

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

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

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

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

Mayor Haeker opened the floor to approve the minutes of the August 20, 2018, regular council meeting. Motion made by Clements seconded by Stahlecker to approve the August 20, 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, Stahlecker, and Moulton. Voting No: None. Motion carried.

Mayor Haeker opened the floor to discuss the claims and invoices for period August 21, 2018, through September 5, 2018 for a total of \$95,705.93. Motion by Moulton, seconded by Clements to approve the August 21, 2018, through September 5, 2018 claims as presented for a total of \$95,705.93. There being no further discussion upon the motion made and upon roll call vote, the following voted yes: Moulton, Stahlecker, and Clements. Voting No: None. Motion carried.

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

Mayor opened the floor to discuss Vacated Eighth Street – Jamie Dean. Charlie and Jamie Dean both spoke. They were concerned about vehicles driving by their house on the vacated street that is on the south side of their property. It is private property with an easement for utilities etc. They understand why the City and Tall Grass use the vacated street but there is way too much public use. They have grandchildren at their house frequently and are afraid for their safety. They are requesting to put up an unlocked gate on the west end of their property on the vacated street at their expense.

The City was under the impression they wanted to put up a locked gate at the east end of the vacated street (near Lincoln Street).

Motion by Clements, second by Stahlecker to allow an unlocked gate on the west end of their property line and paid by the owner. There being no further discussion upon the motion made, the following voted yes: Stahlecker. Voting no: Moulton. Davis was absent. Mayor Haeker voted yes. Motion carried.

Mayor opened the floor to discuss city administration. Jamie Dean addressed the Council. She said her and her husband had been trying to get answers from the City about the possibility of a gate. Jamie said the administrator had spoken to her just fine but she was upset hearing how he had talked to Charlie. She would like for the administrator of the City to listen and be kinder.

Mayor Haeker said there are two sides to every story. He suggested next time to follow the chain of command. If they were unhappy or didn't get results from the city office, they should take it up with him, the mayor.

Jamie Dean also said she would like to be able to move the gas meter at their own cost.

Mayor opened the floor to the Budget Hearing for Fiscal Year 2018-2019 at 6:10 pm. He then asked if there was any support, opposition, criticism, suggestions or observations relating to the proposed budget. Administrator Wilson said he had reviewed the final budget documents and the recommended changes discussed at the budget workshop on Monday, July 23, 2018 have been made.

Mayor ask if there was any more discussion? There were no comments.

Mayor then closed the budget hearing at 6:12 pm.

Councilman Clements stated he would like to make a motion to adopt the fiscal year 2018-2019 budget ending September 30, 2019 including the total expenditures for each fund as listed on the budget forms as presented, and property tax requests in the following amounts: General Fund - \$223,289.79 and Principal and Interest on Bonds of \$79,790.00 for a total of \$303,079.79. Councilman Moulton seconded the motion.

Mayor asked if there was any further discussion. There were no comments. He then requested a roll call vote: Clements – yes, Moulton – yes, Stahlecker-yes and Davis-absent. Motion carried.

Mayor then opened the special hearing to set the final tax request at 6:13 pm. He inquired if there was any support, opposition, criticism, suggestions, or observations relating to setting the final tax request in the amount of \$303,079.79 which is \$9,674.79 more than Last fiscal year. The levy decreased slightly from .522408 to .522407. There were no comments. Mayor asked if there was any further discussion. There were no additional comments. He then closed the special hearing at 6:14 pm.

Councilman Stahlecker made a motion to set the tax request in the amount of \$303,079.79 and to set the City of Alma's levy for 2018-2019 at 0.522407. Councilman Clements seconded. Mayor asked if there was any further discussion and then called for a roll call vote: Moulton-yes, Stahlecker-yes, Clements and Davis-absent. Motion carried.

Mayor Haeker opened the floor to approve Ordinance 2018-30 – An Ordinance to Adopt the Budget Statement to be termed the Annual Appropriation Bill and to provide an effective date. Councilman Clements introduced Ordinance 2018-30 as follows: AN ORDINANCE OF THE CITY OF ALMA, NEBRASKA TO ADOPT THE BUDGET STATEMENT TO BE TERMED THE ANNUAL APPROPRIATION BILL; TO APPROPRIATE SUMS FOR NECESSARY EXPENSES AND LIABILITIES AND TO PROVIDE FOR AN EFFECTIVE DATE and moved that the statutory rule requiring reading on three different dates be suspended. Council Member Stahlecker seconded the motion to suspend the rules and upon the motion; the following Council Members voted Yes: Clements, Stahlecker 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. The ordinance was then read by title and thereafter Council Member Moulton moved for final passage and said motion was seconded by Council Member Clements. The Mayor then stated the question, Shall Ordinance 2018-30 be passed and adopted? Upon roll call vote, the following Council members voted Yes: Moulton, Clements and Stahlecker. The following voted No: None.

