Seip recommended that Courtney Retzlaff be appointed City Clerk/Treasurer. Naprstek moved to appoint Retzlaff. Novicki seconded the motion. Motion carried 4-0.

Seip recommended that Bart Pendergast be appointed to fill the vacancy left on the Library Board by the resignation of Jan Krause. Schlote moved that Pendergast be appointed. Naprstek seconded the motion. Motion passed 4-0.

**At 8:00 P.M., Mayor Seip opened the Public Hearing on the Lot Split for Kevin Jenkins at Tax Lot #1 4 8.98 33-28-4**

Holton stated that the zoning board had already approved the lot split. Approval by the council of the split was necessary for new owner to obtain deed from Pierce County. An increase in potential traffic was questioned but decided that this would not be an issue. Schlote moved to close the public hearing. Naprstek seconded the motion. Motion carried 4-0.

Naprstek moved to approve the lot split. Novicki seconded the motion. Motion carried 4-0.

Cindy Schlote and Larry Babel were present to appeal the nuisance ordinances on their properties. Discussion was held on each property. Schlote agreed to clean up her property and was given 90 days to complete or file for an extension. Naprstek moved to extend the deadline to the April council meeting. Huigens seconded the motion. Motion carried 3-0, Schlote abstained. Babel properties were considered to be in progress and Holton recommended to table until the next meeting. Naprstek made a motion to table discussion on Babel properties until next council meeting. Huigens seconded the motion. Motion carried 4-0.

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

**RESOLUTION #539**

WHEREAS, the Board of Health of the City of Plainview, Nebraska has previously determined that the property described as:

Lot Ten(10), Block Ten (10), Pioneer Townsite Company Addition to the City of Plainview, Pierce County, Nebraska (105 S King Street)

 And owned by: Cindy Schlote;

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

 the property described as:

 Lot Ten(10), Block Ten(10), Pioneer Townsite Company Addition to the City of

 Plainview, Pierce County, Nebraska (105 S King Street)

 And owned by: Cindy Schlote

1. Has been determined to be a public nuisance; after notice and hearing, according to evidence submitted and oral agreement by Cindy Schlote;
2. The owner has until the April 2017 regular meeting of the City Council to clean-up the property or she must appear at the meeting to give an update on her efforts.

Council member Huigens seconded the foregoing motion and on roll call on the passage and adoption of said resolution, the following voted Aye: Huigens, Novicki, Naprstek, Nay: None. Abstain: Schlote. Whereupon the Mayor declared said motion carried and said Resolution #539 is passed and adopted.

Curtiss suggested to the council that a special hearing be made to discuss all other nuisance properties. Any properties that are not addressed by a date specified by the city and health board can be cleaned up by city at the owner’s expense. Notices for hearings will be sent via certified mail or personal delivery for all nuisance properties not previously addressed or appealed. Novicki made a motion to schedule the meeting for Tuesday, Jan 3rd at 5:30 P.M. at the Council Chambers. Huigens seconded the motion. Motion carried 4-0.

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

**RESOLUTION #537**

WHEREAS, the City Council of the City of Plainview, Nebraska finds it necessary to document authority of the City Clerk;

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

1. Courtney Retzlaff is the newly appointed and confirmed City Clerk of the City of Plainview; and
2. That as the City Clerk she shall be and hereby is granted signature authority on all municipal bank accounts; and she has authority to sign any promissory notes approved by the City Council.

Council member Naprstek seconded the foregoing motion and on roll call on the passage and adoption of said resolution, the following voted Aye: Huigens, Novicki, Naprstek, Schlote. Nay: None. Whereupon the Mayor declared said motion carried and said Resolution #537 is passed and adopted.

Holton discussed creating an employee contract based on examples from the Nebraska City Managers Association for the City Administrator and City Clerk/Treasurer. Curtiss will complete a contract draft and discuss with Holton and Retzlaff.

Discussion was held on possible water tower renovations. Cederburg presented 3 different options to the council. Curtiss suggested to speak to the city engineer before proceeding.

