

A regular meeting of the Mayor and the City Council of O'Neill was held at the City Hall in said City on the 5th day of January, 2026 at 6:30 P.M.

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

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 Council President Quana Wheeler. The Pledge of Allegiance was recited. Council President Wheeler informed the public of the location of the Open Meetings Act poster.

Moved by Gleason, second by Asche to waive the reading of the minutes of the December 8th meeting and approve them as if read. Roll call vote as follows: All Ayes. Motion carried.

Matt Fritz, General Manager of Niobrara Valley Electric, informed the Council of a possible bitcoin mining operation coming to the O'Neill area. It would be located on their property on the East edge of O'Neill.

Council member Asche introduced a Resolution of Necessity No. 26-01, which is on file with the City Clerk.

RESOLUTION OF NECESSITY 26-01

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF O'NEILL, NEBRASKA:

Section 1. The Mayor and City Council (the "**Council**") of the City of O'Neill, Nebraska (the "**City**") deem and declare it advisable and necessary to make certain improvements to the existing sanitary sewer system of the City, including cleaning the system's anaerobic digester and replacing its cover and lining. The Council further finds that said improvements will constitute a general public improvement within said City which may properly be financed by the issuance of general obligation bonds of said City.

Section 2. The sanitary sewer improvements described herein shall be constructed in accordance with the plans and specifications prepared by the engineers for the City. Reference is hereby made to said plans and specifications, which plans, specifications and estimate of cost have been filed with the City Clerk and are hereby approved and adopted.

Section 3. For the purpose of constructing the proposed improvements there is hereby created in the City a sanitary sewer district to be known and designated as Sanitary Sewer District No. 2026-01, the outer boundaries of which coincide with and are the same as the outer boundaries of the City.

Section 4. To pay the cost of the improvements herein provided for, the Council shall have the power, after such improvements have been completed and accepted by the City, to cause to be issued the negotiable bonds of the City to be called 'Sanitary Sewer Bonds'. All of the said improvements are declared to be general public improvements and not local improvements and for the benefit of all the property in the City alike; and all of said improvements are found and declared to be necessary and proper to furnish a sanitary sewer system for said City.

Section 5. The special engineers' estimate of the cost, is \$1,350,000.

Section 6. A hearing on this Resolution shall be held in the City Hall building located at City Hall, 401 East Fremont Street, O'Neill, Nebraska, during a meeting held on February 2, 2026 commencing 6:30 p.m. The Clerk is directed to publish notice of said hearing in the *Holt County Independent*, or such other legal newspaper of general circulation in the City, the weeks of January 19 and January 26, 2026 (or such other days as determined in accordance with Section 17-914, Reissue Revised Statutes of Nebraska, as amended).

PASSED AND APPROVED this 5th day of January, 2026.

QUANA WHEELER, COUNCIL PRESIDENT

ATTEST:

SARAH SIDAK, CITY CLERK/TREASURER

Moved by Asche, second by Gleason to adopt the Necessity of Resolution 26-01 and that notice thereof by posted as required by law. Roll call vote as follows: Aye; Asche, Wheeler, Liewer, Laursen, Gleason and Walsh. Nay: Burdick. Absent: Schneider Motion carried.

Council member Walsh introduced Resolution No. 26-02, which is on file with the City Clerk.

RESOLUTION NO. 26-02

OF THE

CITY OF O'NEILL, NEBRASKA

A RESOLUTION OF THE CITY OF O'NEILL, HOLT COUNTY, NEBRASKA,
AUTHORIZING AND DIRECTING THAT A BALLOT ISSUE BE PLACED ON THE
PRIMARY ELECTION ON MAY 12, 2026 FOR CONSIDERATION BY THE
ELECTORS OF THIS MUNICIPALITY TO CONSIDER THE CONTINUATION OF
THE O'NEILL ECONOMIC DEVELOPMENT PROGRAM AS PRESENTED PURSUANT
TO THE LOCAL OPTION MUNICIPAL ECONOMIC DEVELOPMENT ACT.

