REGULAR MEETING OF THE CITY COUNCIL

**TUESDAY JUNE 12, 2018**

A meeting of the Mayor and Council of the City of Plainview, Nebraska, was held at the Council Chambers in said City on the 12th day of June at 7:00 o’clock P.M.

Roll call was held and present were: Mayor Seip; Council Members: Cornett, Novicki, Naprstek and Schlote. 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.

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.

Schlote moved to approve the minutes from the May 8th regular meeting. Cornett seconded the motion. Motion carried 4-0.

Schlote moved to approve the minutes from the May 15th special meeting. Cornett seconded the motion. Motion carried 4-0.

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

No Manor report was given.

Police Chief Yosten gave the monthly report for the police department.

Economic Development report was given by Susan Norris. Updates on the new hardware store, Plainview Farm & Home Supply, were given along with discussion on downtown revitalization and the need for childcare in Plainview.

City Superintendent Curt Hart reported on the playground equipment that was installed in Chilver’s Park. Concrete patching around town will start soon and Bader’s Highway and Street Maintenance will be tarring several streets this week. City crews had also been assisting with the water line at the elementary school for their new sprinkler system.

City Administrator Holton thanked the city staff for all of the hard work they did in preparing for Klown Days and also their continued help throughout the weekend. The pool was open before Memorial Day and the City of Pierce helped with street sweeping around town. Clarification on insurance for dangerous dogs was briefly discussed.

Mayor Seip made the following appointments to the Manor and Library boards.

Norma White and Becky Baller were reappointed to 3 year terms on the Manor board. Schlote moved to approve the appointments. Cornett seconded the motion. Motion carried 4-0.

Toni Arehart and Jody Viterna were reappointed to the Library board for 4 years. Schlote moved to approve the appointments. Novicki seconded the motion. Motion carried 4-0.

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

**RESOLUTION #574**

**WHEREAS,** the City of Plainview, Nebraska, has determined that they are in need of a new trailer;

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

1. The City shall purchase a Wilken Industries Trailer, Model 48126aOTW, for the sum of $67,900.00, subject to the terms and conditions of a Purchase Order to be signed and delivered by the City Administrator.
2. A copy of this resolution shall be taken and accepted of evidence of the authority of such purchase and to borrow up to $67,900.00 at 4.35% for a term of 3 years through Midwest Bank.

Council member Novicki seconded the foregoing motion and on roll call on the passage and adoption of said resolution, the following voted Aye; Cornett, Novicki, Naprstek and Schlote Nay: None. Whereupon the Mayor declared said motion carried and Resolution #574 is passed and adopted

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

**RESOLUTION #575**

**LEASE/PURCHASE**

**PLAINVIEW WASTE SYSTEM ‘TOTES’**

Commencing the 1st day of April, 2018, the City of Plainview, a Nebraska Municipal Corporation, (CITY) does hereby lease a number of “trash totes” (large trash cans) from Bud’s Sanitary Service, LLC, (BUDS) on the following terms and conditions:

1. Totes will be purchased, owned, and maintained by Bud’s Sanitary Service, LLC, and distributed throughout the City of Plainview, for use to contain municipal trash being picked up by BUDS; Repair or replacement of same due to normal wear and tear will be the responsibility of BUDS; Damage to totes by negligence of consumers will be the responsibility of consumer, and BUDS will work with CITY to deal with any such consumer responsibility; Damage and or needed repair from unknown causes, or otherwise clearly not the responsibility of consumer, shall be borne by BUDS, or recovered from other responsible parties by BUDS;
2. Lease will commence in March, 2018, and shall continue during the term of the trash hauling contract by and between BUDS and CITY, unless modified in writing by agreement of the parties;
3. Count of toes reasonably needed, purchased, and distributed for use, as provided by BUDS to CITY, is 609 totes. Any additional totes needed shall be purchased by CITY;
4. Monthly rate shall be $1.91 per tote per month, payable by CITY to BUDS within 15 days of end of each month of service; for a total monthly Lease/purchase charge of $1,165.21;
5. Each consumer (other than commercial sites with larger containers) will be provided at least one and not more than two toes, as established by the decision of consumer, and appropriate billing and payment to CITY on regular trash billing charge of CITY; BUDS will continue to pick up trash as per separate contract with CITY and will not bill consumers directly for totes or trash services;
6. Initial monthly Lease/purchase rate shall terminate on March 1st of 2021, with a final payment of $962.27; upon final payment CITY shall become owner of all totes;
7. If BUDS hauling contract is extended, beyond the end of this Lease/purchase CITY will pay BUDS a maintenance fee of 25 cents per tote per month, or such other rate as may be negotiated from time to time.

