REGULAR MEETING OF THE CITY COUNCIL

**TUESDAY MARCH 13, 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 13th day of March 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 of the February 13th regular council meeting. Cornett seconded the motion. Motion carried 4-0.

Naprstek moved to approve the amended minutes of the January 9th regular council meeting. Schlote seconded the motion. Motion carried 4-0.

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

Dennis Johnson of Bush & Roe was present to give an update on the 2018 liability insurance for the city. Overall the work compensation claims against the city have improved and there is currently a credit on the account. The city will receive a dividend this year and premiums this year are close to last year’s numbers.

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

**RESOLUTION #566**

**WHEREAS,** there are federal funds available under Section 5311 of the Federal Transit Act and for the Nebraska Public Transportation Assistance Program, and

**WHEREAS,** the Plainview Handivan desires to apply for said funds to provide public transportation in (transit system’s service area)

**NOW THEREFORE, BE IT RESOLVED;** the Plainview City Council hereby instructs the Plainview Handivan to apply for said funds. Said funds are to be used for the Plainview Handivan transportation operations in the FY 2018-2019 Application for Public Transportation Assistance.

Council member Naprstek seconded the foregoing motion and on roll call on the passage and adoption of said resolution, the following voted Aye; Schlote, Novicki, Naprstek, Cornett Nay: None. Whereupon the Mayor declared said motion carried and Resolution #566 is passed and adopted.

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

**RESOLUTION #567**

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

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

1. The City shall purchase a 2018 Ford Police Interceptor from Courtesy Ford, for the sum of $30,315.00, 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 $30,315.00 at 4.25% for a term of three 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; Schlote, Novicki, Naprstek, Cornett Nay: None. Whereupon the Mayor declared said motion carried and Resolution #567 is passed and adopted.

Motion was made by Schlote and seconded by Naprstek to approve Ordinance No. 943 on its first reading. Upon roll call vote, the following members voted AYE: Cornett, Novicki, Naprstek and Schlote. The following voted NAY: None. Motion carried 4-0. Whereupon the Mayor declared said Ordinance No. 943 approved on its first reading.

It was moved by Schlote, and seconded by Novicki to approve Ordinance No. 943 on its second and third readings. Upon roll call vote, the following members voted AYE: Cornett, Novicki, Naprstek and Schlote. The following voted NAY: None. Motion carried, 4-0. Whereupon the Mayor declared Ordinance No. 943 approved on its second and third readings.

**ORDINANCE #943**

AN ORDINANCE TO PROVIDE FOR THE SALE OF CITY OWNED REAL ESTATE.

NOW THEREFORE BE IT ORDAINDED BY THE MAYOR AND COUNCIL OF THE CITY OF PLAINVIEW, NEBRASKA:

Section 1. Property describes as: Lot Five (5) and Six (6), Block One (1), College Addition to Plainview, Pierce County, Nebraska,

Sale is confirmed to Chauncey and Geraldine Harrison for the total sum of Ten Thousand ($10,000.00) Dollars. A Deed will be furnished by the City of Plainview upon payment of the purchase price in full, and compliance with the other terms of the resolution and notice of sale.

Section 2. That any ordinance passed and approved prior to the passage, approval, and publication or posting of this ordinance and in conflict with its provisions, is hereby repealed.

Section 3. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

Approval of a claim for CDS Housing project PLV-HR-15 in the amount of $2,496.00 to Thrasher Basement Systems, Inc. was presented to the council. Cornett motioned to approve the claim. Naprstek seconded the claim. Motion carried 4-0.

The personnel committee had met on February 21st to update policies currently in place for city employees. Updates to exempt status for the City Clerk/Treasurer, day shift coverage hours for the police department and required use of time clocks for all employees of the city were discussed. The Health Savings Account contribution for employees on the City’s insurance plan was increased to $3,000 per calendar year and vacation time must be taken in a minimum of 2 hour increments. All changes will be effective April 1, 2018 with employees required to sign that they have read and understand the changes. Cornett moved to approve the updates to the personnel manual. Naprstek seconded the motion. Motion carried 4-0.

