

MINUTE RECORD FOR CITY OF ALMA
REGULAR CITY COUNCIL MEETING
July 2, 2018

A meeting of the City Council of the City of Alma, Nebraska was held at City Hall on Monday, the 2nd of July, 2018, at 5:30 p.m.

Present were Council Members: Tom Moulton, Randy Stahlecker, Jon Davis, and Mayor Hal Haeker. Also present were: Administrator Doug Wilson, Superintendent Russ Pfeil, Treasurer Lorri Bantam, and Clerk Lori Tripe. Notification of this meeting and the agenda were given in advance by posting, a designated method for giving notice. Advance notice of the meeting and the agenda were given to the Mayor and all members of the City Council. All proceedings hereinafter were taken while the convened meeting was open to the attendance of the public.

Mayor Haeker advised the public of the Open Meetings Act which is posted on the east wall of the meeting room, and then proceeded to call the regular meeting of July 2, 2018, at 5:30 p.m. and the following business was transacted:

Roll call: Tom Moulton-present, Randy Stahlecker-present, Jon Davis – present, Mike Clements-absent, and Mayor Haeker-present. Motion made by Stahlecker seconded by Moulton to determine this meeting as previously publicized, duly convened and in open session. There being no further discussion upon the motion made and upon roll call vote, the following voted yes: Stahlecker, Moulton, and Davis. Voting No: None. Motion carried.

Mayor Haeker opened the floor to approve the minutes of the June 19, 2018, regular council meeting. Motion made by Moulton seconded by Davis to approve the June 19, 2018, regular council minutes as presented. There being no further discussion upon the motion made and upon roll call vote, the following voted yes: Moulton, Davis, and Stahlecker. Voting No: None. Motion carried.

Mayor Haeker opened the floor to discuss the claims and invoices for period June 20, 2018, through July 2, 2018 for a total of \$126,044.89. Treasurer Bantam noted the following payments: Olsson Associates for work on subdivision plat, Woodward's for the shredding service that was provided during Community Wide Cleanup and the final water bond payment. Motion by Davis, seconded by Stahlecker to approve the June 20, 2018, through July 2, 2018 claims as presented for a total of \$126,044.89. There being no further discussion upon the motion made and upon roll call vote, the following voted yes: Stahlecker, Davis, and Moulton. Voting No: None. Motion carried.

Attorney Walker entered the meeting.

Mayor Haeker opened the floor to discuss the treasurer's report. Treasurer Bantam said there is a CD coming due soon. Motion by Moulton, seconded by Stahlecker, to approve the treasurer's report as presented. There being no further discussion upon the motion made and upon roll call vote, the following voted yes: Moulton, Stahlecker, and Davis. Voting no: None. Motion carried.

Mayor opened the floor to discuss and possibly approve a resolution to file a lien at the courthouse against the following real estate: 303 Main St for nuisance abatement (404 Main St which was on the agenda was paid on June 29, 2018). Motion by Stahlecker, second by Davis to approve RESOLUTION 22-2018 as follows:

WHEREAS; the City of Alma declared that a nuisance exists on the property located at 303 Main Street in the City of Alma, Nebraska on May 21, 2018; and

WHEREAS; the City of Alma sent a Notice to abate the nuisance to the property owners, Thomas L. and Rosemary G. Peterson, by United States Mail, and posted Notice on the property on May 21, 2018, as required by Alma Municipal Code Section 130.13. The City further notified the property owners that if they did not comply with the order to abate and remove the nuisance or object to the City's determination that their property was a nuisance by May 29, 2018, that the City would proceed with having the work done to abate the nuisance and levy any cost or expense associated with said abatement work as a special assessment lien against the property; and

WHEREAS; the property owners Thomas L. And Rosemary G. Peterson, did not make any improvements to the property so that the nuisance would be abated and did not request an appeal with the City of Alma; and

WHEREAS; the City of Alma hired Ricky Lee Farms to mow the overgrown weeds and grasses in order to abate the nuisance; and