WHEREAS, the growth of the economy of the City of O'Neill is critical to the city's ability to grow and prosper in the future; and

WHEREAS, it is vital for O'Neill to develop techniques that will encourage this necessary economic growth; and

WHEREAS, the Nebraska Legislature adopted the Local Option Municipal Economic Development Act giving cities the opportunity to use locally derived municipal revenues for economic and industrial development purposes; and

WHEREAS, this plan by state statute must include specific components, including the statement of a general economic development strategy; a statement of purpose of describing general intent and goals; a description of the types of

businesses and activities that will be eligible for assistance under the program; a description of the amount of funds to be collected from local sources; a statement of the length of time that the program will be in existence; a preliminary budget for the program; an application process for financial assistance to businesses; an administrative system for the program; a process to assure that laws and regulations are being met by municipalities and businesses; a process by which industrial lands might be identified for option and purchase; and a description of various detailed aspects of an economic development loan program; and

WHEREAS, to satisfy these requirements, the City of O'Neill has caused the completion of The O'Neill Economic Development Program that meets these statutory requirements and presents a program that is appropriate to the needs of the community; and

WHEREAS, the Mayor and City Council desire to proceed with a local option municipal economic development program based upon this plan;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF O'NEILL THAT:

1. The attached Economic Development Program is incorporated by this reference and is adopted as the official Economic Development Program for the City of O'Neill, pursuant to the requirements of Neb Rev Stat Section 18-2710; and

2. This Plan shall be maintained on file with the City Clerk, who shall make it available for the public to review during regular business hours; and

3. It is the intent of the Mayor and City Council to place approval of the local

option economic development program to continue this Plan before the voters of the City of O'Neill on May 12, 2026; and

4. The County Clerk of Holt County,

Nebraska, is directed to submit to the voters of said City the following proposition:

Issue #1

- A. The purpose and goals of the program are to continue its economic development program, the purposes and goals of which will be: to create jobs/generate employment opportunities, to expand labor markets, to expand retail opportunities, and to increase the number of households in the City of O'Neill and Holt County; to attract new capital investment to the community and establish stability and vitality for the community of O'Neill and the surrounding area.
- B. Funds for the program may be used for developing small businesses and expansions thereof, recruiting qualifying businesses into the area, purchasing real estate or options for real estate, demolition of commercial and residential properties, development of housing related programs, creating a revolving loan fund, and conducting all other economic development activities allowable under Nebraska Law determined to be beneficial to the City of O'Neill and surrounding area.
- C. The Program shall commence October 1, 2027, and end September 30, 2042, a fifteen (15) year period.
- D. Collection of funds shall begin October 1, 2027, and end September 30, 2042.
- E. The source from which funds are to be collected shall

be from a $\frac{1}{2}$ percent City Local Option Sales Tax.

F. The total amount to be collected from the local sources of revenue for the Economic Development Program will be one-half percent of sales and use fees which is expected to generate approximately \$240,000.00 per year over a 15 year period for an estimated total of \$4,800,000.00, but the total amount to be collected can be up to the amount allowed by Nebraska Statutes for a $\frac{1}{2}$ percent sales and use tax.

Shall the City of O'Neill continue its Economic Development Program by appropriating annually from local sources of revenue a one-half percent sales and use tax which will generate funds not to exceed 0.4 of one percent of the city valuation for 15 years.

YES (For the Program)

NO (Against the Program)

Voters desiring to vote in favor of the question shall mark the oval preceding the words "YES (For the Program) and

Voters desiring to vote against the question will mark the oval preceding the words, "NO (Against the Program) .

PASSED AND APPROVED this 5TH day of January, 2026.

QUANA WHEELER, COUNCIL PRESIDENT

ATTEST:

(SEAL)

SARAH SIDAK, CITY CLERK/TREASURER

Moved by Walsh, second by Wheeler to adopt Resolution No. 26-02. Roll call vote as follows: All Ayes. Motion carried.

Council member Wheeler introduced Resolution No. 26-03, which is on file with the City Clerk.