Discussion was held on the promotion of Angie Rix to a full time position. Naprstek and Schlote questioned if there was a need for 3 full time personnel in the office. Following discussion, a salary of $27,000 and full benefits was set with a probation period of 3 months to review. Naprstek moved to hire Rix as a full time employee. Novicki seconded the motion. Motion carried 4-0.

Holton discussed the playground equipment that was damaged by vandalism and removed. Insurance will pay up to $27,000 to replace the equipment. Crouch Recreation and Sterling West have visited with Holton and he will bring bids from both companies to the next meeting for discussion.

Discussion was held on appointing a city engineer for 2017. JEO Consulting Group, Inc. was recommended for the ensuing year by Holton. Terry Mead of JEO was recommended as street superintendent. Schlote moved to hire JEO Consulting and Terry Mead as the city engineer and street superintendent respectfully for 2017. Novicki seconded the motion. Motion passed 4-0.

Discussion was held on the employee appreciation party to be held Friday, December 16, 2016 at The Post Café. Schlote moved to provide $50 Klown Kash to all full-time city employees and $25 for all part-time employees. Huigens seconded the motion. Motion carried 4-0.

Discussion was held on updating Ordinance #510 regarding dangerous dogs in city limits. Holton advocated that the council be pro-active on what power is given to law enforcement. The breed of dog should not be the only factor when determining if a dog is to be labeled as dangerous. Information was distributed to the council regarding ordinances in other Nebraska towns and also statistics on the number of dog attacks by breed. Curtiss suggested a grandfather clause for any dogs currently in city limits that may potential fall into the dangerous dog category. A concern was also raised on the number of animals allowed in a household and how they are confined. Council members will review the information provided and table until the next meeting.

City Superintendent Cederburg gave his report. The new snow plow is in use. Repairs were made to the water leaks and concrete will be poured when weather allows. Council expressed concern on tasks completed for the month and Cederburg will provide a detailed list. A reminder was made to remove snow in the cul-de-sacs as needed during the winter.

Administrator Holton stated that most of his report was already covered previously in the meeting. Holton did give an update on a potential solar power farm and will keep the council updated as the project moves forward. Updates to the computer programming for utility billings is ongoing and city staff is continuing to address issues as they occur.

City Attorney Curtiss had no additional comments.

Naprstek questioned past due accounts on utility billings. A reminder of the policy on vacation time use for city employees was discussed.

Schlote asked if City of Plainview shirts could be purchased for the mayor and city council. He also suggested to move council meetings from the current stated time of 7:00 P.M. to 5:30 P.M. the 2nd Tuesday of the month. The meeting time change would have to be updated in the code book if implemented.

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

TIME: 9:54 P.M.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Daren Seip, Mayor (SEAL)

ATTEST:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Courtney Retzlaff, City Clerk/Treasurer

