

A regular meeting of the Mayor and the City Council of O'Neill was held at the City Hall in said City on the 7th day of October, 2024 at 6:30 P.M.

Present: Mayor Scott Menish, City Clerk/Treasurer Sarah Sidak, City Attorney Boyd Strobe, and Council members; Kayla Burdick, Michelle Liewer, Susie Kramer, Quana Wheeler and Beth Walsh. Absent: Council President Tim Schneider and Council members: Paul Asche and Tim Gleason.

Notice of this meeting was given in advance thereof according to Section 84-1408 of the Revised Statutes of Nebraska. Notice of the meeting was given to the Mayor and all members of the Council and a copy of the acknowledgement of receipt of notice and the agenda is attached to the minutes. Availability of the agenda was communicated in the advance notice. All proceedings hereafter shown were taken while convened meeting was open to the attendance of the public.

The meeting was called to order by Mayor Scott Menish. The Pledge of Allegiance was recited. Mayor Menish informed the public of the location of the Open Meetings Act poster.

Moved by Kramer, second by Wheeler to waive the readings of the minutes of the September 9th meeting and approve them as if read. Roll call vote as follows: Aye; Wheeler, Liewer, Kramer and Walsh. Nay: Burdick. Absent: Schneider, Gleason and Asche. Motion carried.

Moved by Kramer, second by Liewer to approve Bright Horizons painting the Shamrock purple for domestic violence awareness month in October with the condition that they paint it back to green by November 15, 2024 weather permitting. Roll call vote as follows: All Ayes. Motion carried.

Moved by Walsh, second by Burdick to open the public hearing for Mule LLC, DBA Coppertown Distillery Class Z Micro Distillery Liquor License request at 215 E Douglas Street. Roll call vote as follows: All Ayes. Motion carried.

No public comment was made for or against the liquor license request.

Moved by Walsh, second by Wheeler to close the public hearing. Roll call vote as follows: All Ayes. Motion carried.

Moved by Wheeler, second by Liewer to approve Mule LLC, DBA Coppertown Distillery Class Z Micro Distillery Liquor License request at 215 E Douglas Street. Roll call vote as follows: All Ayes. Motion carried.

Moved by Burdick, second by Liewer to open the public hearing for Pamela Taylor, DBA Larry's Package Class D Liquor License request at 322 E Fremont Street. Roll call vote as follows: All Ayes. Motion carried.

No public comment was made for or against the liquor license request.

Moved by Walsh, second by Wheeler to close the public hearing. Roll call vote as follows: All Ayes. Motion carried.

Moved by Kramer, second by Wheeler to approve Pamela Taylor, DBA Larry's Package Class D Liquor License request at 322 E Fremont Street. Roll call vote as follows: All Ayes. Motion carried.

Moved by Walsh, second by Liewer to open the public hearing for the Michelle Fischer Conditional Use Request for a hair salon at 814 ½ E Benton. Roll call vote as follows: All Ayes. Motion carried.

City Clerk Sidak informed the Council that the Planning Commission had conducted a public hearing and approved the Conditional Use Request as submitted.

No public comment was made for or against the Conditional Use Request.

Moved by Wheeler, second by Walsh to close the public hearing. Roll call vote as follows: All Ayes. Motion carried.

Moved by Burdick, second by Liewer to approve the Michelle Fischer Conditional Use Request for a hair salon at 814 ½ E Benton as submitted. Roll call vote as follows: All Ayes. Motion carried.

Moved by Burdick, second by Kramer to approve Lauren Kozyra for the O'Neill Library Board to replace Kathy Benson after her resignation. Roll call vote as follows: All Ayes. Motion carried.

Council member Wheeler introduced and moved to adopt Resolution No. 24-11, which is on file with the City Clerk.

LESSEE RESOLUTION 24-11

Re: Master Lease Purchase Agreement dated as of 9/18/24, between Lease Servicing Center, Inc. dba NCL Government Capital (Lessor) and City of O'Neill (Lessee) and Schedule No. 001 thereto dated as of September 18, 2024.