RESOLUTION NO. 26-03

OF THE

CITY OF O'NEILL, NEBRASKA

A RESOLUTION OF THE CITY OF O'NEILL, HOLT COUNTY, NEBRASKA,

DIRECTING THAT A BALLOT ISSUE BE PLACED ON THE PRIMARY ELECTION ON MAY 12, 2026 FOR CONSIDERATION BY THE ELECTORS OF THE CITY OF O'NEILL TO CONSIDER THE USE OF LOCAL OPTION REVENUE ACT SALES REVENUE TO FUND THE O'NEILL ECONOMIC DEVELOPMENT PROGRAM, PURSUANT TO THE LOCAL OPTION MUNICIPAL ECONOMIC DEVELOPMENT ACT.

WHEREAS, the O'Neill City Council has approved the O'Neill Economic Development Program, as authorized in the Local Option Municipal Economic Development Act; and

WHEREAS, the Local Option Municipal Economic Development Act authorizes the city to utilize Local Option Revenue Act sales tax for funding said economic development program upon approval of the electors of the city; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF O'NEILL, HOLT COUNTY, NEBRASKA AS FOLLOWS:

1. There shall be submitted to the electors of the City of O'Neill, Holt County, Nebraska, at the primary election to be held May 12, 2026, the issue of whether the City of O'Neill should adopt an ordinance authorizing the use of approximately \$240,000.00 per year, not to exceed .4 of one percent of the City valuation for 15 years of the Local Option Revenue Act sales tax to fund the O'Neill Economic Development Program.

2. That the County Clerk of Holt County, Nebraska, is directed to submit to the electors of O'Neill, Holt County, Nebraska the following proposition:

Issue #2

Shall the Governing Body of the City of O'Neill, Nebraska impose a sales and use tax of one-half percent (½%) upon the same transactions within the City of O'Neill on which the State

of Nebraska is authorized to impose a tax:

With the proceeds of one-half percent being allocated to fund the O'Neill, Nebraska Economic Development Program beginning October 1, 2027, and ending September 30, 2042.

YES (For the Program)

NO (Against the Program)

Voters desiring to vote in favor of the question shall mark the oval preceding the words "YES (For the Program) and Voters desiring to vote against the question will mark the oval preceding the words, "NO (Against the Program).

PASSED AND APPROVED this 5th day of January, 2026.

QUANA WHEELER, COUNCIL PRESIDENT

ATTEST:

(SEAL)

SARAH SIDAK, CITY CLERK/TREASURER

Moved by Wheeler, second by Asche to adopt Resolution No. 26-03. Roll call vote as follows: All Ayes. Motion carried.

The Council did not take any action and tabled until the February 2nd meeting adding the East, West and North Welcome to O'Neill signs to their insurance until they can look over the contracts.

Moved by Walsh, second by Burdick to open the public hearing for the Boyle Minor Subdivision request located at 1302 N 1st Street. Roll call vote as follows: All Ayes. Motion carried.

Planning Commission Chairman Andy Fehringer informed the Council that the Planning Commission had conducted a public hearing and approved the application as submitted.

No other public comment was made.

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

Moved by Walsh, second by Wheeler to approve the Boyle Minor Subdivision request located at 1302 N 1st Street as submitted. Roll call vote as follows: All Ayes. Motion carried.

Jacob Dickau spoke with the Council about looking into another area to hold the Demo Derby. City Attorney Strope will check with having it out by the airport South of the gun club. The Council will table the issue until the February 2nd meeting.

City Attorney Strope read the second reading of Ordinance No. 1438 by title and number.

ORDINANCE NO. 1438

OF THE

CITY OF O'NEILL, NEBRASKA

AN ORDINANCE OF THE CITY OF O'NEILL, NEBRASKA, AMENDING
SECTION 1-402: INTRODUCTION OF THE O'NEILL MUNICIPAL CODE
REGARDING READING OF ORDINANCES; REPEALING PRIOR ORDINANCES IN
CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF O'NEILL,
NEBRASKA, that:

Sec. 1. That Section 1-402: Introduction of the O'Neill
Municipal Code be amended to read as follows:

"SECTION 1-402: INTRODUCTION

A. Ordinances and resolutions may be introduced by any member of the City Council. Such introduction shall be followed by a reading by title of such ordinance or resolution by the City Attorney or the City Clerk in the City Attorney's absence, if the City Attorney has drafted or reviewed the ordinance or resolution.

