

MINUTE RECORD FOR CITY OF ALMA
REGULAR CITY COUNCIL MEETING
January 17, 2018

A meeting of the City Council of the City of Alma, Nebraska was held at City Hall on Wednesday, on the 17th of January, 2018, at 5:30 p.m.

Present were Council Members: Jon Davis, Tom Moulton, Mayor Haeker, Randy Stahlecker, and Mike Clements. Also present were: Attorney Doug Walker, Administrator Doug Wilson, Clerk Lori Tripe, and Superintendent Russ Pfeil. Treasurer Lorri Bantam was absent. 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 Hal 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 January 17th, 2018, at 5:30 p.m. and the following business was transacted:

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

Mayor Haeker opened the floor to approve the minutes of the January 3, 2018, regular council meeting. Motion made by Moulton seconded by Clements to approve the January 3, 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, Clements, Stahlecker, and Davis. Voting No: None. Motion carried.

Mayor Haeker opened the floor to discuss the claims and invoices for period January 4, 2018, through January 17, 2018 for a total of \$58,970.05. Motion by Stahlecker, seconded by Moulton to approve January 4, 2018, through January 17, 2018 claims as presented for a total of \$58,970.05. There being no further discussion upon the motion made and upon roll call vote, the following voted yes: Stahlecker, Moulton, Davis, and Clements. Voting No: None. Motion carried.

Mayor Haeker opened the floor to discuss the treasurer's report. Councilman Davis motioned, Clements seconded, 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: Davis, Clements, Moulton, and Stahlecker. Voting no: None. Motion carried.

Mayor Haeker opened the floor to discuss and possibly approve a resolution to authorize the Mayor to sign a contract between the City and DED for CDBG funds (upon receipt, satisfactory contract negotiations and acceptable review of the contract). Lori Ferguson, from South Central Economic Development District was present to discuss the special conditions necessary in order to receive the contract for the CDBG project. Kristi McClung, Clerk Tripe and herself were on a telephone conference call this past Friday to discuss the special conditions. The first is to have a resolution authorizing the Mayor to sign the contract. The contract should be received by the end of January. She also stated the City has two (2) years to complete the project with November 8, 2017 being the official start date. Motion by Clements, seconded by Stahlecker to approve Resolution 8-2018 as follows:

A RESOLUTION OF THE CITY OF ALMA, NEBRASKA AUTHORIZING THE MAYOR OF THE CITY OF ALMA, NEBRASKA TO SIGN A CONTRACT FOR THE NEBRASKA DEPARTMENT OF ECONOMIC DEVELOPMENT (NDED) FOR OWNER/OCCUPIED REHABILITATION FUNDS PURSUANT TO THE GRANT APPLICATION SUBMITTED IN OCTOBER 2017.

WHEREAS; the City of Alma submitted a grant application to the Nebraska Department of Economic Development (NDED) in October 2017 for owner/occupied rehabilitation funds; and

WHEREAS; NDED has approved the grant application and will make grant money available to rehabilitate approximately eight (8) eligible owner/occupied homes; and

WHEREAS; NDED requires the City of Alma to sign a Contract with them to obtain the redevelopment funds.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ALMA, NEBRASKA AS FOLLOWS:

1. That the Contract prepared by the NDED for the City of Alma to obtain owner/occupied grant funds to rehabilitate approximately 8 eligible homes is hereby approved.
2. The Mayor is hereby authorized and directed to sign the Contract prepared by the NDED to obtain the owner/occupied housing rehabilitation grant.

There being no further discussion upon the motion made and upon roll call vote, the following voted yes: Clements, Stahlecker, Davis, and Moulton. Voting no: None. Resolution 8-2018 was approved.

Mayor Haeker opened the floor to discuss and possibly approve a resolution adopting procurement standards / code of conduct as it relates to CDBG funded projects. Lori Ferguson said this is one of the special conditions required to receive the grant funds. One of the things the City will do is to hire a Housing Administrator. She will help us hire one and this person will be paid through the grant funds received, as will SCEDD. The conflict of interest is part of the code of conduct and was updated just a year ago. Motion by Davis, seconded by Moulton to approve Resolution 9-2018 as follows:

A RESOLUTION OF THE CITY OF ALMA, NEBRASKA ADOPTING PROCUREMENT PROCEDURES AND CODE OF CONDUCT.

