

MINUTE RECORD FOR CITY OF ALMA
REGULAR CITY COUNCIL MEETING
October 4, 2017

A meeting of the City Council of the City of Alma, Nebraska was held at City Hall on Wednesday, the 4th day of October, 2017, at 5:30 p.m.

Present were Council Members: Randy Stahlecker, Mike Clements, Jon Davis, Tom Moulton, and Mayor Haeker. Also present were: Administrator Doug Wilson, Attorney Doug Walker, Treasurer Lorri Bantam, Superintendent Russ Pfeil, Library Director Keri Anderson, and Clerk Lori Tripe. Notification of this meeting and the agenda was 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 October 4th, 2017, at 5:30 p.m. and the following business was transacted:

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

Mayor Haeker opened the floor to approve the minutes of the September 20, 2017, regular council meeting. Motion made by Moulton seconded by Stahlecker to approve the September 20, 2017, regular council minutes as presented. 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. Motion carried.

Mayor Haeker opened the floor to discuss the claims and invoices for period September 21, 2017, through October 4, 2017 for a total of \$101,452.30. Treasurer Bantam noted payments for City Code Book updates, Treasurer Bantam's new computer and the South Street bond payment. Motion by Moulton, seconded by Clements to approve September 21, 2017, through October 4, 2017 claims as presented for a total of \$101,452.30. 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 treasurer's report. Bantam said the balances listed are the preliminary end of year balances and the final balances will be on the next council meeting treasurer's report. Treasurer Bantam is looking at filing a lien against Kurt Peterson's property for his past due utility bill. Motion by Moulton, seconded by Davis to accept the treasurer's report as submitted. There being no further discussion, the following voted yes: Moulton, Davis, Clements, and Stahlecker. Voting no: None. Motion carried.

Mayor Haeker opened the floor to consider and possibly approve an outdoor Special Designated License (SDL) for The Station on October 28, 2017. Kent Shaffer had submitted a request to host an outdoor tailgate party at the Station and would like to include the street to the north if he needed the additional space. The entire space will be fenced along with the street if he decides he needs the extra space. Moulton made a motion, seconded by Clements to approve the request from The Station for an outdoor SDL for October 28, 2017. There being no further discussion upon the motion made, the following voted yes: Moulton, Clements, Davis and Stahlecker. Voting no: None. Motion carried.

Mayor opened the floor to consider and possibly approve **Resolution 1-2018** – File Lien against real estate at 412 First Street. Administrator Wilson said he posted the property because of a mowing nuisance and it didn't get mowed. He contracted with a lawn service and had it mowed. Mr. Wilson mailed a request for payment for the lawn service to the owner. On August 17, 2017, Bryan Ransdell came to the office and said he would pay the bill but he never did. At this time, he would like for the Council to approve filing a special lien assessment against the property for the mowing service costs. Motion made by Stahlecker,

seconded by Moulton to approve Resolution 1-2018 as follows:

WHEREAS; the City of Alma declared that a nuisance exists on the property located at 412 First Street in the City of Alma, Nebraska on August 2, 2017; and

WHEREAS; the City of Alma sent a Notice to Abate the nuisance to the property owner, Bryan Ransdell, by United States Mail and posted Notice on the property on August 2, 2017 as required by Alma Municipal Code Section 130.13. The City further notified the property owner that if he did not comply with the order to abate and remove the nuisance or object to the City's determination that his property was a nuisance by August 9, 2017, 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 owner, Bryan Ransdell, 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 Sod's Lawn Service 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 \$210.00 to the owner, Bryan Randell, on August 14, 2017 for costs in hiring Sod's Lawn Service and also mailed a letter to the property owner on August 14, 2017 regarding the unpaid Invoice; and

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

Lots Thirteen (13), Fourteen (14), and Fifteen (15), all in Block Eight (8), Original Town of Alma, Harlan County, Nebraska; according to the recorded plat thereof.

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 \$210.00 should be levied as a Special Assessment against the real estate with a street address of 412 First Street and a legal description as follows:

Lots Thirteen (13), Fourteen (14), and Fifteen (15), all in Block Eight (8), Original Town of Alma, Harlan County, Nebraska; according to the recorded plat thereof.

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, the following voted yes: Stahlecker, Moulton, Clements, and Davis. Voting no: None. Resolution 1-2018 was approved.

Mayor Haeker opened the floor to consider and possibly approve Ordinance 2018-1 – Revision to City Code Section 31.22 regarding Municipal Clerks and City Code section 31.23 regarding Municipal Treasurer. Attorney Walker said there was a revision to state statutes that changed the responsibility of city bonds from the clerk to the treasurer and approving this Ordinance would make the Code Book in compliance with state statutes and what the City office is already doing.

Councilman Stahlecker introduced **Ordinance No. 2018-1** entitled as follows:

AN ORDINANCE OF THE CITY OF ALMA, NEBRASKA, REVISING CITY CODE SECTION 31.22 REGARDING MUNICIPAL CLERKS AND CITY CODE SECTION 31.23 REGARDING MUNICIPAL TREASURER; REPEALING ALL PRIOR ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE AND PROVIDING FOR AN EFFECTIVE DATE and moved that the statutory rule requiring reading on three different dates be suspended. Councilman 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 this ordinance.