A presentation on trash rates and policies in area communities was given by City Administrator Holton. In comparison to other towns, Plainview has a lower rate and is now providing each residence with a 95-gallon wheeled tote for their curbside garbage. Holton explained the expenses of the transfer station, costs to travel to Jackson, NE each day and the cost of dumping at L.P. Gill landfill have all increased. Plainview has not raised rates on residential garbage service since 2004 and the suggested $3 raise per month would help alleviate the continued added costs. Community members voiced concern over the size of the totes and the financial strain the rate increase would give to those on fixed incomes. The use of the transfer station by citizens was also discussed and municipal code states that the facility is available for the public to use at an additional fee already established by the City.

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

**RESOLUTION #568**

**WHEREAS,** the Mayor and City Council of Plainview deem it necessary to adjust trash rates and establish a new format for trash pickup within the City;

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

1. Residential waste service rates shall be modified, effective with first billing on or after April 1, 2018, to provide trash receptacles (hereafter Totes) for each residential trash service location;
2. Consumers will each be furnished a minimum of one, and not to exceed two, Totes.
3. Rates on the effective day of this Resolution shall be set at $15.00 per month for one Tote, with $5.00 per month extra, for a total of $20.00 per month, for two Totes.
4. All trash for a location furnished with one or more Totes shall be placed, and must fit, inside the Tote(s) with the lid fully closed. No excess trash or waste shall be placed on the curb or around the Tote(s) for disposal.
5. Any legal trash or other waste in excess of what will fit inside the Tote(s) must be separately disposed of at the Plainview Transfer station, by special arrangements. Consumers may contact the City to determine if City crews or facilities are available for their excess waste or arrange for a private hauler. All such excess waste will be subject to extra charges as established for the transfer station.

Council member Cornett seconded the foregoing motion and on roll call on the passage and adoption of said resolution, the following voted Aye; Schlote, Novicki, Naprstek, Cornett Nay: None. Whereupon the Mayor declared said motion carried and Resolution #568 is passed and adopted.

Council then discussed a lease agreement for the totes with Bud’s Sanitary Service, LLC. The lease as presented by City Attorney Curtiss was accepted pending approval from Bud’s Sanitary Service, LLC. Novicki moved to approve the lease agreement. Cornett seconded the motion. Motion carried 4-0. The lease will be sent to Bud’s Sanitary Service, LLC for final ratification.

A brief discussion on parking on narrow streets in town was held. Concerns on the ability of city equipment in addition to regular vehicle traffic to safely navigate when there are cars parked on both sides of the street were brought to the council’s attention. A resident who resides on one of the streets was present to speak on their concerns and stated that were willing to work with the city. Council decided to focus on Main Street along the Bandshell Park and Elm Street from Woodland to Lincoln Ave. More discussion will occur at the April council meeting.

Discussion on Plainview entering into a workforce housing grant through CORE was held. Curtiss explained that an interlocal agreement could not be entered into as CORE is not a government entity. The agreement would be a simple contract between CORE and the City of Plainview. In order to move forward with the grant application process, the city would need to pay $400 for legal expenses to CORE. Naprstek moved to proceed forward with the CORE agreement and pay the $400 expenditure. Schlote seconded the motion. Motion carried 4-0.

Two sealed bids were opened for cash rent of city owned farm ground. Lyle Lingenfelter bid $2,222.00 for the 17 acres of farm ground next to the transfer station where the old lagoon was located. Kyle Tarr bid $50 per acre for grass haying on the 9 acres next to the new lagoon. Cornett moved to accept both bids. Novicki seconded the motion. Motion carried 4-0.

Holton stated that the Manor generator project is moving forward with the transformer on order.

Police Chief Bruce Yosten presented his report. Questions on the status of the whistle and unlicensed vehicles were answered.

City Administrator Holton spoke on the Kiewit Grant for $30,000 that was received for the playground equipment. The remainder of the funding for the project will need to be discussed by the council. Updates on snow removal, well rehab, street repairs and the speed signs were also given. NCPPD committee meeting will be held on March 26th and in April the rate analyst will be present to discuss the study recently completed to the council.

City Attorney Curtiss gave an update on the 9th Street paving documents for payments to A&R Construction.