Council member Naprstek seconded the foregoing motion and on roll call on the passage and adoption of said resolution, the following voted Aye; Cornett, Novicki, Naprstek and Schlote Nay: None. Whereupon the Mayor declared said motion carried and Resolution #575 is passed and adopted.

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

**RESOLUTION #576**

**WHEREAS,** the City of Plainview, Nebraska owns and is in possession of certain property that is not needed for City purposes, to-wit:

Metal Slide

(2) Swing Sets

Red & Blue push/pull seated merry-go-round

**WHEREAS,** the City of Plainview, Nebraska has determined that sale of said property is in the City’s best interest;

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

1. The sale will be by sealed bid;
2. Sale to be advertised with bids to be submitted to City Office by or before 5:00 PM Monday 07/09/2018; bids to be opened and accepted or rejected at regular July City Council meeting.

Council member Cornett seconded the foregoing motion and on roll call on the passage and adoption of said resolution, the following voted Aye; Cornett, Novicki, Naprstek and Schlote Nay: None. Whereupon the Mayor declared said motion carried and Resolution #576 is passed and adopted.

Discussion was held on an updated federal drug and alcohol testing policy for Plainview Handivan drivers. The new policy is a zero tolerance policy and any employee that does not meet the new regulations will be terminated immediately from their position. The Handivan Board had met previously and recommended the acceptance of the updated policy. Naprstek moved to approve the recommended policy. Novicki seconded the motion. Motion carried 4-0.

One claim for CDS Housing grant PLVW-HR-14 for $58.55 was presented to the council for approval. Cornett moved to pay the claim. Novicki seconded the motion. Motion carried 4-0.

The LB840 committee had 2 recommendations for signage grants and 2 loan grants.

Mary’s Restaurant had applied for $569.96 in signage for their facility. Naprstek moved to approve the grant for Mary’s Restaurant. Cornett seconded the motion. Motion carried 4-0.

Plainview Telephone applied for $1,000.00 in signage for their building. Schlote moved to approve the grant for Plainview Telephone. Naprstek seconded the motion. Motion carried 4-0.

Josh Schmitz was present to discuss the new hardware store he is opening in the former True Value building. Plainview Farm and Home Supply is looking to open on September 1st. Schmitz had applied for $30,000.00 total in loans from LB840 funding. The first loan would be for $15,000.00 for 5 years at 2% interest with monthly repayments. The second loan would be for $15,000.00 with $3,000.00 forgiven each year the business remains in operation. Schlote moved to approve both loans. Naprstek seconded the motion. Motion carried 4-0.

Sealed bids for surplus city equipment were then opened by the Mayor.

One bid was received for the 1998 Mack Semi Truck. Mark Gubbels submitted a bid for $1,450.00.

Four bids were received for the 2007 Ford Crown Victoria: Jimson Towing, $503.00; Bud Moore, $500.00; JR Karmann, $625.00; Kevin Knepp, $425.00

Four bids were submitted for the Yamaha ATV: Dave Bowman, $330.00; Peter Gubbels $185.00; Bruce Yosten, $150.00; Troy Johnston, $256.00.

One bid was received for the Chevy ¾ Ton Pickup: Dave Bowman, $200.00

Naprstek moved to approve all high bids for the listed surplus equipment. Schlote seconded the motion. Motion carried 4-0.

Police Chief Yosten gave an update on the recent nuisance property letters that were mailed to several homeowners. Council discussed sending letters to the 3 remaining property owners for completion of their cleanup by July 2nd. Novicki moved to send letters to proceed with the abatement process. Schlote seconded the motion. Motion carried 4-0.

Discussion on the 9th Street paving agreement with A&R Construction was held and City Attorney Curtiss presented the updated settlement agreement. A&R Construction had agreed to a 5 year warranty from date of completion on the pavement area that did not measure to the contracted depth. The city will pay the total of $94,954.16 due on the project of which $50,000.00 was previously paid to A&R. Cornett moved to sign the agreement and pay the remaining balance of $44,954.16. Novicki seconded the motion. Motion carried 4-0.

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

**RESOLUTION #577**

**WHEREAS,** the City of Plainview, Nebraska has determined that financing is required for the purchase and installation of the new playground equipment;

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

1. The City purchased and installed Burke Equipment at a cost of $114,539.20;
2. A copy of this resolution shall be taken and accepted of evidence of the authority of such purchase and to borrow up to $114,539.20 at 3.4% for a term of 5 years through Madison County Bank.