This ordinance was then read by title and thereafter Councilman Davis moved for final passage of this ordinance and said motion was seconded by Councilman Moulton. The Mayor then stated the question, "Shall Ordinance Number 2018-1 be passed and adopted?" Upon roll call vote, the following Council Members voted Moulton-yes, Davis-yes, Stahlecker-yes and Clements-yes. 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 hiring Patricia Mattison as Library Assistant, move Sandra Hoard to Fill-In and remove Dea Wilson as Fill-In. Director Anderson said she also needed the Council to approve the wage for Patricia Mattison. Motion by Davis, seconded by Clements to approve the hiring of Patricia Mattison as the new library assistant and set her wage at \$8.25 and move Sandra Hoard to a fill-in position and approve Dea Wilson's request to be removed. There being no further discussion upon the motion made, the following voted yes: Davis, Clements, Moulton, and Stahlecker. Voting no: None. Motion carried.

Mayor opened the floor to consider and possibly approve the appointment of Austin Molzahn to complete Gary Janssen's term on the Tree Board. Gary Janssen requested to be removed and Austin Molzahn has agreed to be on the Tree Board to complete Gary's term. Mayor Haeker approves the appointment. Motion by Clements, seconded by Stahlecker to approve the appointment of Austin Molzahn to complete Gary Janssen's term on the Tree Board. There being no further discussion upon the motion made, the following voted yes: Clements, Stahlecker, Moulton and Davis. Voting no: None. Motion carried.

Mayor opened the floor to Administrator comments: Administrator Wilson said the RV Park has 28 campers interested in the drawing for next season and he still expects more.

Mr. Wilson has been working on getting a flashing speed limit sign and would like to consider a speed buggy which is mobile and could be used anywhere in town. His hope is to be ready to order in a couple weeks.

There are 3 spots on the business sign that will be updated in the near future. The Alma Chiropractic Center is purchasing the space the City has acquired and Farm Bureau Insurance has sold their spot. There is also a new panel ordered for the old Pizza Hut panel.

The Board of Health (BOH) did a home inspection last week concerning a bad roof and possible damage to the interior from the bad roof. The inspection revealed there is no apparent evidence of black mold or other damage to the interior. Russ Pfeil wanted to go on record that he is not a black mold inspector. The house also has hot and cold running water and the toilets and windows all work. The owner is in the process of repairing the roof and if the dry rot exterior boards are replaced, the house would not be a concern for the BOH.

Administrator Wilson notified the Council that the last message that was sent out using the Alma Alert System (Code Red) it took about 5 minutes to send 50 emails, 145 texts and 308 phone calls. Pretty amazing.

Mayor opened the floor for open comments.

Councilman Moulton said he would like to see the old trash can mounts on the light poles on Main Street be removed before someone is hurt.

He is also concerned about the roof on Steve Pool's building along the highway close to the school. He brought up the City's zoning ordinance regarding a building that has living quarters in it. Is there anything stopping someone from buying one and living in it? Maybe the City should review the Zoning Ordinances and determine what is best for the City of Alma and its residents.

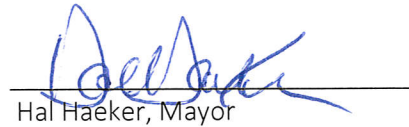
Councilman Davis said the ballfield association had the ballfield sprayed for crabgrass this fall. He was curious what the City sprays for and when they spray. Russ Pfeil said the City puts on fertilizer and a pre-emergent and that usually will get them through the baseball season. Davis said the City's ballfield is a really nice field and would like to see more softball games hosted by Alma. He would like to see a fall spraying for crabgrass and other weeds if that fits in the budget for this next year.

Clerk Tripe notified the Council that the CDBG Housing Rehab application was submitted on Tuesday, October 3, 2017. The City will be notified after the first of the year if it has been approved. The City was

also notified by DED that the library could start on the HVAC replacement project. Director Anderson said she contacted her contractor already.

Treasurer Bantam said she is preparing for the City's audit which is scheduled in a couple weeks.

Motion made by Stahlecker, seconded by Clements to adjourn the meeting at 6:08 PM. There being no further discussion upon the motion made and upon roll call vote, the following voted yes: Stahlecker, Clements, Davis, and Moulton. Voting no: None. Meeting was adjourned at 6:08 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

Alma Auto Parts	Watertight Box	\$11.97
Almquist Maltzahn Galloway & Luth	Budget Prep for 9-30-18	\$3,600.00
Amazon.Com	office supplies	\$169.45
American Legal Publishing Corp	Code Book Updates	\$500.00
Aramark Uniform Services	mops uniforms shop towels	\$207.59
Bader's Highway & Street	Seal Street Cracks	\$14,382.00
Black Hills Energy	Gas Service	\$33.69
Cash Wa Distributing	Popcorn & Oil	\$85.92
CHS Agri Service Center	fuel supplies tools	\$710.87
City Alma Utilities	gas water sewer trash	\$2,179.53
City of Alma	Liquor License	\$300.00
City of Alma	Sept sales tax	\$1,495.25
City of Alma Petty Cash Fund	CDL License - Warren Lingg	\$58.93
City of Holdrege	Landfill Fees	\$467.68
Community Bank.	Park Mower Loan Payment	\$227.81
Diamond Exterminating	Pest Control	\$135.00
Dollar General	supplies	\$70.85
Eagle Distributing	Beer	\$523.66