WHEREAS; the City of Alma has applied for a Community Development Block Grant (CDBG) in October 2017 which has been approved by the Nebraska Department of Economic Development (NDED); and

WHEREAS; the City of Alma is required to adopt Procurement Procedures and Code of Conduct to obtain the CDBG.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ALMA, NEBRASKA AS FOLLOWS:

1. That the Procurement Procedures and Code of Conduct required by the NDED to obtain the CDBG is hereby approved.
2. The Mayor is hereby authorized and directed to sign the Procurement Procedures and Code of Conduct for the City of Alma.

There being no further discussion upon the motion made and upon roll call vote, the following voted yes: Davis, Clements, Stahlecker, and Moulton. Voting no: None. Resolution 9-2018 was adopted.

Mayor Haeker opened the floor to discuss and possibly approve a resolution adopting an Excessive Force Policy. This is another special condition that must be in place in order to receive CDBG funds and the City needs to make it available to the Sheriff. Motion by Moulton, seconded by Clements to approve Resolution 10-2018 as follows:

A RESOLUTION OF THE CITY OF ALMA, NEBRASKA ADOPTING AN EXCESSIVE FORCE POLICY AND AUTHORIZING THE MAYOR OF THE CITY OF ALMA, NEBRASKA TO IMPLEMENT THIS POLICY AS REQUIRED IN THE 1990 HUD APPROPRIATIONS ACT.

WHEREAS; the City of Alma has applied with the Nebraska Department of Economic Development (NDED) for a Community Development Block Grant (CDBG) for housing rehabilitation funds which has been approved by the NDED; and

WHEREAS; one of the requirements for obtaining the CDBG is that the City of Alma adopt an Excessive Force Policy.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ALMA, NEBRASKA AS FOLLOWS:

1. That the Excessive Force Policy required by the NDED to obtain CDBG funds is hereby adopted and approved.
2. The Mayor is hereby authorized and directed to sign and implement the Excessive Force Policy

as required by the HUD Appropriations Act (Public Law 101-140) for Community Development Programs.

There being no further discussion upon the motion made and upon roll call vote, the following voted yes: Moulton, Clements, Stahlecker, and Davis. Voting no: None. Resolution 10-2018 was approved.

Mayor Haeker opened the floor to discuss and possibly approve a resolution for Fair Housing. The City had adopted an Ordinance back in 2010 for Fair Housing but Lori Ferguson highly recommends the Council adopt a more current version and in-line with the block grant program and recommends the City include it in the City's quarterly newsletter. Motion by Stahlecker, seconded by Davis to approve Resolution 11-2018 as follows:

RESOLUTION 11-2018 OF THE MAYOR AND COUNCIL OF THE CITY OF ALMA, NEBRASKA

WHEREAS; the Mayor and Council of the City of Alma, Nebraska believe that discrimination in housing, employment and public accommodation jeopardize the foundations of a free and democratic society; and

WHEREAS; Such discrimination also threatens the Constitutional rights and privileges of the citizens of Alma; and

WHEREAS; The Mayor and Council of the City of Alma desire to guarantee the equality of rights contained in the Constitution of the United States and the Laws of the State of Nebraska and make a firm commitment to eliminate prejudice, intolerance, disorder and discrimination in housing based on race, color, religion, gender, or ethnicity.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Alma, Nebraska that to further Fair Housing, the City of Alma will work to add to and/or include on the City's website various links/resources that will provide all citizens information, assistance and guidance in fair housing issues and concerns.

There being no further discussion upon the motion made and upon roll call vote, the following voted yes: Stahlecker, Davis, Clements, and Moulton. Voting no: None. Resolution 11-2018 was approved.

Mayor Haeker opened the floor to consider and possibly approve a Certificate of Compliance for the 2017 Maintenance Agreement between the City of Alma and the State of Nebraska, Department of Transportation (Annual Item). Each year the City is requested to certify to the compliance of the maintenance agreement. Motion made by Stahlecker, seconded by Clements to approve the Certificate of Compliance for the 2017 Maintenance Agreement with the State of Nebraska, Department of Transportation. There being no further discussion upon the motion made and upon roll call vote, the following voted yes: Stahlecker, Clements, Moulton and Davis. Voting no: None. Motion carried.

Mayor Haeker opened the floor to consider and possibly approve the annual renewal of the Maintenance Agreement for 2018 with the State of Nebraska Department of Transportation. There is no increase from last year. Motion made by Clements, seconded by Moulton to approve the renewal of the Maintenance Agreement for 2018 with the State of Nebraska Department of Roads. There being no further discussion upon the motion made, the following voted yes: Clements, Moulton, Davis and Stahlecker. Voting no: None. Motion carried.

