

MINUTE RECORD FOR CITY OF ALMA  
REGULAR CITY COUNCIL MEETING  
December 5, 2018

A meeting of the City Council of the City of Alma, Nebraska was held at City Hall on Wednesday, the 5th of December, 2018, at 5:30 p.m.

Present were Council Members: Jon Davis, Mike Clements, Tom Moulton, Randy Stahlecker, and Mayor Hal Haeker. Administrator Doug Wilson, Treasurer Lorri Bantam, Attorney Doug Walker, and Clerk Lori Tripe were also present. 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 December 5, 2018, at 5:30 p.m. and the following business was transacted:

Roll call: Jon Davis-present, Mike Clements-present, Tom Moulton-present, Randy Stahlecker-present and Mayor Haeker-present. Motion made by Clements second by Stahlecker 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: Clements, Stahlecker, Moulton, and Davis. Voting No: None. Motion carried.

Mayor Haeker opened the floor to approve the minutes of the November 19, 2018, regular council meeting. Motion made by Moulton second by Clements to approve the November 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: Clements, Davis, Moulton, and Stahlecker. Voting No: None. Motion carried.

Mayor Haeker opened the floor to discuss the claims and invoices for period November 20, 2018, through December 5, 2018 for a total of \$106,298.34. Motion by Moulton, second by Davis to approve the November 20, 2018, through December 5, 2018 claims as presented for a total of \$106,298.34. There being no further discussion upon the motion made and upon roll call vote, the following voted yes: Moulton, Davis, Clements and Stahlecker. Voting No: None. Motion carried.

Mayor Haeker opened the floor to discuss the treasurer’s report. Motion by Moulton, second by Stahlecker, to accept 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, Davis, and Clements. Voting no: None. Motion carried.

Mayor opened the floor to discuss and possibly approve Ordinances 2019-2 thru 2019-17 – 2013 and 2015 Recommended Legislative Updates to the Alma City Code. Attorney Walker stated the ordinances were minor changes to the City Code. Administrator Wilson questioned the dog license ordinance. The updated ordinance did not contain the current dog fee, only the state dog tax. Previously the code had a male or spayed female dog as \$6 and a female dog as \$11. Should that be included? Attorney Walker said the dog license fee that the city charges (not including the state tax fee of \$1.25) should really be set by a resolution. If it is in the code book, then anytime it changes, it requires an Ordinance to change the code book. It would be simpler to have the fee changed by Resolution. Council agreed. A resolution will need to be done to set the dog license fee at \$6 for male or spayed female and \$11 for a female dog.

Council Member Stahlecker, introduced Ordinances numbered 2019-2 through 2019-17 entitled as follows:

**ORDINANCE NO. 2019-2**

**AN ORDINANCE RELATING TO ELECTED OFFICIALS; TO REVISE PROVISIONS REGARDING VACANCIES IN OFFICE; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.**

ORDINANCE NO. 2019-3

AN ORDINANCE RELATING TO ELECTIONS; TO REVISE PROVISIONS REGARDING RECALL PROCEDURES; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

ORDINANCE NO. 2019-4

AN ORDINANCE RELATING TO FINANCE AND REVISIONS OF BUDGETS; TO PROVIDE THAT THE HEARING REQUIREMENT DOES NOT APPLY TO EMERGENCY EXPENDITURES; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

ORDINANCE NO. 2019-5

AN ORDINANCE RELATING TO PUBLIC UTILITIES; TO ALLOW ELECTRONIC DELIVERY OF NOTICE OF DISCONTINUANCE OF SERVICE; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

ORDINANCE NO. 2019-6

AN ORDINANCE RELATING TO ABATEMENT OF NUISANCES; CLARIFYING LANGUAGE RELATING TO COSTS OF ABATEMENT BEING COLLECTED AS A SPECIAL ASSESSMENT; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

ORDINANCE NO. 2019-7

AN ORDINANCE RELATING TO SNOW, ICE AND OTHER ENCROACHMENTS; CLARIFYING LANGUAGE RELATING TO COSTS OF REMOVAL BEING COLLECTED AS A SPECIAL ASSESSMENT; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

ORDINANCE NO. 2019-8

AN ORDINANCE RELATING TO ALCOHOLIC BEVERAGES; REVISING PROVISIONS RELATING TO LOCATION OF RETAIL ESTABLISHMENTS; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

ORDINANCE NO. 2019-9

AN ORDINANCE RELATING TO ALCOHOLIC BEVERAGES; TO APPLY KEG SALES REGULATIONS TO LARGE VOLUME SALES OF ALCOHOL; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