Council comments including better communication in regards to the resignation of city employees, weekend hours for the recycling center and the selling of surplus city equipment.

Holton thanked City Superintendent Rollie Cederburg for all that he had done for the city over the past 2 years. Advertisement for a city worker to replace Cederburg will begin immediately.

Brook Curtiss asked that the council look at the commercial trash rates.

At 9:35 P.M. Cornett moved to go into executive session to discuss the police personnel. Novicki seconded the motion. Motion carried 4-0.

At 11:00 P.M. Cornett moved to come out of executive session. Novicki seconded the motion. Motion carried 4-0.

Naprstek moved to adopt the personnel policy changes for the police department as discussed in the executive session. Cornett seconded the motion. Motion carried 4-0.

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

TIME: 11:01 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 3/13/18; 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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| --- | --- | --- | --- |
| 13843 | City of Plainview | Loan Pmt | 143.21 |
| 13844 | City of Plainview | HHS Assistance | 650.00 |
| 13845 | Verizon Wireless | Cellphones | 519.16 |
| 13846 | WaterLink, Inc. | Qtrly Service | 539.24 |
| 13847 | Bargain Buyways | Ads | 50.00 |
| 13848 | City of Plainview | Loan Pmt | 80.00 |
| 13849 | City of Plainview Plv/Osm Housing | Grant Pmt | 42.00 |
| 13850 | City of Plainview | Grant Pmt | 80.00 |
| 13851 | NE Dept of Revenue | Keno Lic 2018-2020 | 100.00 |
| 13852 | City of Plainview | Pool Sales Tax  | 5,679.51 |
| 13853 | City of Plainview | Library Sales Tax | 3,316.77 |
| 13854 | City of Plainview | Manor Sales Tax | 3,316.77 |
| 13855 | City of Plainview | Eco. Dev Sales Tax | 3,316.77 |
| 13856 | Midwest Bank | Emp H.S.A.  | 300.00 |
| 13857 | City of Plainview Plv/Osm Housing | Grant Pmt | 105.00 |
| 13858 | New York Life | Emp Ins | 141.70 |
| 19722 |  |  |  |
| 19730 | City Employees | Payroll 2-15-2018 | 21,263.62 |
| 19731 |  |  |  |
| 19737 | City Employees | Payroll 2-28-2018 | 13,138.40 |
| 19738 | Aflac | Emp Ins | 502.45 |
| 19739 | Angie Frahm | Reim | 81.21 |
| 19740 | Bill Bonta | Svc | 240.00 |
| 19741 | Bomgaars | Su | 29.97 |
| 19742 | Bud's Sanitary Service LLC | Svc | 4,752.00 |
| 19743 | Bush & Roe Inc. | 1/2 Liability Ins | 39,470.50 |
| 19744 | Casey's General Stores Inc | Fuel | 1,432.63 |
| 19745 | Chad's Tire Service | Svc | 30.00 |
| 19746 | Chamber of Commerce | Dues | 135.00 |
| 19747 | CHI Health | Svc | 281.60 |
| 19748 | City of Norfolk | Svc | 122.95 |
| 19749 | City of Plainview | Utilities | 7,395.16 |
| 19750 | City of Plainview C&D Sinking Fund | Pmt | 2,000.00 |
| 19751 | City of Plv Housing Authority | Grant Pmt | 111.00 |
| 19752 | Classic Rentals | Su | 192.59 |
| 19753 | Combined Revenue | Pmt | 3,168.96 |
| 19754 | Complete Pest Elimination, Inc. | Svc | 5,605.00 |
| 19755 | Courtney Retzlaff | Reim | 72.51 |
| 19756 | Credit Bureau Services | Pmt | 100.00 |
| 19757 | Curtiss Law Office, P.C., L.L.O. | Legal Fees | 1,250.00 |
