REGULAR MEETING OF THE CITY COUNCIL

**TUESDAY OCTOBER 13, 2015**

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

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 October at 7:00 o’clock P.M. Present were: Mayor Seip; Council Members: Wilson, Naprstek, Dummer and Novicki.

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.

Kelly Pendergast was present as City Clerk.

Bruce Curtiss was present as City Attorney.

Attorney Curtiss asked the minutes from the September regular meeting be changed to show a **payment** was made for the CDBG grant. The council also asked the special meeting minutes from October 1 be changed to show the salary increase for the City Administrator to $65,000 is pending a review.

Council member Naprstek moved to approve the minutes from the special meetings on September 17th and October 1st, and the regular meeting on September 15th, with above changes. Wilson seconded the motion. Motion carried 4-0.

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

Manor Administrator Juleen Johnson was absent.

Police Chief Yosten presented the Police report.

Roger Synovec presented the Economic Development report.

At 7:20 p.m. discussion began on the continuation of the Public Hearing to vacate the alley on Linwood addition, Block 5. Tim Ruge was present in favor of the alley being closed. Nancy and Norma Allen expressed their desire not to close the alley. Dummer moved to close the Public Hearing. Naprstek seconded the motion. Motion carried.

Motion was made by Dummer, seconded by Wilson to approve Ordinance No. 929. Upon roll call, the following members voted AYE: Wilson, Novicki, Naprstek and Dummer. The following voted NAY: None. Motion carried 4-0. Whereupon the Mayor declared Ordinance No. 929 approved on its first reading.

**ORDINANCE NO. 929**

**AN ORDINANCE TO VACATE ALLEY IN BLOCK 5, LINWOOD ADDITION IN THE CITY OF PLAINVIEW**

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF PLAINVIEW, NEBRASKA:

**Section 1.** That:

1. Vacating the alley in Block 5, Linwood Addition will contribute to economic development, is expedient for the public good, and in the best interests of the City;
2. The City of Plainview will retain an easement for all utilities currently existing in said right-of-way;
3. That if abutting property owners request review of special damages, procedures set forth in the City Code shall be used to determine those damages; and
4. That therefore the alley in Block 5, Linwood Addition in the City of Plainview, Pierce County, Nebraska, should be and herby is vacated, retaining however the utility easement noted in this ordinance.

**Section 2**. Any other ordinance or section passed and approved prior to passage, approval and publication of this ordinance and in conflict with its provisions is repealed.

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

It was moved by Dummer, seconded by Naprstek to approve Keno grant funds for $2500.00 to the Zion Lutheran School for a new merry go round. Upon roll call, AYE: Novicki, Dummer and Naprstek. NAY: none. ABSTAIN: Wilson. Motion carried 3-0.

It was moved by Naprstek, seconded by Dummer to approve Keno grant funds for $2000.00 to the Plainview Public Schools for new weight room equipment. Motion carried 4-0.

Naprstek moved to approve a Keno grant for $850.00 to the Plainview Bowling Club. Wilson seconded the motion. Motion carried 4-0.

It was moved by Novicki, seconded by Naprstek to approve Keno grant funds to the Plainview Social Center for $3400.00 to replace the ceiling. Motion carried 4-0.

No action was taken on electrical upgrades or other alternatives. The council asked Administrator Holton to have Keith Harvey from NCPPD at the next council meeting to discuss options.

No action was taken on the electrical increase in rates. Administrator Holton explained Dave Peterson from JEO will be present in the November regular meeting to discuss rates.

No action was taken on electrical rate increases when wholesalers increase.

Discussion was held on pulling meters on unpaid utility bills. City Clerk Pendergast told the council the 30-60 day past due accounts have been cleaned up considerably since last year. The office staff will continue to enforce the code book state statute 3-1101 regarding utility payments.

Discussion was held on the existing ordinance pertaining to fowl in the city limits. It was determined that in some cases, it is also a noise/nuisance issue for some property owners. The council asked the police to enforce the issue where necessary.

Wilson moved to approve payment to RaDec for $120,412.37. Naprstek seconded the motion. Motion carried 4-0.

Motion was made by Wilson, seconded by Naprstek to approve Ordinance No. 928. Upon roll call, the following members voted AYE: Wilson, Novicki, Naprstek and Dummer. The following voted NAY: None. Motion carried. Whereupon the Mayor declared Ordinance No. 928 approved on its first reading.

It was moved by Wilson, seconded by Dummer to approve Ordinance No. 928 on its second and third readings. Upon roll call vote, the following members voted AYE: Wilson, Novicki, Naprstek and Dummer. The following voted NAY: None. Motion carried 4-0. Whereupon the Mayor declared Ordinance No. 928 approved on its second and third readings.

**ORDINANCE NO. 928**

**AN ORDINANCE TO SET THE SALARY AND EMPLOYEMENT TERMS FOR THE CITY ADMINISTRATOR**.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF PLAINVIEW, NEBRASKA:

**Section 1**. That the Ordinance setting the salary and employment terms for the City Administrator, should be amended as follows:

1. That effective October 1, 2015 the salary for the City Administrator shall be set at the annual amount of Sixty Thousand ($60,000.00) Dollars as base salary, paid on the normal City payroll schedule, plus benefits as normally provided to full time employees, with future cost of living and merit adjustments to be set by Resolution;
2. That effective April 1, 2016, pending review, the salary for the City Administrator shall be set at the annual amount of Sixty-five ($65,000.00) Dollars as base salary, paid on the normal City payroll schedule, plus benefits as normally provided to full time employees, with future cost of living and merit adjustments to be set by Resolution;
3. That any other details, not in conflict with the City Code, shall be handled as separate agenda items, approved by motion and set forth in the minutes of the City Council.