ORDINANCE NO. 2019-10

AN ORDINANCE RELATING TO ORDINANCES; TO REVISE PROVISIONS REGARDING THE PASSAGE OF ORDINANCES; TO ALLOW THE MAYOR TO VOTE ON LEGISLATION IN CERTAIN CIRCUMSTANCES; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

**ORDINANCE NO. 2019-11**

AN ORDINANCE RELATING TO APPOINTED OFFICIALS; TO REVISE PROVISIONS REGARDING THE CLERK'S DUTIES; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

**ORDINANCE NO. 2019-12**

AN ORDINANCE RELATING TO APPOINTED OFFICIALS; TO REVISE PROVISIONS REGARDING THE TREASURER'S DUTIES; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

**ORDINANCE NO. 2019-13**

AN ORDINANCE RELATING TO OFFICIAL BONDS AND OATHS; TO CHANGE 31.51 TO 31.52 AND ADD 31.51; TO CHANGE PROVISIONS RELATING TO FILING REQUIREMENTS; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

**ORDINANCE NO. 2019-14**

AN ORDINANCE RELATING TO FINANCE; TO REDEFINE TERMS AND DEFINE NEW TERMS; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

**ORDINANCE NO. 2019-15**

AN ORDINANCE RELATING TO FINANCE; TO AUTHORIZE BIENNIAL BUDGETS; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

**ORDINANCE NO. 2019-16**

AN ORDINANCE RELATING TO FINANCE; TO REVISE PROVISIONS TO EXPENDITURES PRIOR TO ADOPTION OF BUDGET; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

**ORDINANCE NO. 2019-17**

AN ORDINANCE RELATING TO FINANCE; TO RAISE THE STATE DOG LICENSE FEE; 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 Clements, and Moulton. The following voted No: None. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule was declared suspended for consideration of these ordinances.

The ordinances were then read by title and thereafter Council Member Stahlecker moved for final passage of the ordinances and said motion was seconded by Council Member Clements. The Mayor then stated the questions, "Shall Ordinances numbered 2019-2 through 2019-17 be passed and adopted?" Upon roll call vote, the following Council members voted Yes: Stahlecker,

Clements, Moulton & Davis. 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 and affixed her signature thereto and ordered to be published as provided by law. A true and complete copy of the ordinances are attached hereto and incorporated by reference.

Mayor opened the floor to review / approve claim from CDS Inspections and Beyond for housing administration services on HR-02 – Invoice Alma Admin-05 for \$863.57. Motion by Clements, second by Moulton to approve payment of claim from CDS Inspections and Beyond for housing administration services for HR-02 – Alma Admin Invoice -05 for \$863.57. There being no discussion upon the motion made, the following voted yes: Clements, Moulton, Stahlecker and Davis. Motion carried.

Mayor opened the floor to review / approve a claim from PM Renovations for \$11,125 for work completed to date on homeowner project #ALMA-HR-02. Motion by Moulton, second by Davis to approve payment of \$11,125 to PM Renovations for CDBG homeowner project Alma HR-02. There being no discussion upon the motion made, the following voted yes: Moulton, Davis, Clements and Stahlecker. Voting no: None. Motion carried.

Mayor opened the floor to an approval of request for CDBG Funds Drawdown #5. Council reviewed the draw request and after some discussion, a motion was made by Stahlecker, second by Moulton to approve the CDBG Funds Drawdown request #5. There being no discussion upon the motion made, the following voted yes: Stahlecker, Moulton, Davis and Clements. Voting no: None. Motion carried.

The Mayor opened the floor to Administrator comments. Administrator Wilson said the RV boat parking has been rocked and the electric has been completed. Markers will be installed in the spring. At present all of the boat parking sites are reserved.

Don Jardon has requested to host the walking in the Auditorium this year beginning January 7<sup>th</sup> and running through March 1<sup>st</sup>. He will open at 7 am and close at 11 am, on Monday, Wednesday and Fridays.

Mr. Wilson said the trash truck is broken down. As of today, at 1 PM, the truck was in Lincoln at Elliott Equipment Company getting repaired. They suspect a bad push cylinder. They hope to remove and replace it first thing in the morning. If they can't repair it, a new cylinder is about \$6000. Elliott's loaned the City a truck from Hays Kansas. The loaner truck is not capable of picking up the 450's.

Mayor Haeker opened the floor to comments from the Mayor, Councilmen, and City Staff. Councilman Moulton inquired about the skating rink and when it was going to get filled with water. Fire Chief Brian Seyler, is planning to fill the rink this Saturday after the fire truck rides.