Council member Naprstek seconded the foregoing motion and on roll call on the passage and adoption of said resolution, the following voted Aye; Cornett, Novicki, Naprstek and Schlote Nay: None. Whereupon the Mayor declared said motion carried and Resolution #577 is passed and adopted.

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

TIME: 9:03 P.M.

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Daren Seip, Mayor (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 6/12/18; 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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| --- | --- | --- | --- |
| 13893 | Steinkraus Service  | Fuel/Su | 2163.40  |
| 13894 | L.P. Gill, Inc. | Svc | 12013.43  |
| 13895 | Jonny Dodge Chrysler Jeep, Inc. | Svc | 716.20  |
| 13896 | Plainview News | Ads/Su | 1081.58  |
| 13897 | Postmaster | Postage | 25.80  |
| 13898 | Steinkraus Service | Fuel  | 5997.50  |
| 13899 | Bud's Sanitary Service, LLC | Lease | 1506.25  |
| 13900 | Western Oil, LLC | Fuel | 228.93  |
| 13901 | Green Line Equipment | Su | 6625.29  |
| 13902 | Verizon Wireless | Cellphones | 488.37  |
| 13903 | TMS International, LLC | Su | 1269.12  |
| 13904 | City of Plainview | Sales Tax Pool | 5564.51  |
| 13905 | City of Plainview | Sales Tax Library | 2999.25  |
| 13906 | City of Plainview | Sales Tax Manor | 2999.25  |
| 13907 | City of Plainview  | Sales Tax Eco Dev  | 2999.25  |
| 13908 | Midwest Bank | Pool Change | 100.00  |
| 13909 | Midwest Bank | Emp H.S.A.  | 300.00  |
| 13910 | New York Life | Emp Ins | 141.70  |
| 19983 |  |  | 19019.33  |
| 19991 | City Employees |  Payroll 5-15-2018 |  |
| 19992 |  |  | 16457.75  |
| 20001 | City Employees |  Payroll 5-30-2018 |  |
| 20002 | Aflac | Emp Ins | 554.19  |
| 20003 | Alby's Electric | Su | 133.80  |
| 20004 | American Legal Publishing Corp | Svc | 1387.00  |
| 20005 | Andrea Haase | Reim | 180.00  |
| 20006 | Austin Christiansen | Svc | 1200.00  |
| 20007 | Barco | Su | 154.39  |
| 20008 | Baum Hydraulics Corp | Su | 125.63  |
| 20009 | Blackburn Mfg. Co. | Su | 955.32  |
| 20010 | Bud's Sanitary Service, LLC | Svc | 4752.00  |
| 20011 | Bud's Sanitary Service, LLC | Lease | 761.25  |
| 20012 | Caiti Ziegenbein | Reim | 185.00  |
| 20013 | Carrot-Top Industries Inc | Su | 328.60  |
| 20014 | Casey's General Stores Inc | Fuel | 2357.27  |
| 20015 | Chad's Tire Service | Svc | 155.26  |
| 20016 | City of Norfolk | Svc | 369.25  |
| 20017 | City of Plainview | Utility Bills | 4442.05  |
| 20018 | City of Plainview | Loan Pmt | 143.21  |
| 20019 | City of Plainview | Loan Pmt | 80.00  |
| 20020 | City of Plainview C&D Sinking Fund | Pmt | 2000.00  |
| 20021 | City of Plv Housing Authority | Pmt | 111.00  |
| 20022 | City of Plv Osm/Plv Housing | Pmt | 42.00  |
| 20023 | Clark Equipment DBA Bobcat Company | Su | 4430.42  |
| 20024 | Classic Rentals | Su | 200.19  |
| 20025 | Combined Revenue | Pmt | 3168.96  |
| 20026 | Curtis Stevens | Reim | 33.01  |
| 20027 | Curtiss Law Office P.C. L.L.O. | Svc | 1250.00  |
| 20028 | Dd Steel | Su | 262.17  |
| 20029 | Dept of Energy | WAPA Pmt | 4299.69  |
| 20030 | Echo Group Inc | Su | 112.91  |
| 20031 | Electrical Engineering & Equip Co | Su | 2330.36  |
| 20032 | Electrical System Sinking Fund | Pmt | 2000.00  |