WHEREAS; the City of Alma submitted an Invoice in the amount of \$75.00 to the owners, Thomas L. and Rosemary G. Peterson, on June 25, 2018 for costs in hiring Ricky Lee Farms and also mailed a letter to the property owner on June 25, 2018 regarding the unpaid invoice; and

WHEREAS; the legal description for this real property is as follows;

East 49 feet of West 93 feet of Lots 1 and 2, Block 9, Hairs Addition to Alma, Harlan County Nebraska.
NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ALMA, NEBRASKA AS FOLLOWS:

1. That the costs of mowing the above referenced property in the amount of \$75.00 should be levied as a Special Assessment against the real estate with a street address of 303 Main Street and a legal description as follows:

East 49 feet of West 93 feet of Lots 1 and 2, Block 9, Hairs Addition to Alma, Harlan County Nebraska.

2. That the Special Assessment shall be sent to the Harlan County Treasurer and the Harlan County Clerk so that a lien will be placed on the above referenced real estate.

There being no further discussion upon the motion made, the following voted yes: Stahlecker, Davis and Moulton. Voting no: None. Motion carried.

Mayor opened the floor to discuss and possibly approve 2017 legislative updates to Alma City Code Book – Ordinances 2018-4 through 2018-7. Attorney Walker recommends the Council approve the ordinances to update the code book with the 2017 legislative updates. He briefly reviewed some of the changes and the red-line versions were available to review. Council member Stahlecker introduced and read by title, Ordinances Numbered 2018 - 4 through 2018-17 entitled as follows:

ORDINANCE NO. 2018-4

AN ORDINANCE RELATING TO ENFORCEMENT AUTHORITY OF MAYOR WITHIN EXTRATERRITORIAL JURISDICTION; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

ORDINANCE NO. 2018-5

AN ORDINANCE RELATING TO PUBLICATION REQUIREMENTS FOR ORDINANCES; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

ORDINANCE NO. 2018-6

AN ORDINANCE RELATING TO THE PLANNING COMMISSION; REMOVING PROHIBITION AGAINST PLANNING COMMISSIONERS NOT HOLDING OTHER OFFICES AND SPECIFYING CERTAIN OFFICES THEY CANNOT HOLD; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

ORDINANCE NO. 2018-7

AN ORDINANCE RELATING TO NOTICE PUBLICATION REQUIREMENTS; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

ORDINANCE NO. 2018-8

AN ORDINANCE RELATING TO PUBLIC AIRPORTS AND PROPERTY TAXES; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

ORDINANCE NO. 2018-9

AN ORDINANCE RELATING TO BUDGET HEARING NOTICE; CHANGING BUDGET HEARING NOTICE PROVISIONS FROM FIVE TO FOUR CALENDAR DAYS; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

ORDINANCE NO. 2018-10

AN ORDINANCE RELATING TO DELINQUENT TAXES; ADDING PROVISION ABOUT THE FEDERAL PRIME RATE; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

ORDINANCE NO. 2018-11

AN ORDINANCE RELATING TO CONTRACTS AND BIDDING; CHANGING PUBLICATION REQUIREMENTS; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

ORDINANCE NO. 2018-12

AN ORDINANCE RELATING TO UNATTENDED VEHICLES; ADDING EXCEPTION FOR LOCKING IGNITION FOR VEHICLES WHICH ARE EQUIPPED WITH MOTOR STARTERS THAT MAY BE ACTUATED WITHOUT A KEY; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

ORDINANCE NO. 2018-13

AN ORDINANCE RELATING TO WEEDS, LITTER, AND STAGNANT WATER; CLARIFYING EXTRATERRITORIAL JURISDICTION TO ENFORCE RELATIONS; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

ORDINANCE NO. 2018-14

AN ORDINANCE RELATING TO DEAD OR DISEASED TREES; REVISING PROVISIONS RELATING TO NUISANCES; SPECIFYING NOTICE AND HEARING REQUIREMENTS; CLARIFYING THAT EXPENSES MAY BE COLLECTED AS A SPECIAL ASSESSMENT DAYS; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