The passage and adoption of the ordinance having been concurred in by a majority of all members of the Council, the Mayor declared ordinance 2018-30 adopted; and the Mayor in the presence of the City Council signed and approved the ordinance. A true and complete copy of the ordinance is attached hereto and incorporated by reference.

Mayor opened the floor to review/ratify/approve recommendations of the Housing Rehab Committee. Clerk Tripe said the City of Alma's Housing Rehab Board met to review two applications. The first one was applicant HR-01. HR-01 had previously been approved for only \$22,900 rather than \$25,000 due to the value of the home after REHAB. CDS Inspections & Beyond investigated the situation further

and found out there is no after REHAB limit so they are eligible for up to \$25,000. Applicant HR-06 was reviewed. The Housing Rehab Board's only concern about this applicant is there are so many things that need done, they doubted all items could be done within the \$25,000 limit. But, after all the estimates are received, should this applicant exceed the \$25,000 limit, then the project will not move forward. The Housing Rehab Board had unanimously voted yes to recommend to the City Council that both applications be approved.

Motion by Stahlecker, second by Moulton to approve the recommendations of the Housing Rehab Committee for both HR-01 and HR-06 applications. There being no further discussion upon the motion made, the following voted yes: Stahlecker, Moulton and Clements. Voting no: None. Motion carried.

Mayor opened the floor to consider and possibly approve a request from Alma Development Corporation for the 2017-18 annual contribution. Christopher Tripe and Bill Hogeland from the Alma Development Corporation (ADC) were present. Chris addressed the Council. He said the ADC has recently reorganized. A couple of areas they want to work on are 1) Workforce Housing – where there is housing for workers, industry and businesses will come, and 2) Promote the ADC – work on visibility and promoting membership. He was asked for an update on the dental clinic. He said there is presently about \$18,000 remaining on the dental clinic loan. Their hope is the dentist will continue to rent which would finish paying off the loan in about 2 years and then the rent payment can be used for further investing in the community. This past year they used some of the contribution funds to help with the new medical clinic and also purchased some shares in Alma Livestock. Motion by Clements, second by Stahlecker to approve the request from Alma Development Corporation for the 2017-18 contribution. There being no further discussion upon the motion made, the following voted yes: Clements, Stahlecker and Moulton. Voting no: None. Motion carried.

Mayor Haeker opened the floor to consider and possibly approve three separate Resolutions for Filing a Special Lien Assessment for properties at 1) 412 First St 2) 404 Main St and 3) 211 Kennedy St. Mayor Haeker said he was notified that the third property is being tabled. Administrator Wilson said both liens are for mowing yards to abate a nuisance. Motion made by Clements, seconded by Moulton to approve Resolution 25-2018 as follows:

WHEREAS; the City of Alma declared that a nuisance exists on property located at 412 1st Street in the City of Alma, Nebraska on July 24, 2018; and

WHEREAS; the City of Alma sent a Notice to abate the nuisance to the property owner, Bryan H. Ransdell, by United States Mail, and posted Notice on the property on July 24, 2018, as required by Alma Municipal Code Section 130.13. The City further notified the property owner 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 July 31, 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 their property; and

WHEREAS; the property owner, Bryan H. 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 \$150.00 to the owner, Bryan H. Ransdell, on August 23, 2018 for costs in hiring Sod's Lawn Service and also mailed a letter to the property owner on August 23, 2018 regarding the unpaid Invoice; and

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

Lots Thirteen (13), Fourteen (14) and Fifteen (15), Block Eight (8), Original Town 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 mowing the above referenced property in the amount of \$150.00 should be levied as a Special Assessment against the real estate with a street address of 412 1st Street and a legal description as follows:  
Lots Thirteen (13), Fourteen (14) and Fifteen (15), Block Eight (8), Original Town of 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 and upon roll call vote, the following voted yes: Clements, Moulton and Stahlecker. Voting no: None. Resolution 25-2018 was approved.