B. The Council may immediately consider passage of any ordinance and proceed to do so pursuant to Section 1-406 below or may, by majority vote, table consideration of the ordinance until a later date.

C. Resolutions, once introduced, may be immediately acted upon by vote of the City Council or may, by motion and majority vote of the Council, be tabled for later consideration."

Sec. 2. That all prior ordinances in conflict herewith are repealed.

Sec. 3. That this ordinance shall be in full force and effect from and after its passage, approval, and publication as required by law.

PASSED AND APPROVED this _____ day of _____, 2025.

SCOTT MENISH, MAYOR

ATTEST:
(SEAL)

SARAH SIDAK, CITY CLERK/TREASURER

City Attorney Strope read the second reading of Ordinance No. 1439 by title and number.

ORDINANCE NO. 1439

OF THE

CITY OF O'NEILL, NEBRASKA

AN ORDINANCE OF THE CITY OF O'NEILL, NEBRASKA, AMENDING SECTION 3-140: LOADS; SPILLING; REPEALING PRIOR ORDINANCES IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF O'NEILL, NEBRASKA, that:

Sec. 1. That Section 3-140: Loads; Spilling of the O'Neill Municipal Code be amended to read as follows:

"SECTION 3-140: LOADS; SPILLING

All vehicles used for carrying coal, earth, cinders, sand, gravel, rock, asphalt, tar, grains, grain by-products, or any similar substance shall be so constructed as to prevent the sifting or spilling of any of the contents. (Neb. Rev. Stat. §60-6,304)"

Sec. 2. That all prior ordinances in conflict herewith are repealed.

Sec. 3. That this ordinance shall be in full force and effect from and after its passage, approval, and publication as required by law.

PASSED AND APPROVED this _____ day of _____, 2025.

SCOTT MENISH, MAYOR

ATTEST:

(SEAL)

SARAH SIDAK, CITY CLERK/TREASURER

City Attorney Strope read the second reading of Ordinance No. 1440 by title and number.

ORDINANCE NO. 1440

OF THE

CITY OF O'NEILL, NEBRASKA

AN ORDINANCE OF THE CITY OF O'NEILL, NEBRASKA, AMENDING
SECTION 6-401: DEFINITIONS; REPEALING PRIOR ORDINANCES IN
CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF O'NEILL,
NEBRASKA, that:

Sec. 1. That Section 6-401: Definitions of the O'Neill
Municipal Code be amended to read as follows:

"SECTION 6-401: DEFINITIONS

"Garbage" as used herein shall be defined to mean kitchen refuse, decayed waste, dead animals, or anything that may decompose and become offensive to the public health.

"Rubbish" or "trash" as used herein shall be defined as discarded machinery, pieces of metal, chips, leaves, grass, plant/garden refuse, pieces of wood, sticks, dead trees, branches, bottles, broken glass, crockery, tin cans, boxes, papers, rags, or any other litter or debris that is not an immediate hazard to the health of the residents of the City.

"Waste" as herein defined shall mean cinders, ashes, plaster, brick, stone, sawdust or sand."

Sec. 2. That all prior ordinances in conflict
herewith are repealed.

Sec. 3. That this ordinance shall be in full force
and effect from and after its passage, approval, and
publication as required by law.

PASSED AND APPROVED this _____ day of _____, 2025.

SCOTT MENISH, MAYOR

ATTEST:
(SEAL)

SARAH SIDAK, CITY CLERK/TREASURER

City Attorney Strope read the second reading of Ordinance
No. 1441 by title and number.