ORDINANCE NO. 2018-15

AN ORDINANCE RELATING TO THE SALE OR CONVEYANCE OF REAL PROPERTY; TO UPDATE LANGUAGE REGARDING REMONSTRANCE AND PETITION; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

ORDINANCE NO. 2018-16

AN ORDINANCE RELATING TO STREET, ALLEY, MALL IMPROVEMENTS; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

ORDINANCE NO. 2018-17

AN ORDINANCE MAKING IT UNLAWFUL TO MAINTAIN A NUISANCE OR VIOLATE ANY OF THE CITY OF ALMA, NEBRASKA'S ZONING OR SUBDIVISION REGULATIONS; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

and moved that the statutory rule requiring reading on three different dates be suspended. Council Member Davis seconded the motion to suspend the rules and upon the motion the following Council Members voted yes: Stahlecker, Davis and Moulton. Clements was absent. Voting no: None. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rules were declared suspended for consideration of these ordinances.

Council Member Davis moved for final passage of Ordinances 2018-4 through 2018-17 and said motion was seconded by Council Member Stahlecker. The Mayor then stated the question, shall Ordinances Numbered 2018-4 through 2018-17 be passed and adopted? Upon roll call vote, the following Council members voted yes: Davis, Stahlecker and Moulton. Clements was absent. The following voted no: None.

The passage and adoption of these ordinances having been concurred in by a majority of all members of the Council, the Mayor declared the ordinances adopted; and the Mayor in the presence of the City Council signed and approved the ordinances and the Clerk attested the passage and approval of the same and affixed her signature thereto and ordered to be published as provided by law. A true and complete copy of these ordinances is attached here to and incorporated by reference.

Mayor opened the floor to consider and possibly approve Ordinance 2018-3 to create procedure for enforcing zoning regulations. Attorney Walker worked with Deputy Attorney Daake to change City Code 150.99 to specify that the penalty apply to the zoning and subdivision regulations as well.

Council member Moulton introduced, Ordinance 2018 - 3 entitled as follows: AN ORDINANCE REVISING AND ESTABLISHING PENALTY PROVISIONS FOR VIOLATIONS OF PROVISIONS SET FORTH IN CHAPTER 150 OF THE MUNICIPAL CODE OF ORDINANCES INCLUDING BUT NOT LIMITED TO THE ZONING AND SUBDIVISION REGULATIONS REFERENCED IN SECTION 150.01; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE. and moved that the statutory rule requiring reading on three different dates be suspended. Council Member Davis seconded the motion to suspend the rules and upon the motion the following Council Members voted yes: Moulton, Davis and Stahlecker. Clements was absent. Voting no: None.

The ordinance was then read by title and thereafter Councilman Davis moved for final passage and said motion was seconded by Councilman Moulton. The Mayor then stated the question, "Shall Ordinance Number 2018-3 be passed and adopted?" Upon roll call vote, the following Council Members voted: Davis-yes, Moulton-yes, and Stahlecker-yes and Clements-absent. Voting no: None. The passage and adoption of this ordinance having been concurred in by a majority of all members of the Council, the Mayor declared the ordinance adopted; and the Mayor in the presence of the City Council signed and approved the ordinance. The Clerk attested the passage and approval of the same and affixed her signature thereto and ordered the ordinance to be published in pamphlet form as provided herein. True and complete copies of this ordinance is attached hereto and incorporated by reference.

Mayor opened the floor to consider and possibly approve rescinding previous Council decision to apply for a downtown revitalization (DTR) grant. Earlier in the year the Council approved applying for a DTR grant and the after discussing the current year's goals for the grant, it was recommended that the City wait another year until the focus is on blight and substandard. This year it is for low to moderate income and Alma really doesn't qualify. Motion by Davis, seconded by Moulton to rescind the previous decision to apply for a downtown revitalization grant. There being no further discussion upon the motion made, the following voted yes: Davis, Moulton and Stahlecker. Voting no: None. Motion carried.