| 20033 | Floor Maintenance | Su | 164.23  |
| 20034 | Great Plains Communications | Svc | 40.69  |
| 20035 | GreatAmerica Financial Services | Copier Lease | 143.37  |
| 20036 | Green Line Equipment | Su | 585.34  |
| 20037 | Guarantee Roofing & Sheet Metal | Pmt | 42680.00  |
| 20038 | Harold K Scholz Co | Svc | 1690.00  |
| 20039 | Hawkins Inc | Su | 1861.58  |
| 20040 | Hoffart Repair | Svc | 257.50  |
| 20041 | Hometown Leasing | Copier Lease | 86.00  |
| 20042 | Ingram Library Services | Books/Audiobooks | 626.24  |
| 20043 | JEO Consulting Group Inc | Svc | 87.50  |
| 20044 | K'Lawn | Svc | 207.00  |
| 20045 | Katie Bevins | Meter Refund | 34.58  |
| 20046 | Knift River Midwest LLC | Su | 256.20  |
| 20047 | L.P. Gill, Inc. | Svc | 15829.84  |
| 20048 | Mahaska | Su | 88.70  |
| 20049 | Matheson Tri-Gas Inc | Svc | 30.82  |
| 20050 | Matthew Bonta | Svc | 200.00  |
| 20051 | Melissa Forbes | Reim | 103.00  |
| 20052 | Menards | Su | 148.16  |
| 20053 | Midwest Service & Sales Co | Su | 2654.55  |
| 20054 | Mitch's Food Center | Su | 592.05  |
| 20055 | Mitteis Gravel | Su | 3626.02  |
| 20056 | MEAN | Power/RITA | 71217.06  |
| 20057 | NDEQ-Fiscal Services | SFR Pmt | 34525.76  |
| 20058 | NE Dept of Labor/Boiler Program | Svc | 98.00  |
| 20059 | NE Public Health Eniv Lab | Svc | 15.00  |
| 20060 | NE Power Review Board | Svc | 191.98  |
| 20061 | NE Rural Water Assoc | Donation | 1000.00  |
| 20062 | NE Rural Water Assoc | Pmt | 175.00  |
| 20063 | Norfolk Winnelson Co | Su | 233.34  |
| 20064 | NCPPD | Svc | 290.00  |
| 20065 | Northeast Community College | Svc | 360.00  |
| 20066 | One Office Solution  | Su | 31.80  |
| 20067 | Petersen Electric | Svc | 4110.00  |
| 20068 | Plainview Auto Supply Inc | Su | 295.42  |
| 20069 | Plainview Telephone Co Inc | Svc | 805.06  |
| 20070 | Pollard Pumping | Svc | 90.00  |
| 20071 | Russ Cleveland | Reim | 80.00  |
| 20072 | Schaefer Grain Co | Svc | 531.00  |
| 20073 | Shamrock Nursery | Su | 624.65  |
| 20074 | Special T's & More | Su | 305.25  |
| 20075 | Steinkraus Service | Fuel | 1557.49  |
| 20076 | The Farner Co Inc | Su | 78.39  |
| 20077 | Toni Arehart | Reim | 157.32  |
| 20078 | Toni Hart | Meter Refund | 73.27  |
| 20079 | Truck Center Companies | Svc | 227.01  |
| 20080 | USA Bluebook | Su | 194.61  |
| 20081 | Vistaprint  | Su | 30.98  |
| 20082 | Water Tower Bond Acct | Pmt | 2800.83  |
| 20083 | Waterlink Inc | Su | 539.24  |
| 20084 | Wesco Receivables Corp | Su | 668.75  |
| 20085 | West Hodson Lumber | Su | 437.41  |
| 20086 | Western Oil, LLC | Fuel | 889.98  |
| ACH | Allied Benefit Services | Emp Ins | 12202.23  |
| ACH | Black Hills Energy | Svc | 1050.77  |
| ACH | Community Bankers Merchant Service | Svc | 752.81  |
| ACH | EFTPS | Fed Tax W/H | 5382.41  |
| ACH | EFTPS | Fed Tax W/H | 4559.57  |
| ACH | Francotyp-Postalia Inc | Postage | 1000.00  |
| ACH | Healthplan Services Inc | Emp Ins | 82.20  |
| ACH | Kiefer Swim Products | Su | 584.89  |
| ACH | Mass Mutual | Pension  | 2241.71  |
| ACH | Mass Mutual | Pension  | 2375.05  |
| ACH | Midwest Bank | Stop Charge | 31.00  |
| ACH | NE Dept of Rev | State W/H Tax | 1150.22  |
| ACH | NE Dept of Rev | Sales/Use Tax | 7923.48  |
| ACH | Office Max | Su | 26.05  |
| ACH | Postmaster | Postage | 6.70  |
| ACH | Subway | Su | 60.46  |