ORDINANCE NO. 1441

OF THE

CITY OF O'NEILL, NEBRASKA

AN ORDINANCE OF THE CITY OF O'NEILL, NEBRASKA, ESTABLISHING
REGULATIONS FOR DANGEROUS BUILDINGS; REPEALING PRIOR ORDINANCES
IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF O'NEILL,
NEBRASKA, that:

Sec. 1. That Sections 2-609 through 2-618 of the O'Neill
Municipal Code be established as follows:

"SECTION 2-609: DANGEROUS BUILDINGS; DEFECTS

Any buildings or structures which have any or all of
the following defects are hereby declared to be unsafe
or dangerous buildings or structures and a public
nuisance:

- A. Those having walls or other vertical structural
members that list, lean or buckle to such an extent
that a plumb line passing through the center of
gravity falls outside the middle third of its base;
- B. Those showing 33% or more of damage or
deterioration of the supporting member or members,
exclusive of the foundation;
- C. Those with improperly distributed loads upon floors
or roofs or in which the same are overloaded or which
have insufficient strength to be reasonably safe for
the purpose used;
- D. Those damaged by fire, wind, or other causes so as
to have become dangerous to life, safety or the
general health and welfare of the occupants of the
people of the City;
- E. Those which have become dilapidated, decayed,
unsafe, unsanitary, or which so utterly fail to
provide the amenities essential to decent living that
they are unfit for human habitation or are likely to
cause sickness or disease, so as to work injury to the
health, morals, safety, or general welfare of those
living therein;
- F. Those having light, air and sanitation facilities
which are inadequate to protect the health, safety, or
general welfare of human beings who live or may live
therein;
- G. Those having inadequate facilities for egress in
the case of fire or panic, or those having
insufficient stairways, elevators, fire escapes, or
other means of communication;
- H. Those having parts thereof which are so attached
that they may fall and injure persons or property;
- I. Those that are unsafe, unsanitary, or dangerous to
the health, safety, or general welfare of the people
of the City because of their condition;
- J. Those having been inspected by the County Health
Department or a professional engineer appointed by the
City which are, after inspection, deemed to be in
violation of any provision of the Health Department
rules and regulations or which are structurally unsafe
or unsound as found by the inspection of the
professional engineer;
- K. Those existing in violation of any provision of
this article, any provision of the Fire Prevention

Code, any provision of the county health rules and regulations or other applicable provisions of city ordinances, including but not limited to the building code adopted by the City.

SECTION 2-610: DANGEROUS BUILDINGS; BUILDING INSPECTOR
A specially designated building inspector, his/her authorized representatives, or a professional engineer shall, at the direction of the City Council:

- A. Inspect any building, wall, or structure about which complaints are filed by any person to the effect that a building, wall, or structure is or may be existing in a dangerous or unsafe manner;
- B. Inspect any building or structure within the jurisdictional area of the City for the purpose of determining whether any conditions exist which render such place a dangerous or unsafe building or structure within the terms of this article;
- C. Report to the City Council the results of the inspection;
- D. Appear at all hearings and testify as to the condition of the unsafe or dangerous building or structure.

SECTION 2-611: DANGEROUS BUILDINGS; STANDARDS

In the event that it is determined that any building or structure is unsafe or dangerous the following standards shall be followed in substance in determining whether the structure or building should be repaired, vacated, or demolished:

- A. If the unsafe or dangerous building or structure can reasonably be repaired so that it will no longer exist in violation of any of the terms or provisions of this article, it shall be ordered to be repaired.
- B. If the unsafe or dangerous building is in such condition as to make it dangerous to the health, morals, safety, or general welfare of its occupants, it shall be ordered to be vacated.
- C. In any case where an unsafe or dangerous building or structure cannot be repaired so that it will no longer exist in violation of the terms or provisions of this article, it shall be demolished. In all cases where the unsafe or dangerous building is a fire hazard existing or erected in violation of the applicable fire codes and regulations, or any other provision of an ordinance of this city, or statute of the state, it shall be demolished.

SECTION 2-612: DANGEROUS BUILDINGS; UNLAWFUL MAINTENANCE OF
It is hereby determined unlawful to maintain a dangerous building within the corporate limits of the City or within its zoning jurisdiction.