At a duly called meeting of the Governing Body of the Lessee (as defined in the Agreement) held on October 7, 2024 the following resolution was introduced and adopted:

BE IT RESOLVED by the Governing Body of Lessee as follows:

- Determination of Need.** The Governing Body of Lessee has determined that a true and very real need exists for the acquisition of the Equipment described on Exhibit A of Schedule No. 001 to the Master Lease Purchase Agreement dated as of 9/18/24, between City of O'Neill (Lessee) and Lease Servicing Center, Inc. dba NCL Government Capital (Lessor).
- Approval and Authorization.** The Governing Body of Lessee has determined that the Agreement and Schedule, substantially in the form presented to this meeting, are in the best interests of the Lessee for the acquisition of such Equipment, and the Governing Body hereby approves the entering into of the Agreement and Schedule by the Lessee and hereby designates and authorizes the following person(s) to execute and deliver the Agreement and Schedule on Lessee's behalf with such changes thereto as such

person(s) deem(s) appropriate, and any related documents, including any Escrow Agreement, necessary to the consummation of the transaction contemplated by the Agreement and schedule. City of O'Neill is authorized to enter the lease/purchase financing with Lease Servicing Center, Inc. dba NCL Government Capital to finance their one (1) Case 721G2ZBAR Wheel Loader from Titan Machinery in the amount of \$209,720.00 with 6 annual payments of \$41,289.25.

Authorized Individual(s): Greg Walters - Street Supervisor
(Printed or Typed Name and Title of individual(s) authorized to execute the Agreement)

3. Adoption of Resolution. The signatures below from the designated individuals from the Governing Body of the Lessee evidence the adoption by the Governing Body of this Resolution.

By: _____
(Signature of Secretary, Board Chairman or other member of the Governing Body)

Print Name: Scott Menish **Title:** Mayor
(Print name of individual who signed directly above) (Title of individual who signed directly above)

Attested By: _____
(Signature of one additional person who can witness the passage of this Resolution)

Print Name: Sarah Sidak **Title:** City Clerk/Treasurer
(Print name of individual who signed directly above) (Title of individual who signed directly above)

Second by Walsh to adopt Resolution No. 24-11. Roll call vote as follows: All Ayes. Motion carried.

Moved by Wheeler, second by Liewer to approve the purchase of a budgeted motor grader for the Street Department through John Deere. Roll call vote as follows: All Ayes. Motion carried.

Council member Burdick discussed with the Council that she is working on a recycling initiative.

Moved by Wheeler, second by Walsh to approve advertising for sealed bids for a pickup that is budgeted for the Water Department. Roll call vote as follows: All Ayes. Motion carried.

The Council tabled approving the Ordinance to confirm current police officer appointments.

Moved by Wheeler, second by Liewer to approve advertising for sealed bids for the construction of a garage for the Police Department. Roll call vote as follows: Aye; Wheeler, Liewer, Kramer and Walsh. Nay: Burdick. Absent: Schneider, Gleason and Asche. Motion carried.

Police Chief Otte made the recommendation to the Council that at this time installing a slow children at play sign was not necessary on Fairway Drive.

Moved by Wheeler, second by Walsh to approve PIP-LB840-194 for new windows in the amount of \$5,364.50, PIP-LB840-195 for demolition in the amount of \$17,650.00. Roll call vote as follows: All Ayes. Motion carried.

Moved by Walsh, second by Kramer to approve the Treasurer's Report. Roll call vote as follows: All Ayes. Motion carried.

Moved by Kramer, second by Liewer to approve the bill submitted at this meeting by O'Neill Lumber. Roll call vote as follows: All Ayes. Motion carried.

Moved by Wheeler, second by Walsh to approve the remaining bills. Roll call vote as follows: All Ayes. Motion carried.

ALL FUNDS

Payroll, salary	154,425.79	FED & FICA, tax	35,984.86
American Family, ins	1,772.04	Black Hills Energy, util	407.04
BlueCrossBlueShield, ins	51,370.82	Bomgaars, su	375.61
Colonial Life, ins	1,083.44	Guardian, ins	1,332.12
John Hancock, pension	8,254.66	NE Dept. of Revenue, tax	5,202.55
NPPD, util	20,939.49	NT&T, phone	856.59
Quadient Finance, postage	1,000.00	Ranchland Auto, su	403.17
Reiser Ins, ins	310,816.00	Unum, ins	230.60
Verizon, phone	670.60	Wex Bank, fuel	5,823.58