Mayor Haeker opened the floor to consider and possibly approve a Resolution to file a lien at the courthouse against real estate located at 812 Main Street for past due utility bills. The utilities are disconnected and the owner still owes \$358.74. The City would like to file a lien against the property and if the property is ever sold, the City would be in line to collect the proceeds from the sale for the unpaid utility bills. Any unpaid property taxes would be paid first. Motion made by Davis, seconded by Clements to approve Resolution 12-2018 as follows:

WHEREAS; the City of Alma has provided gas, sewer, water and solid waste collection utility services to the premises at 812 Main Street in the City of Alma, Nebraska; and

WHEREAS; the City of Alma has submitted statements to the owner/occupant of this real estate, Kurt Peterson, for utility services in the amount of \$358.74 in accordance with the utility

collection policies of the City of Alma and said utility statements have not been paid and are now delinquent; and

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

Lots Eighteen (18), Nineteen (19), and Twenty (20), Block Nine (9), First Addition to the City of 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 the utility service in the amount of \$358.74 should be levied as a Special Assessment against the real estate with a street address of 812 Main Street and a legal description as follows:
Lots Eighteen (18), Nineteen (19), and Twenty (20), Block Nine (9), First Addition to the City of Alma, Harlan County, Nebraska.
2. That the Special Assessment shall be sent to the Harlan County Clerk and the Harlan County Treasurer to be placed as a lien on the above referenced real estate.

There being no further discussion upon the motion made, the following voted yes: Davis, Clements, Stahlecker and Moulton. Voting no: None. Resolution 12-2018 was approved.

Mayor Haeker opened the floor to consider and possibly approve allowing the cutting of firewood and a firewood permit application form. Administrator Wilson said people have asked if they could cut the wood at the compost site. He has checked into the liability for the City and the City's insurance agent assures Mr. Wilson that the City would be covered. Some have thought allowing people to cut wood would take income away from the City as the wood would be used to heat their homes. Mr. Wilson proposes a \$20 annual fee. The applicant would need to inform the City of where they plan to cut. They could cut downed and dead trees along the walking path (approximately 15 feet on either side of the path) or at the compost site. (Down and dead trees on the Corps ground would require an applicant to seek approval from the Corps as well.) Mr. Wilson used the Corps permit application and revised it to apply to the City. Council recommended adding verbiage to inform the applicant that they would need to clean up the area right away after cutting. Motion made Davis, seconded by Stahlecker to approval the cutting of firewood and a firewood permit application form with noted change. There being no further discussion upon the motion made, the following voted yes: Davis, Stahlecker, Moulton and Clements. Voting no: None. Motion was carried.

Mayor Haeker opened the floor for administrator comments. Administrator Wilson said the trailer at the RV Park has started to be torn down, with the expectations to be completed by January 31st. The City has received a "Notice of Deficiency in the Sale Price of the Trailer" from Angela Bellware concerning the agreement to purchase her trailer. His plan is to cut her a check after the trailer is removed and the area has been cleaned.

Another RV Park topic: Mr. Wilson was contacted by John Nelsen. He would like the City Council to consider him taking over the City's lease with the Corps and run the RV Park as he does Patterson Harbor. He said he has the equipment and help to maintain the RV Park. He would even consider expanding the park and adding concessions. Patterson Harbor's lease with the Corps must be different than the City's because the City is not allowed to have concessions. Mr. Wilson wanted to get the Council's thoughts. Currently any money earned by the RV Park goes back to the RV Park. Any expenses of the RV Park can be paid out of the funds. The City has to budget for the RV Park, and manage it. Mr. Wilson has spent a lot of time on the RV Park talking with the RV Park Manager, renters, budgeting, setting rates, enforcing rules etc. The RV Park does not generate any income for the City but having it here in Alma does bring sales to the businesses in town, sales tax and utility income for the City. The Council would hate to lose the lease entirely should it not work out for Nelsen's as they plan. The idea of turning it over to Nelsen's to operate sounds good, just need to have some questions answered. Mr. Wilson will ask John to attend a future Council meeting.

Mr. Wilson would also like the Council to consider annexing the Corps land south of South Street to capture some city sales tax revenue from concession and rental sales.

The Big Iron Auction of the City's excess equipment brought in around \$2600 to the City. The motor grader, tar pot and mower brought \$1700, \$220 and \$1200 respectively. The old dump truck will sell next week (there was a title issue that took a little time to resolve).