First State Bank - Alma	South St bond payment	\$4,261.25
First State Bank - Banner	Sanitation Loan pymt	\$6,568.33
Frito Lay, Inc.	Chips & Peanuts	\$67.40
Gale Goup	Books	\$33.09
Harlan County	Law Enforcement	\$3,468.00
Harlan County Sheriff's Office	civil paper service	\$18.50
Hawkins	Azone 15, Hydrofluosilicic Acid	\$1,828.75
Heartland Clerk's Association	Clerk 2017-18 Dues	\$10.00
Hogeland's Market	supplies	\$38.87
Hometown Leasing	Sharp Copy Machine	\$194.62
Johnson Brothers	Liquor	\$152.00
Kearney Hub	ad	\$55.41
LINWELD	Specialty Gas	\$29.65
Lorri Bantam	mileage reimbursement	\$53.50
Main Street Variety	supplies	\$124.95
Microsoft	Software	\$118.24
Municipal Supply Inc.	parts	\$1,528.06
Nebr Dept of Revenue	September Sales Tax	\$4,733.27
Nebraska Rural Water	Donation	\$500.00
Nebraska Rural Water Assoc.	renew membership	\$174.00
Nebraskaland Distributors	Beer	\$340.93
Nex-Tech Communications LLC	Treasurer-new computer	\$3,175.18
NPPD	Electricity	\$2,241.98
Office Solutions Associates	Wire Roll File	\$161.00
Olsson Associates	Alma Res-Dev	\$314.29
One Call Concepts, Inc.	locates	\$15.54
OnSolve LLC	CodeRED 10-1-17 to 9-30-18	\$1,500.00
Payroll & benefits		\$24,287.31
Republic National Distributing	Liquor	\$565.83
Rose Plumbing LLC	plumbing repairs	\$494.34
S & W Auto Parts	fuel repairs parts	\$234.99
Sandra K Davis	September Cleaning	\$156.00
Short Stop	fuel	\$69.46
Southern Glazers	Liquor	\$1,472.16
State Treasurer	Dog License Tax for 2017	\$208.55
Tielke's Sandwiches	Pizzas	\$138.60
Trustworthy Hardware	supplies	\$147.72
USTI	fees billing stmts	\$21.33
Waggoner Insurance Agency	Business Protection Policy	\$16,789.00
Total		\$101,452.30

Ordinance 2018-1 to be attached.

COPY

ORDINANCE NO. 2018-1

AN ORDINANCE OF THE CITY OF ALMA, NEBRASKA REVISING CITY CODE SECTION 31.22 REGARDING MUNICIPAL CLERKS AND CITY CODE SECTION 31.23 REGARDING MUNICIPAL TREASURER; REPEALING ALL PRIOR ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE AND PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION 1. SECTION 31.22(A) of the City of Alma Municipal Code shall be amended by deleting all of Subsection (A) except the first sentence which shall now be amended to read as follows:

(A) The Municipal Clerk shall attend the meetings of the governing body, the Municipal Planning Commission, Board of Zoning Adjustment, Board of Health, and such other Municipal meetings as required by the City and keep a correct journal of the proceedings of that body.

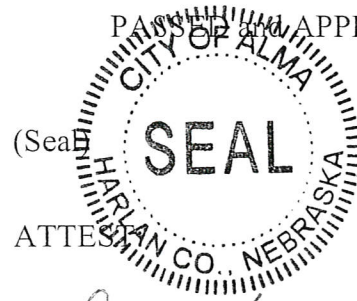
SECTION 2. SECTION 31.23 shall be revised by designating the current paragraph listing Municipal Treasurer's duties as Subsection "A" and by adding a new Subsection "B" which will read as follows:

(B) The Municipal Treasurer shall keep a record of all outstanding bonds against the Municipality and when any bonds are sold, purchased, paid, or cancelled, said record shall show the fact. He or she shall make, at the end of the fiscal year, a report of the business of the Municipality transacted through his or her office for the year. That record shall describe particularly the bonds issued and sold during the year and the terms of the sale with each and every item and expense thereof. He or she shall file all official bonds after the same shall have been properly executed and approved. He or she shall make the proper certificate of passage which shall be attached to original copies of all bond Ordinances hereafter enacted by the governing body.

SECTION 3. REPEAL OF CONFLICTING ORDINANCES. That all Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

SECTION 4. EFFECTIVE DATE. That this Ordinance shall become effective and be in full force from and after its passage, approval, and publication as required by law.


PASSING AND APPROVED this 4th day of October, 2017.



CITY OF ALMA, NEBRASKA

By:


Hal D. Haeker, Mayor


Lori Tripe, City Clerk