GENERAL FUND

Alder Plumbing, ser	1,409.96	Appeara, su	531.60
AT&T Mobility, ser	175.26	Bound Tree, su	127.49
Carhart, su	574.84	Century Link, phone	63.13
CNEDD, dues	5,729.60	Cole Redi Mix, su	216.25
Contingent Fund, su	52.00	Dana Cole, pmt	4,900.00
Danko, su	3,602.82	Dearborn Life, ins	79.12
Emme Sand & Gravel, su	441.20	Fire Protection, ser	250.00
Flint Hills, su	2,416.95	Floor Maintenance, su	294.50
GreatAmerica Finance, ser	218.25	HCED, dues	25,413.00
Holt Co Independent, ad	648.00	Island Supply, su	198.15
KBRX, ad	15.00	Krier Tech, su	1,929.00
LB840 Fund, pmt	36,559.16	LONM, dues	9,599.00
McIntosh Jewelry, ser	10.00	Neil's Pest Control, ser	180.00
Ogden's, su	212.45	One Office, su	134.97
O'Neill Lumber, su	39.04	Precision IT, fees	59.50
Dori Rich, clean	885.00	Strope Law, fees	531.00
Torpin's, su	17.84	VSP, ins	54.43
Mike Walker, ser	100.00		

POLICE FUND

AT&T Mobility, ser	38.05	Century Link, phone	75.17
Contingent Fund, su	7.73	GreatAmerica Finance, ser	129.00
Holt Co 4Paws, ser	300.00	Marvin Miksch, ser	762.88
NE Law Enforcement, fee	80.00	Ogden's, su	36.99
O'Neill Car Wash, ser	82.44	Quill, su	85.35
Gracie Rock, pmt	36.00	Strope Law, fees	105.00
Raymond Yoxall, fees	87.50		

STREET FUND

Appeara, su	246.57	Barco, su	85.60
BOK Financial, pmt	133,237.50	Breiner Welding, ser	13.48
Cole Redi Mix, su	181.00	Contingent Fund, su	151.91
Cubby's, fuel	497.40	Emme Sand & Gravel, su	2,351.83
Great Plains Small Engine, su	58.10	Heartland Hydraulics, su	277.25
Kinetic Leasing, pmt	57,955.35	Lease Ser Center, pmt	500.00
NE Truck Center, ser	2,490.89	Newman, su	44.14
NSG Logistics, su	2,143.11	Ogden's, su	35.95
O'Neill Lumber, su	11.38	Titan Machinery, su	211.40

SEWER FUND

Cubby's, fuel	75.71	Farmer's Pride, fuel	177.56
Grainger, su	13.28	HACH, su	292.38
LONM, dues	629.50	Midwest Lab, su	352.57
NE Depart of Rev, fee	25.00	NE Water Environment, fee	235.00
Olsson, fees	719.35	O'Neill Electric, ser	404.48
Smoke It Up Welding, ser	11.50	Stadium Sports, su	120.00
VSP, ins	39.45		

WATER FUND

City Utility Deposit, re	1,840.00	Connot Tire, su	501.74
Cubby's, fuel	75.72	Farmer's Pride, fuel	177.56

FedEx, ser	162.56	Grainger, su	13.28
Lincoln Winwater, su	3,891.59	LONM, dues	629.50
Metering & Technology, ser	10,868.27	Monument Inn, room	361.50
Municipal Supply, su	1,755.13	NE Public Health, tests	862.00
NE Rural Water, fee	275.00	NE Water Environment, fee	235.00
Olsson, fees	4,713.92	Smoke It Up Welding, ser	11.50
Stadium Sports, su	120.00	Torpin's, su	10.98
Viking, ser	2,000.00		
<u>SOLID WASTE FUND</u>			
Butler Co. Landfill, fee	47,769.05	Credit Management, fees	873.14
Cubby's, fuel	705.01	Holt Co Independent, ad	151.05
Linweld, su	44.47	NE DEE, fee	2,250.00
Niobrara Valley, util	683.72	O'Neill Shopper, ad	50.00
Dori Rich, clean	300.00	VSP, ins	24.47
<u>LB840</u>			
KBRX, ad	15.00		

QUANA WHEELER, WARD III
PAUL ASCHE, WARD III

Moved by Wheeler, second by Kramer to adjourn. Roll call vote as follows: All Ayes. Motion carried.

The meeting was adjourned at 7:14 P.M.

SCOTT MENISH, MAYOR

ATTEST:
(SEAL)

SARAH SIDAK, CITY CLERK/TREASURER