Mayor opened the floor to consider/approve golf board's request to hire Alex Schoneman as assistant greenskeeper at \$9 per hour. Usually the golf course does hire an additional greenskeeper during the summer. Motion by Davis, seconded by Moulton to approve hiring Alex Schoneman as an assistant greenskeeper for this summer at \$9 per hour. There being no further discussion upon the motion made, the following voted yes: Davis, Moulton and Stahlecker. Voting no: None. Motion carried.

Mayor Haeker opened the floor for administrator comments.

Mr. Wilson is continuing to post properties for weeds. Most everyone is cleaning up. The flashing speed limit sign may be used on the highways as long as we follow their guidelines. It is scheduled to ship July 3rd.

The guys are gearing up, cleaning up and fixing up for the 4th of July activities. Lift station repairs are scheduled to start July 3rd.

Bullet holes have been reported at the airport. Hangar walls, a plane, and Mackel's sign have been shot. Four separate incidences. The sheriff has been contacted along with the Division of Aeronautics and FAA. The FAA said they would not get involved unless it was in the air. It is in the process of being investigated. Should contact the state patrol as well.

Water line project – still working on getting all the easements.

Mayor Haeker opened the floor to comments from the Mayor, Councilmen, and city staff. Councilman Moulton is concerned about the leaking valve on the west side of the pool. He noticed the bad poles that have been discussed the past several meetings have been replaced.

Councilman Davis said he would not be able to attend the August 6th Council meeting.

Clerk Tripe asked if the Council could turn in their code books so they can be updated with the recently approved ordinances.

Councilman Stahlecker asked if the Harlan County Fair could borrow the picnic tables from the City's park. It is a County event. Council discussed and agreed to let the staff handle any inquiries.

Motion made by Moulton, seconded by Stahlecker to adjourn the meeting at 6:25 PM. There being no further discussion upon the motion made and upon roll call vote, the following voted yes: Moulton, Stahlecker and Davis. Voting no: None. Meeting was adjourned at 6:25 pm.

Hal Haeker, Mayor

I the undersigned Clerk hereby certify that the forgoing is a true and correct copy of the proceedings had and done by the Mayor and Council; that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the office of the 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 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 advanced notification of the time place and of said meeting and the subjects to be discussed at said meeting.

Lori Tripe, City Clerk

<p>Alma Auto Parts battery for well generator \$129.53; Amazon Books \$577.08; Aramark uniforms mops towels \$229.95; Banner Capital Bank – Alma park mower In pymt \$338.44; Breinig Diesel repairs \$726.77; Chesterman Co pop \$690; CHS Agri Service Center fuel parts \$685.75; City Alma gas water sewer trash \$4,268.80; City of Alma golf mailing \$63.19; City of Holdrege Landfill Fees \$1,022.71; Dollar General supplies \$41.90; Eagle Dist Beer \$1,358.41; First State Bank – Alma water refunding bond pymt \$45,191.25 ; Frontier – Pool Phone \$59.71; Harlan Cty law enforcement \$3,468; Harlan Cty Journal ad notices \$291.72; Hawkins repairs chemical \$1,424.11; Hogeland's Market candy supplies concessions \$473.47; Hometown Leasing Sharp Copy Machine \$194.62; Kauk Konstruction Water Line</p>	<p>Installed \$213.68; Lorri Bantam conference expenses reimbursed \$302.31; Menards Fence Rail replacement \$56.37; Mid-NE Individ Services mgmt fee \$450; Municipal Supply couplings gaskets maint \$936.63; NEland Dist Beer \$442.31; NPPD Electricity \$2,237.98; Office Solutions Index Pages \$37.60; Olsson Assoc platting services \$5,480; Payroll\$35,762.61; Ross Molzahn Deposit Refund \$56.68; S & W Auto Parts oil repairs small tool \$500.33; Sandra K Davis cleaning service \$195; Schwans ice cream \$67.96; Screen Machine guard shirts \$596.53; Short Stop fuel \$135.04; USTI Agency Fees \$10.69; Van Wall Turf & Irrig supplies signs \$356.01; Waggoner Ins Agency.business Workers comp general liability audit \$16,471.75; Woodward's Disposal Service Document Shredding \$500; TOTAL \$126,044.89;</p>
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