Attorney Walker said the engineer's deposition was completed last Friday. He is waiting to hear from Attorney Cox on how it went. The deposition of the State Official was completed earlier and went well. He hopes the Carrothers attorneys will be ready to negotiate terms soon.

Clerk Tripe said the Planning Commission has had 6 meetings with Orval Stahr reviewing the proposed Zoning Regulations. This past week, the Planning Commission and the Board of Zoning Adjustment met and went through proposed Bylaws and Rules of Procedure with Orval. They are supposed to finish reviewing the Bylaws and Rules of Procedure and the plan is to approve them at the next meeting if there are no changes. Clerk Tripe would like to review the variances granted in the past with Russ Pfeil and see if they would even be necessary with the new proposed zoning regulations (that's the hope).

Orval Stahr also recommended to both groups that when minutes of the meetings are officially approved, the Clerk should delete the audio of the meetings. Attorney Walker will check to see if there is any statute that requires the audios to be kept.

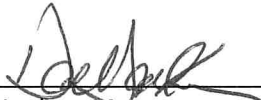
Olssons expect to have final review drawings for the Western Sky Properties Subdivision to the City Council to review at the December 19<sup>th</sup> meeting.

Clerk Tripe said the Tree Board is working on updating the city tree ordinances. It was recommended

that they be updated by the board that approves the Tree City USA applications.

Councilman Clements said he would like the next city newsletter to remind the citizens of Alma to sign up the Code Red alerts.

Motion made by Moulton, second by Stahlecker to adjourn the meeting at 6:07 PM. There being no further discussion upon the motion made and upon roll call vote, the following voted yes: Moulton, Stahlecker, Clements, and Davis. Voting no: None. Meeting was adjourned at 6:07 pm.

  
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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.

  
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Lori Tripe, City Clerk



Amazon DVD/Videos books \$256.25;  
 Aramark uniforms mops shop towels \$199.45;  
 Banner Capital Bank – Alma Park Mower \$338.44; Black Hills Energy Gas Service \$49.08; Brad & Mary Robison Utility Refund \$259.97; CCR. 24/7 HVAC repairs \$200; CDS Inspections CDBG Housing Admin \$863.57; Chesterman Co pop \$172; CHS fuel supplies repairs \$1,182.07; City Alma Utilities gas water sewer trash \$2,161.86; City of Holdrege Landfill Fees \$1,225.65; Cline Williams Wright Johnson & Oldfather legal services \$8,220; Community Bank Clubhouse In pymt \$9,830.16; Diamond Exterminating pest control \$120; Dollar General supplies \$62.70; Duncan Walker Schenker & Daake legal services \$1,750; Eagle comm Internet \$229.95; Eagle Dist Beer \$257.80; Eakes copier fees \$411.02; First State Bank – Alma swimming pool bond interest \$23,112.50; Flower Patch decorations \$44.94; Frito Lay Concessions \$41.82; Frontier siren phone \$203.90; Harlan County law enforcement \$3,468; Harlan Cty Reg of Deeds lien release \$10; Harlan Cty Treas 2018 Election Expenses \$387.44; Hobby Lobby decorations \$4.27; Hoesch Memorial Library decorations supplies dvds \$72.91; Hogeland's Market concessions supplies \$199.93; Hometown Leasing copier \$188.80; Johnson Bros Wine \$87; Johnson Service Co line maintenance \$1,200; Latimer Reporting litigation \$545.05; League of NE Municipalities snowball conf \$255; LINWELD Specialty Gas \$31.80; Main St Variety supplies \$18.91; Menards decorations \$169.99; Mid-Iowa Solid Waste Equip camera repairs \$110.41; Municipal Supply meters \$817; NEland Dist Beer \$173.29; NEX-TECH network support fee \$730.50; NPPD Electricity \$4,926.50; Office Solutions Envelopes \$45.95; One Call Concepts locates \$10.56; PM Renovations CDBG contract work \$11,125; Payroll \$32,236.69; Republic Natl Dist beer liquor \$2,490.26; S & W Auto Parts repairs maint supplies \$189.69; Sandra K Davis cleaning \$185; Short Stop fuel \$78.71; Steven Dornhoff Gravel Pads at RV Park \$3,207.44; Flower Patch mulch \$57.50; Trustworthy Hardware supplies repairs \$58.22; USA Bluebook Pipe Descaler \$163.47; USACE Finance Center lagoon lease \$505; USPS Stamped Envelopes \$609.15; Waggoner Ins Agency Insurance \$2,734.34; TOTAL \$118,286.91;