SECTION 2-613: DANGEROUS BUILDINGS; NUISANCE;
PROCEDURE

If the specially designated building inspector or his/her representatives or professional engineer finds that a building or structure is unsafe or dangerous and a nuisance, the City Council shall:

- A. Notify the owner, occupant, lessee, mortgagee, agent or other persons having an interest in the building or structure that it has been found to be an unsafe or dangerous building. The notice will indicate whether the owner must vacate, repair or demolish the

building or structure.

B. Set forth in the notice a description of the building or structure deemed unsafe or dangerous, accompanied by a statement of the particulars which make the building or structure unsafe or dangerous and an order requiring the same to be put in such condition as to comply with the terms of this article within such length of time, not exceeding 30 days, as is reasonable;

C. Direct a city employee to place a sign on the building or structure found to be unsafe or dangerous on its exterior near the main entrance which shall set forth that the building or structure is unsafe or dangerous for occupancy and use.

SECTION 2-614: DANGEROUS BUILDINGS; FAILURE TO COMPLY

In case any owner, occupant, lessee, mortgagee, agent or other person having an interest in the building or structure shall fail, neglect, or refuse to comply with the notice by or on behalf of the City to repair, rehabilitate or demolish and remove a building or structure which is unsafe or dangerous and a public nuisance, and fails to request a hearing on such determination, the City may proceed with the work specified in the notice to the property owner. A statement of the cost of such work shall be transmitted to the City Council, which is authorized to levy the cost as a special assessment against the property. Such special assessment shall be a lien on the real estate and shall be collected in the manner provided for special assessments under Nebraska statutes.

SECTION 2-615: DANGEROUS BUILDINGS; DISPUTES

A. In the event that the owner, occupant, lessee, mortgagee, agent or other person having an interest in the building or structure disagrees with or disputes the information contained in the notice, such person shall notify the city clerk with a written statement that sets forth the reasons for the disagreement or dispute and the relief requested. This written request shall be made within 14 days of mailing of the notice provided by Section 2-603 herein. If written notice is received by the city clerk within 14 days of mailing or delivery of notice, a hearing shall be held before the City Council, either at a special meeting or at a regularly scheduled monthly meeting. The clerk shall notify the person requesting the hearing, in writing, of the time, place, and date of such hearing.

B. The hearing before the City Council shall be informal and not governed by the Nebraska Rules of Evidence. Such hearing shall be quasi-judicial in nature and its decision shall be based on the evidence presented at the hearing. The person requesting the hearing may be represented by legal counsel or other representative, may present witnesses and offer evidence, and may examine and copy, at his/her own expense, and not less than three business days before the hearing, the records of the City regarding the inspection and notice. The City Council need not make a written finding of fact and may make its pronouncement orally at the hearing. The decision of the council shall be final unless appealed. Failure of

the person to attend the hearing shall relieve the council of any further procedures before action is taken as set forth in a notice.

SECTION 2-616: DANGEROUS BUILDINGS; APPEAL

Any person aggrieved by the decision of the City Council may appeal the decision to the District Court of Holt County, Nebraska. This appeal shall and must be taken within 30 days of the pronouncement of the council's decision.

SECTION 2-617: DANGEROUS BUILDINGS; IMMEDIATE HAZARD

In the event the building constitutes an immediate hazard to the life or safety of any persons and must be demolished to protect their health or safety, the specially appointed building inspector or professional engineer designated by the City Council shall report such facts to the council. Upon receipt of such report the City, by and through the council, may immediately contract for the immediate demolition of the unsafe or dangerous building without requiring bids. The cost of such emergency vacation and demolition of unsafe or dangerous buildings or structures shall be levied, equalized, and assessed, as are other special assessments.

SECTION 2-618: ADJOINING LAND OWNERS; INTERVENTION BEFORE TRIAL

In cases of appeal from an action of the City Council condemning real property as a nuisance or as dangerous under the police powers of the City, the owners of the adjoining property may intervene in the action at any time before trial. (Neb. Rev. Stat. §19-710)."

Sec. 2. That all prior ordinances in conflict herewith are repealed.