| 19758 | Dd Steel | Su | 78.71 |
| 19759 | Dept of Energy | WAPA  | 5,457.72 |
| 19760 | Dept of Health  | Svc | 40.00 |
| 19761 | Donna Christiansen | Reim | 51.85 |
| 19762 | Doug Pinkelman Painting | Svc | 3,286.36 |
| 19763 | Dutton-Lainson Company | Su | 115.00 |
| 19764 | Electric Engineering & Equip Co. | Su | 685.35 |
| 19765 | Electrical System Sinking Fund | Pmt | 2,000.00 |
| 19766 | Great Plains Communications | Svc | 40.69 |
| 19767 | GreatAmerica Financial Services | Copier Lease | 143.37 |
| 19768 | Green Line Equipment | Su | 514.36 |
| 19769 | Hometown Leasing | Copier Lease | 86.00 |
| 19770 | Hotsy Equipment Co. | Svc | 785.41 |
| 19771 | Ingram Library Services | Books | 714.20 |
| 19772 | Kidz Corner Clubhouse North | Meter Refund | 292.34 |
| 19773 | L.P. Gill, Inc. | Svc | 10,673.30 |
| 19774 | Lavern Petersen | Svc | 48.00 |
| 19775 | Lincoln Marriott Cornhusker | Hotel Rooms | 330.00 |
| 19776 | Lutz Embroidery LLC | Svc | 28.49 |
| 19777 | Mahaska | Su | 82.80 |
| 19778 | Matheson Tri-Gas, Inc. | Svc | 27.86 |
| 19779 | Menards | Su | 309.96 |
| 19780 | Michael Todd & Co. Inc. | Su | 1,829.86 |
| 19781 | Midwest Service & Sales Co. | Su | 879.60 |
| 19782 | Mitch's Food Center | Su | 115.92 |
| 19783 | MEAN | Power/RITA | 84,646.85 |
| 19784 | N&B Gas Co. | Su | 17.00 |
| 19785 | NE. Public Health Env. Lab | Svc | 30.00 |
| 19786 | NE Rural Water Assoc. | Conf Registration | 375.00 |
| 19787 | North Central PPD | Svc | 85.00 |
| 19788 | One Office Solution  | Su | 24.65 |
| 19789 | Petersen Electric | Svc | 180.00 |
| 19790 | Plainview Auto Supply Inc. | Su | 157.51 |
| 19791 | Plainview News | Ads/Su | 809.84 |
| 19792 | Plainview Telephone Co. Inc. | Svc | 1,225.08 |
| 19793 | Postmaster | Fees | 225.00 |
| 19794 | Resource Action Programs | Svc/Su | 772.20 |
| 19795 | Sanne Repair | Su | 918.74 |
| 19796 | Sargent Drilling | Svc | 24.50 |
| 19797 | Schaefer Grain Co. | Svc | 312.00 |
| 19798 | Steinkraus Service | Fuel/Su | 3,487.30 |
| 19799 | The Farner Co. | Su | 34.24 |
| 19800 | Truck Center Companies | Svc | 264.51 |
| 19801 | Walton Appliance & Repair | Su | 242.00 |
| 19802 | Water Tower Bond Acct | Pmt | 2,800.83 |
| 19803 | West Hodson Lumber | Su | 2,395.90 |
| 19804 | Western Oil, Inc | Fuel | 40.01 |
| 19805 | Willow Creek Veterinary Service | Svc | 122.30 |
| ACH  | NE Dept of Revenue | State W/H Tax | 1,313.51 |
| ACH  | Midwest Bank | NSF Check | 170.66 |
| ACH  | Black Hills Energy | Svc | 2,258.10 |
| ACH  | NE Department of Revenue | Sales and Use Tax | 9,490.99 |
| ACH  | Comm Bankers Merc Svc | Credit Card Mach Fees | 559.32 |
| ACH  | Mass Mutual | Pension | 2,444.60 |
| ACH  | EFTPS | Fed Tax W/H | 6,544.39 |
| ACH  | NE Child Support Pmt Center | Pmt | 425.00 |
| ACH  | Healthplan Services | Vision Ins | 423.00 |
| ACH  | Mass Mutual | Pension | 2,343.14 |
| ACH  | EFTPS | Fed Tax W/H | 4,048.93 |
| ACH  | NE Child Support Pmt Center | Pmt | 425.00 |
| ACH  | Apple | Svc | 5.34 |
| ACH  | Microsoft Office | Su | 74.89 |
| ACH  | Lincoln Marriott Cornhusker | Conf. Hotel | 178.13 |