Mr. Wilson also heard from Kurt Vosburg with the Nebraska Department of Transportation just today. The rules regarding the flashing speed limit sign have been written and he is in the process of reviewing them.

Mr. Wilson asked the Council about firemen members using the Johnson Center for free. The Council was not aware that any individual member of the fire department was allowed to use the Johnson Center for personal use for free and they don't think they should. The fire department, as a group, may continue to use it for fire department training etc. at no charge.

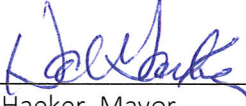
Mayor Haeker opened the floor for open comments.

Clerk Tripe said that the City had participated in a water and sewer rate survey which had approximately 133-136 cities participate from Colorado, Wyoming, Kansas, Iowa, and Nebraska. She wanted to share the survey information with the Council to show how Alma is in comparison to the other cities. Again, Councilman Davis said the City needs to review the rates to see if they are where they should be in order to cover current expenses and plan for future maintenance costs.

Clerk Tripe was also in contact with Carol Nordhausen who has a dance studio in Kearney and Minden. She recently moved between Holdrege and Alma and is considering having a dance class one night a week from 5-8 PM and was inquiring if she could rent the City Auditorium and how much it would cost. She would work around any events at the Auditorium. Tripe said that the last exercise class was charged \$5 a day because it was a benefit to the community. Carol will submit a plan and proposal. She will keep the Council posted.

Clerk Tripe wanted to update the Council on the housing subdivision. There has been some talk about removing the street access off of Highway 183. We are having trouble nailing down the best street access. Street access could be decided later and the houses will most likely be built starting on the west side of the property. She also confirmed with Joe Johnson that TIF can be applied to the entire property value including the value of the house minus the base and TIF could be applied for each year. For example: 2 houses built in 2018 – TIF would be calculated and run 15 years from then, the next year 4 houses built, TIF would be calculated and run 15 years from then. He said it all depends on how aggressive the community wants to be. Clerk Tripe had talked with Joe Johnson and he is currently in Lincoln and will stop by Cline Williams and ask Andrew (a TIF attorney) to call Doug Walker and answer any TIF questions he might have. The main goal is to get the plat completed and provide citizens with an option for housing. Councilman Davis is confident that progress will be made in the next month on the housing project.

Motion made by Moulton, seconded by Clements to adjourn the meeting at 6:37 PM. There being no further discussion upon the motion made and upon roll call vote, the following voted yes: Moulton, Clements, Stahlecker, and Davis. Voting no: None. Meeting was adjourned at 6:37 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

| | | |
|---|---|--|
| Amazon Minute Books \$310.78; A Glines Cleaning \$550; Aramark uniforms mops towels \$220.55; AUL HRA fees \$442.75; Between the Slices Employee Apprecia- tion Dinner \$810; Black Hills Energy Natural Gas Service \$46.25; BCBS ins prem \$8,723.24; CHS fuel tire repair parts \$1,154.64; Petty Cash door prizes \$635.11; City of Holdrege Landfill Fees \$737.84; Dept of Aero- nautics In pymt \$810; Dept of Rev sales tax \$6,046.76; Diamond Exterminating pest control \$120; Dollar General OJ \$5.95; Duncan, Walker, Schenker & Daake legal services \$1,750; Eagle Dist Beer \$148.80; Eakes Typewriter Repairs \$248.50; Frontier phones alarms dish internet \$857.37; Harlan County | Court court fees \$17; Hoesch Memorial Library supplies books \$217.20; Hogeland's Market supplies \$48.56; MidAmerica Admin HRA Admin Fees \$25; Mid-Iowa Solid Waste Equip Repairs \$870.20; Municipal Supply parts \$387.17; NE Aviation Council Registration fees \$115; Nex-Tech Compu-ter services \$694.50; NPPD electricity \$4,787.79; Office Solutions supplies \$26.87; Payroll payroll & benefits \$22,320.45; Principal life ins prem \$106.40; R&R Products repairs \$186.39; Reliable | Pest Control \$90; S & W Auto Parts repairs \$206.60; Short Stop Fuel \$166.68; Tripe Motor TIF Reim- bursement \$2,251.44; Twin Valleys PPD electricity \$813.90; Union Bank & Trust Market Value Fees \$702.03; United Health- care dental ins prem \$394.20; USTI agency fees ebilling fees \$518.08; Verizon cell phones \$281.92; VSP vision ins prem \$71.40; Zeller Zulauf End Caps for Range Handle \$52.73; TOTAL \$58,970.05; |
|---|---|--|