**Section 2**. Any other ordinance or section passed and approved prior to passage, approval and publication of this ordinance and in conflict with its provisions is repealed.

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

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

**RESOLUTION #519**

**WHEREAS**, the Mayor and City Council of the City of Plainview have received a request for signature authority on a new Municipal account at Midwest Bank, N.A.,

**AND WHEREAS,** it is in the best interests of both the Bank and City to keep such records current.

**NOW, THEREFORE BE IT RESOLVED,** BY THE MAYOR AND COUNCIL OF THE CITY OF PLAINVIEW, NEBRASKA, THAT signature power of the City’s new account is set as follows

1. 44420286 Street Improvement Bond Fund

 Kelly Pendergast, Melissa Forbes

Council member Naprstek seconded the foregoing motion and on roll call on the passage and adoption of said resolution, the following voted Aye: Dummer, Wilson, Naprstek and Novicki. Nay: None. Whereupon the Mayor declared said motion carried and said Resolution #519 passed and adopted.

Approval to pay A&R Construction for street improvement projects was tabled until next month. Council requested more detailed reporting and confirmation of Bond Anticipation Loan received prior to approving claim.

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

TIME: 8:45 P.M.

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

Daren Seip, Mayor (SEAL)

ATTEST:

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

Kelly Pendergast, City Clerk/Treasurer

13146 AFLAC Ins 85.67

13147 Ft Dearborn Ins 69.90

13148 T Johnston Boots 42.43

13149 A Oltjenbruns Car Cane 16.11

13150 Manzer Equip Mower Bag 3300.00

13151 Neb Child Supp Pmt 300.00

13152 City of Plv HHS 481.47

13153 221B Resources Su 118.98

13154 ASA & POAN Conf 360.00

13155 K. Eisenmann Refund 25.00

13156 Postmaster Postage 5.75

13157 Madison Co Bank Pmt 2932.45

13158 Source Gas Gas 251.40

13159 City of Plv Lib Sales Tax 2785.28

13160 City of Plv Manor Sales Tax 2785.28

13161 City of Plv Pool Sales Tax 5275.93

13162 City of Plv Econ Dev Sales Tax 2785.28

13163 Jacks Uniforms Su 187.89

13164 City of Plv Postage Reimb 7.89

13165 Neb Child Supp Pmt 300.00

13166 Midwest Bank H S A 400.00

13167 Postmaster Postage 161.21

13168 City of Plv CDBG Reimb 1909.25

13169 City of Plv Reimb Civic Grant 35179.79

17135 thru

17146 City Emp Payroll 9-29-15 15337.08

17147 2 AM Signs Su 50.00

17148 American Chamber Su 250.00

17149 Baum Hydraulics Su 119.61

17150 Bomgaars Boots 149.98

17151 Casey’s Gas 439.73

17152 Certified Testing Tests 1125.80

17153 Chad’s Tire Su 600.00

17154 City of Plv Utilities 3356.53

17155 Classic Rentals Su 302.77

17156 Combined Rev Bond Pmt 3532.60

17157 Cornhusker Auto Su 180.00

17158 Cornhusker Press Su 54.25

17159 Curtiss Law Office Services 1250.00

17160 Dd Steel Su 85.34

17161 Eakes Office Copies 44.73

17162 3E Wire 2095.65

17163 Electrical System Sinking Fund 2000.00

17164 Farmer’s Pride Su 172.80

17165 Green Line Su 1561.19

17166 HD Supply Su 871.69

17167 Hoffart Machine Repair Su 146.50

17168 Hoffart Repair Repairs 488.45

17169 Hometown Leasing copier 86.00

17170 Ingram Library Services Books 510.09

17171 Jack’s Uniforms Su 242.14

17172 James Aschoff Services 7800.00

17173 JEO Consulting Services 4304.50

17174 Kimball Midwest Su 185.57

17175 Kriz-Davis Su 1016.50

17176 LP Gill Services 14528.46

17177 Larry Petersen Services 175.00

17178 Matheson Su 23.40

17179 Michael Frederick Books 70.00

17180 Mitch’s Food Ctr Su 160.22

17181 Neb Public Health Water samples 267.00

17182 Ne Lib Comm Fee 500.00

17183 Norfolk Daily News Renewal 153.00

17184 Olson’s Pest Control Services 148.85

17185 One Call Concepts Diggers Hotline 79.55

17186 Overhead Door Su 64.00

17187 Plv Auto Supp Su 128.48

17188 Plv News Ads/Su 657.03

17189 Plv Rural Fire Qtr Pmt 4625.00

17190 Plv Telephone Services 915.03

17191 Plv True Value Su 173.86

17192 Pollard Pump Services 150.00

17193 Rueter’s Repairs 259.13

17194 Schaefer Grain Su 440.40

17195 Steinkraus Svc Gas/Tires 2448.97

17196 The Farner Co Su 23.57

17197 Titan Rentals Rental 2360.00

17198 Utilities-League Dues 742.00

17199 Water Tower Bond Pmt 2822.71

17200 West Hodson Su 2248.75

17201 Willow Creek Vet License 81.00

17202 Zee Medical Su 42.95

ACH Neb Dept of Rev State WH 1159.98

ACH UHC Ins 11,315.65

ACH Neb Dept of Rev Sales Tax 9899.16

ACH EFTPS Payroll Taxes 5575.00

ACH Comm Bankers CC Machine 504.99

ACH Mass Mutual Pension 2453.66

ACH Midwest Bank NSF Check 166.27

ACH EFTPS Payroll Taxes 4519.11

ACH Mass Mutual Pension 2453.66

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 10/13/2015; 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.

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

Kelly Pendergast, City Clerk/Treasurer (SEAL)