13510 Love Signs Library Electric Sign 15,590.19

13511 Kelly Pendergast Consulting Fees 530.00

13512 NE Child Support Pmt 725.00

13513 Cheryl Werner Labor 400.00

13514 Menards Su 256.17

13515 City of Plv/Osm Housing Pmts 102.11

13516 City of Plainview C&D Sinking Pmt 2000.00

13517 Verizon Wireless Pmt 605.03

13518 City of Plainview Energy Assistance 2574.00

13519 Dearborn National Life Ins 63.90

13520 City of Plainview Pool Sales Tax 11,109.71

13521 City of Plainview Manor Sales Tax 6,962.62

13522 City of Plainview Library Sales Tax 6,962.62

13523 City of Plainview Ec Dev Sales Tax 6,962.62

13524 Black Hills Energy Pmt 568.14

13525 Family Dollar Su 36.11

13526 NE Child Support Pmt 725.00

13527 Midwest Bank Empl HSA 400.00

13528 Postmaster Postage 153.51

18334 Thru

18346 City Emp Payroll 11-15-16 16,830.54

18347 thru

18357 City Emp Payroll 11-30-16 14,041.31

18358 Aflac Ins 206.57

18359 Alby’s Electric Svc 375.39

18360 American Legal Publishing Svc 650.00

18361 Bomgaars Su 222.93

18362 Eileen Bramer Reim 55.41

18363 Bud’s Sanitary Service Svc 4752.00

18364 Casey’s Gas 463.92

18365 Chad’s Tire Service Svc 50.00

18366 City of Plainview Utilities 4406.42

18367 City of Plainview C&D Sinking Pmt 2000.00

18368 Classic Rentals Su 198.55

18369 Combined Rev Bond Pmt 3168.96

18370 Connecting Point Su 45.00

18371 Cornhusker State Industries Su 34.00

18372 Curtiss Law Office Svcs 1250.00

18373 DD Steel Su 9.55

18374 Dept of Energy Electric Svc 7377.64

18375 Donna Christiansen Reim/Svc 368.70

18376 Dutton-Lainson Co Su 2959.91

18377 Echo Electric Su 87.80

18378 Econo Signs Su 531.86

18379 3E Comp Su 1195.54

18380 Electrical System Sinking Fund 2000.00

18381 Great Plains Comm Svcs 33.47

18382 GreatAmerica Fin. Svs Svcs 143.37

18383 HD Supply Su/Svcs 776.88

18384 Hometown Leasing Copier 86.00

18385 Ingram Library Services Su 558.51

18386 Itron, Inc. Main. 1021.99

18387 Jason Curtis Meter Refund 89.07

18388 Jerry Neumann Reim. 30.00

18389 Johnson Repair Svcs 23.50

18390 Kimball-Midwest Su 242.25

18391 LP Gill Svcs 13678.44

18392 League of NE Muncipalities Membership 100.00

18393 Mahaska Su 27.60

18394 Matheson Tri-Gas, Inc. Su 25.80

18395 Matthew Bender & Co., Inc Manual 250.30

18396 Melissa Forbes Reim 27.56

18397 Menards Su 48.82

18398 Midwest Service & Sales Snow Plow 15744.98

18399 Mitch’s Food Center Su 35.54

18400 MEAP Power/RITA 67403.08

18401 NE Public Health Env. Lab Svcs 132.00

18402 NMPP VSP 2724.00

18403 NE UC Fund Svcs 919.32

18404 NMC Exchange,LLC Svcs 3907.27

18405 NE Neb RC&D Grant Workshop 45.00

18406 OBD Company Su 488.44

18407 Omaha World Herald Subscription Library 132.60

18408 One Office Solution Svcs 16.11

18409 Overhead Door Su 21.60

18410 Plainview Auto Supply Su 193.45

18411 Plainview News Svcs 311.27

18412 Plainview Telephone Svcs 926.12

18413 Pollard Pumping Svcs 5275.00

18414 Post Prom Committee Donation 150.00

18415 Resource Action Programs Svcs 888.03

18416 Rogers Repair Repairs 1493.47

18417 Schaefer Grain Svcs 258.00

18418 Steinkraus Service Fuel 2223.55

18419 Tara Dunbar Meter Refund 9.05

18420 The Farner Co. Su 49.90

18421 Truck Center Co Su 206.18

18422 Water Tower Bond Bond Payment 2800.83

18423 Wesco Su 333.84

18424 West Hodson Su 349.20

18425 Western Oil, Inc Fuel 58.64

18426 Willow Creek Vet Svcs 100.00

18427 Zee Medical Su 28.90

ACH NE Dept. of Rev State W/H 1246.66

ACH NE Dept of Rev Sales Tax 7721.11

ACH Comm Bankers Srvc CC Machine 972.43

ACH EFTPS Payroll Tax 5359.52

ACH Mass Mutual Pension 2220.09

ACH Francopostalia Postage Machine 1000.00

ACH NSF 135.15

ACH EFTPS Payroll Tax 4423.90

ACH Mass Mutual Pension 2199.25

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Courtney Retzlaff, City Clerk/Treasurer (SEAL)