Motion made by Clements, seconded by Stahlecker to approve Resolution 26-2018 as follows:

WHEREAS; the City of Alma declared that a nuisance exists on the property located at 404 Main Street in the City of Alma, Nebraska on July 30, 2018; and

WHEREAS; the City of Alma sent a Notice to abate the nuisance to the property owner, Linda Harouff, by United States Mail, and posted Notice on the property on July 30, 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 August 6, 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 owner, Linda Harouff, 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 \$150.00 to the owner, Linda Harouff, on August 23, 2018 for costs in hiring Sod's Lawn Service and also mailed a letter to the property owner on August 23, 2018 regarding the unpaid Invoice; and

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

Lots Twenty-One (21) and Twenty-Two (22), Block Nine (9), Original Town 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 mowing the above referenced property in the amount of \$150.00 should be levied as a Special Assessment against the real estate with a street address of 404 Main Street and a legal description as follows:  
Lots Twenty-One (21) and Twenty-Two (22), Block Nine (9), Original Town of 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 and upon roll call vote, the following voted yes: Clements, Stahlecker and Moulton. Voting no: None. Resolution 26-2018 was approved.

Mayor opened the floor to consider and possibly approve Resolution 29-2018 – A natural gas pipeline crossing agreement with Nebraska, Kansas & Colorado LLC. Attorney Walker has been having a difficult time connecting with his contact at OmniTRAX to request his recommended changes and to finalize this agreement. He was able to get the deadline date of August 31, 2018 pushed to September 6, 2018. He was also able to get a copy of the signed deed showing title of the property. It has not been recorded yet. He was also able to lower the fee of both the water and natural gas from a total of \$6,250 to \$2,500 and reduced the liability limits from one million to \$500,000. The railroad also wants to be listed as a beneficiary on the liability insurance. He has made the changes to the agreements and is ready to

present them to the Council.

Motion by Stahlecker, seconded by Clements to approve Resolution 29-2018 - A Natural Gas Pipeline Crossing Agreement with the Nebraska, Kansas & Colorado LLC railroad as follows:

WHEREAS; the City of Alma needs to extend City services regarding the recent annexation to the City north of the railroad tracks; and

WHEREAS; the City of Alma contacted the Nebraska, Kansas & Colorado Railway, LLC to obtain permission for the City of Alma to install a natural gas pipeline crossing under the railroad; and

WHEREAS; Nebraska, Kansas & Colorado Railway, LLC has provided a pipeline crossing agreement which cites further terms for the installation of a pipeline.

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

1. The Pipe Line Crossing Agreement prepared by Nebraska, Kansas & Colorado Railway, LLC, with terms and conditions for installing a 2.375-inch diameter natural gas pipe line crossing under the Railway's property is approved.
2. That the Mayor of the City of Alma is hereby authorized to sign the Pipe Line Crossing License and any other necessary documents on behalf of the City.

There being no further discussion upon the motion made, the following voted yes: Stahlecker, Clements and Moulton. Voting no: None. Resolution 29-2018 was approved.

Motion by Clements, second by Moulton to approve Resolution 30-2018 – A Water Main Crossing Agreement with the Nebraska, Kansas & Colorado LLC railroad as follows:

WHEREAS; the City of Alma needs to extend City services regarding the recent annexation to the City north of the railroad tracks; and

WHEREAS; the City of Alma contacted the Nebraska, Kansas & Colorado Railway, LLC to obtain permission for the City of Alma to install a water pipeline crossing under the railroad; and

WHEREAS; Nebraska, Kansas & Colorado Railway, LLC has provided a pipeline crossing agreement which cites further terms for the installation of a pipeline.

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

1. The Pipe Line Crossing Agreement prepared by Nebraska, Kansas & Colorado Railway, LLC, with terms and conditions for installing a 14-inch diameter water pipe line crossing under the Railway's property is approved.
2. That the Mayor of the City of Alma is hereby authorized to sign the Pipe Line Crossing License and any other necessary documents on behalf of the City.

There being no further discussion upon the motion made, the following voted yes: Clements, Moulton and Stahlecker. Voting no: None. Resolution 30-2018 was approved.

Mayor Haeker opened the floor for administrator comments. Administrator Wilson is continuing to post properties for weeds. He recently had 2 more yards mowed by hired contractors. The supplier of street light poles has pushed back the delivery of the poles again. NPPD said they are waiting for poles all over the State. Mr. Wilson has been working on the City's new website. His plan is to have it operational within a few weeks. C.R.A.K.E Training by State Patrol went well. Good turnout. The plan is to have the training again later this fall.