Sec. 3. That this ordinance shall be in full force and effect from and after its passage, approval, and publication as required by law.

PASSED AND APPROVED this ____ day of _____, 20 ____.

SCOTT MENISH, MAYOR

ATTEST:
(SEAL)

SARAH SIDAK, CITY CLERK/TREASURER

The Council tabled until the February 2nd meeting the updated lease with Waste Connections to include the installation of a fuel tank to give them time to look it over.

Moved by Wheeler, second by Gleason to approve PIP-LB840-207 for cement work in the amount of \$10,000.00. Roll call vote as follows: All Ayes. Motion carried.

Council member Liewer introduced Resolution No. 26-04, which is on file with the City Clerk.

RESOLUTION NO. 26-04

OF THE

CITY OF O'NEILL, NEBRASKA

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF O'NEILL, NEBRASKA, that:

Sec. 1. The City of O'Neill must be the entity to make the request and take official action in order to use Highways 20/275/281 for events and a parade, and since they are within the corporate limits of O'Neill, NE.

Sec. 2. As required by subsection (2) LB 589/NRS *39-1359, that the City accepts all duties set out in said subsection, and

Sec. 3. If a claim is made against the state, the City shall indemnify, defend, and hold harmless the state from all claims, demands, actions, damages, and liability, including reasonable attorney's fees that may arise as a result of the special event.

Sec. 4. The City of O'Neill approves and adopts a resolution as outlined above, for a Special Events activity

- Painting of the Shamrock on a portion of Highways 20, 281 and 275, within the corporate limits of the City of O'Neill, NE, to be held March 11, 2026 (Wednesday) from 5:00 P.M. to 1:00 A.M. from Eighth Street to Madison Street
- St. Patrick's Day Celebration Parade on a portion of Highways 20, 281 and 275, within the corporate limits of the City of O'Neill, NE, to be held March 14, 2026 (Saturday) from 11:00 A.M. to 3:00 P.M. from Eighth Street to Madison Street.
- Painting of the Shamrock on a portion of Highway 20, 281 and 275, within the corporate limits of the City of O'Neill, NE, to be held July 15, 2026 (Wednesday) from 5:00 P.M. to 1:00 A.M. from Eighth Street to Madison Street
- Christmas/Winter Parade on a portion of Highways 20, 281 and 275, within the corporate limits of the City of O'Neill, NE, to be held December 4, 2026 (Friday) from 4:00 P.M. to 8:00 P.M. from Eighth Street to Madison Street.

PASSED AND APPROVED this 5th day of January, 2026.

QUANA WHEELER, COUNCIL PRESIDENT

ATTEST:
(SEAL)

SARAH SIDAK, CITY CLERK/TREASURER

Moved by Liewer, second by Walsh to adopt Resolution No. 26-04. Roll call vote as follows: All Ayes. Motion carried.

Council member Burdick submitted a letter to the Council expressing her concern on a revision of a supporting document pertaining to an agenda item.

City Clerk Sidak announced that the One and Six Year Street Plan will be on the February agenda if there are any other projects the City Council would like to add. Should anyone have a street project they would like considered please contact Greg Walters.