Mr. Wilson was contacted by a gentleman from Brockway, Pennsylvania. He came to Alma and met with Teri Bach, Chris Tripe, and himself. He asked what the City and community did to keep Alma such a nice place to live and how they kept it thriving. They discussed everything from nuisances to the 4th of July events. His community is a little larger than Alma. He read about Alma in Rural Nebraska Living and saw many similarities between the communities. It was interesting to share notes with someone so far away and find out they have pretty much the same issues as we do.

Mayor Haeker opened the floor to comments from the Mayor, Councilmen, and City Staff. Clerk Tripe said the Planning Commission will be reviewing the Preliminary Plat of the Western Sky Properties Council Minutes 9.5.18

housing subdivision and the Final Plat of Phase I. She asked to see if any of the council will be attending. She would post for the Council if there was a quorum.

Councilman Clements said he really appreciates all the work that Doug Wilson does for the City. He understands it can be a very difficult job.

Motion made by Moulton, second by Clements to adjourn the meeting at 6:40 PM. There being no further discussion upon the motion made and upon roll call vote, the following voted yes: Moulton, Clements, and Stahlecker. Voting no: None. Meeting was adjourned at 6:40 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

Almquist Maltzahn Galloway & Luth 2018- 2019 Budget Preparation \$3,650; A Moore Utility Deposit Refund \$3.74; Aramark Uniforms \$127.05; AutoKreations Body Shop TIF Reim- bursement \$1,635.05; Banner Capital Bank Park Mower Interest \$338.44; Banner Capital Bank Pool Slide Interest \$22,499.89; Cash Wa Dist Food Trays \$329.79; Ches- terman Co Pop \$352.50; C Bucher Utility Refund \$30.67; CHS Agri Service Center Mower fuel \$1,411.61; City Alma Utilities \$4,198.28	Machine \$225.86; Fast- Signs Office Sign \$31.83; First State Bank – Alma ACH Fee \$102.50; Frito Lay chips & peanuts \$90.67; Frontier phone \$129.88; Gotta Go Septic Pump- ing \$300; Graphic Arts Shop Proximity Cards \$168; Harlan County Law Enforcement – August \$3,468; Harlan County Sheriff's Office Civil Papers Served - Jamie Dean \$18.50; Hoesch Memorial Library Great Plains Series - Janet Nitsick \$78.45; Hogeland's Market Bleach, Toilet Tissue \$154.75; Home- town Leasing Sharp Copy Machine \$194.62;	Reduction & Recycling Fee \$25; Nebraska Lock & Key Lock Ser- vice Call City Office \$86; NEland Dist Beer \$534.63; Nex-Tech Comm Monthly Tech- nology Charges \$694.50; NPPD Well \$5,690.22; Olsson Assoc Phase 300 Final Platting Services \$2,400; One Call Concepts 17 Locates \$17.04; Payroll Benefits \$29,775.30; Republic Natl Dist Co Liquor \$1,467.05; Ricky Lee Farms Mowing - 206 East \$95; S & W Auto Parts Toolcat - Fuel Filter \$246.15; Sandra K Davis Cleaning - Aug \$195; Short Stop fuel
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<p>City of Holdrege Landfill Fees \$1,380.58; Clinch Enterprises Paper Towels \$38.95; Dollar General supplies \$55.40; Don Christensen Sidewalk Cost Share \$1,200; Don Mietzner Utility Refund \$105.31; Dragonfly Desserts Refreshments - State Patrol Training \$70; Duncan, Walker, Schenker &amp; Daake Legal Services - July &amp; Aug \$3,500; Eagle Comm Cable \$390.85; Eagle Dist Beer \$1,560.95; Eakes Copy</p>	<p>Ingram Feed &amp; Seed Pole Saw \$573.49; Johnson Bros Liquor \$224.16; Johnson Hardware Compost Lock \$71.47; League of NE Muni League Utilities Section Dues \$760; LINWELD Specialty Gas \$32.51; M A R C Lift Station Cleaner \$365.91; Main Street Variety Cups Lids Paper Bag Post its tape staples \$197.55; Matt Nissen TIF Reimbursement \$1,264.54; NE Dept of Rev Waste</p>	<p>\$240.13; Southern Glazers Liquor \$359.98; Tripe Motor Co UPS fee ITRON \$641.97; Trustworthy Hardware Bulbs Valve Broom \$130.05; USTI Agency Fees \$13.14; Van Diest Supply Anvil 2 &amp; 2 ULV \$1,058.10; Van Wall Turf Fuel Guage \$220.90; Verizon Cell \$281.52; Warren-T Plumbing Services Televiser Sewer - Kauk Avenue north \$202.50; TOTAL \$95,705.93;</p>
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