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

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

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

<u>ALL FUNDS</u>			
Payroll, salary	177,459.01	FED & FICA, tax	41,294.23
American Family, ins	2,287.06	Black Hills Energy, util	2,599.99
BlueCrossBlueShield, ins	66,403.50	Bomgaars, su	1,138.52
Colonial Life, ins	836.20	Guardian, ins	1,103.70
John Hancock, pension	9,810.59	NE Dept. of Revenue, tax	6,131.25
NPPD, util	16,439.01	NT&T, phone	995.78
Quadient Finance, postage	2,000.00	Strope Law, fees	1,602.00
Unum, ins	247.64	Verizon, phone	429.05
Wex Bank, fuel	6,505.81		
<u>GENERAL FUND</u>			
Above the Garage, ser	953.88	AKRS, su	874.77
Allo, ser	612.00	American Legion, su	273.00
Appeara, su	558.98	Arrow Manufacturing, su	4,448.50
AT&T, phone	180.58	Bartak Glass, ser	155.00
Bound Tree, su	670.07	Century Link, phone	66.67
Contingent Fund, su	938.80	Dearborn Life, ins	75.68
EcoLab, su	78.75	Floor Maintenance, su	107.76
Moody Motors, ser	495.15	Midwest Music Center, su	1,107.00
GreatAmerica Financial, pmt	218.25	Holt Co Independent, ad	507.31
KBRX, ad	15.00	LB840 Fund, pmt	27,828.66
National Sign Co, su	234.00	Northeast NE Clerks, dues	20.00
Ogden's, su	412.56	O'Neill Pharmacy, su	411.32
One Office, su	261.78	Pinnacle Bank, su	216.84
Reiser Ins, pmt	4,700.00	Brenda Schmeichel, ser	750.00
Paul Schwindt, ser	185.00	Stick It Vinyl, ser	952.00
Tax Commissioner, tax	39.27	Torpin's, su	24.67
VSP, ins	90.14	Mike Walker, ser	100.00
<u>POLICE FUND</u>			
AT&T, phone	82.41	Century Link, phone	81.21
Contingent Fund, su	385.21	Melissa Forker, ser	160.00
Envirosafety, su	66.95	GreatAmerica Financial, pmt	129.00
Holt Co 4Paws, ser	100.00	Jack's Uniforms, su	2,397.13
O'Neill Car Wash, ser	15.20	O'Neill Electric, ser	2,647.00
O'Neill Shopper, ad	66.85	Pinnacle Bank, su	104.45
Reiser Ins, pmt	1,000.00	Taylor Made, su	62.25
<u>STREET FUND</u>			
Appeara, su	282.76	C&S, ser	25.00
Carhart, su	33.98	Central Salt, su	1,823.41
Connot Tire, ser	20.60	Emme Sand & Gravel, su	1,399.16
LCL Truck Equipment, su	936.78	MARC, su	160.77
Newman Signs, su	2,644.87	Olsson, fees	810.02
O'Neill Auto, su	54.90	One Office, su	39.00
PowerPlan, fees	32,000.00	Ranchland Auto, su	52.91
Reiser Ins, pmt	1,000.00	Town and Country, ser	535.00
Traffic Logix, su	311.00		

SEWER FUND

Blackburn Mfg, su	191.40	Denali, ser	89,273.00
Farmer's Pride, fuel	513.11	FedEx, ser	42.18
Iowa Pump Works, su	169.17	Olsson, fees	95.29
Pinnacle Bank, su	80.25	Smoke It Up Welding, ser	14.86
Tax Commissioner, tax	4,577.16	VSP, ins	41.32

WATER FUND

A.S.A.P. Express, ser	15.55	Badger Meter, su	114.89
Blackburn Mfg, su	203.84	City Utility Deposit, re	1,440.00
Farmer's Pride, fuel	513.11	FedEx, ser	5.87
NE Child Support, pmt	276.94	NE Public Health, tests	96.00
Olsson, fees	95.29	Pinnacle Bank, su	115.61
Smoke It Up Welding, ser	14.85	Tax Commissioner, tax	1,133.95
VSP, ins	1.87		

SOLID WASTE FUND

Butler Co. Landfill, fee	40,522.31	Connot Tire, ser	580.85
Farmer's Pride, fuel	940.48	Holt Co Independent, ad	98.00
Matheson Tri-Gas, su	46.00	NE Child Support, pmt	492.94
Niobrara Valley, util	1,290.36	Olsson, fees	353.23
O'Neill Auto, su	112.38	Ranchland Auto, su	293.55
Reiser Ins, pmt	2,675.00	Paul Schwindt, ser	175.00
Siouxland Scale, su	558.19		

LB840

KBRX, ad	7.50
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PAUL ASCHE, WARD III

QUANA WHEELER, WARD III

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

The meeting was adjourned at 7:23 P.M.

QUANA WHEELER, COUNCIL PRESIDENT

ATTEST:

(SEAL)

SARAH SIDAK, CITY CLERK/TREASURER
