

A regular meeting of the Mayor and the City Council of O'Neill was held at the City Hall in said City on the 6th day of January, 2025 at 6:30 P.M.

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

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 Schneider, second by Asche to waive the reading of the minutes of the December 9<sup>th</sup> meeting and approve them as if read. Roll call vote as follows: Aye; Asche, Wheeler, Liewer, Laursen, Schneider, Gleason and Walsh. Nay: Burdick. Motion carried.

Council member Walsh introduced Ordinance No. 1428, which is on file with the City Clerk.

City Attorney Strobe read Ordinance No. 1428 by title and number.

#### ORDINANCE NO. 1428

#### OF THE

#### CITY OF O'NEILL, NEBRASKA

AN ORDINANCE OF THE CITY OF O'NEILL, NEBRASKA, AMENDING SECTION 1-1501 OF THE O'NEILL MUNICIPAL CODE REGARDING POLICE DEPARTMENT APPOINTMENT AND DUTIES; 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. Section 1-1501: DUTIES of the O'Neill Municipal Code be amended to read as follows:

#### "SECTION 1-1501: APPOINTMENT AND DUTIES

(A) The mayor, with the consent of the city council, may appoint such officers as shall be required by ordinance or otherwise required by law. Such officers may be removed from office by the mayor. The terms of office for all officers, except regular police

officers, appointed by the mayor and confirmed by the city council shall be established by the city council by ordinance. The ordinance shall provide that either (a) the officers hold the office to which they have been appointed until the end of the mayor's term of office and until their successors are appointed and qualified unless sooner removed or (b) the officers hold office for one year unless sooner removed.

(B) The mayor, by and with the consent of the city council, shall appoint such a number of regular police officers as may be necessary. All police officers appointed by the mayor and city council may be removed, demoted, or suspended at any time by the mayor as provided in the City's Police Employee Manual and Nebraska Statutes. A police officer, including the chief of police, may appeal to the city council such removal, demotion, or suspension with or without pay. After a hearing, the city council may uphold, reverse, or modify the action.

(C) The chief of police shall, subject to the direction of the mayor, have control and management of all matters relating to the Police Department, its officers and members, and shall have the custody and control of all property and books belonging to the Department. The Department shall execute and enforce all laws and also the orders of the mayor. It shall be the duty of the Department to protect the rights of persons and property. There shall be a proper police force at all fires. The Department shall take notice of all nuisances, impediments, obstructions and defects in the streets, avenues, alleys, business places and residences of the City. The Department shall execute or cause to be executed the processes issued and shall cause all persons arrested to be brought before the proper court for trial as speedily as possible. The chief of police and all regular and special police officers shall become thoroughly conversant with the laws of the City, shall see that the same are strictly enforced and shall make sworn complaints against any person or persons for violation of the same."

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

Moved by Walsh, second by Asche to introduce Ordinance No. 1428 and not waive the three readings. Roll call vote as follows: All Ayes. Motion carried.

City Attorney Strobe will work on implementing the required updates from the State into our Floodplain Ordinance and have it to the Council next month.

Scott Keene with Piper Sandler presented to the Council the options that the City would have to cover the nonpayment from FEMA for the 2019 flood road projects.

Move by Wheeler, second by Asche to approve proceeding with setting up bond financing and prepare an Ordinance to be read during the special meetings on January 13<sup>th</sup>, 27<sup>th</sup> and at the regular meeting on February 3<sup>rd</sup>. Roll call vote as follows: Aye; Asche, Wheeler, Liewer, Laursen, Schneider, Gleason and Walsh. Nay: Burdick. Motion carried.

Council member Wheeler introduced Resolution No. 25-01, which is on file with the City Clerk.

RESOLUTION NO. 25-01

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 12, 2025 (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 15, 2025 (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 16, 2025 (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 5, 2025 (Friday) from 4:00 P.M. to 8:00 P.M. from Eighth Street to Madison Street.

PASSED AND APPROVED this 6th day of January, 2025.

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SCOTT MENISH, MAYOR

ATTEST:  
(SEAL)

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SARAH SIDAK, CITY CLERK/TREASURER

Second by Walsh to adopt Resolution No. 25-01. Roll call vote as follows: All Ayes. Motion carried.

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.

City Clerk Sidak informed the Council that the LB840 Finance Committee tabled 01-LB840-25 until their next meeting and no action was taken.

Council member Schneider introduced Ordinance No. 1429, which is on file with the City Clerk.

City Attorney Strobe read Ordinance No. 1429 by title and number.

ORDINANCE NO. 1429

OF THE

CITY OF O'NEILL, NEBRASKA

AN ORDINANCE OF THE CITY OF O'NEILL, NEBRASKA, AMENDING SECTION 6-408 OF THE O'NEILL MUNICIPAL CODE REGARDING GARBAGE AND REFUSE COLLECTION FEES; 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. Section 6-408 of the O'Neill Municipal Code be amended to read as follows:

"SECTION 6-408: COLLECTION FEES  
RESIDENTIAL. Each residence will be charged the sum of \$17.69 per month for refuse collection or \$21.22 with cart, except residences that qualify for the senior citizen rate. Residents 65 years of age or older who live by themselves and residents 70 years of age and living with only one other person shall be eligible for the senior discount and will be charged the sum of \$14.15 per month. All senior citizens eligible for the discount rate shall be required to

sign a certificate qualifying them for such rates. When a resident signs up for the discount plan, the same will not go into force and effect until the next month.

COMMERCIAL. Each commercial account will be charged according to the following rate schedule per month for refuse collection, except those that qualify for the small business discount plan:

CONTAINER SIZE	PICK UP				
	1X	2X	3X	4X	5X
1 YD	49.16	90.87	132.60	174.31	216.02
1.5 YD	56.67	105.31	153.89	202.50	251.10
2 YD	72.39	133.47	194.56	255.66	315.56
3 YD	89.53	167.20	244.87	322.53	400.20
4 YD	106.70	200.93	295.16	389.41	483.67
6 YD	149.09	282.08	415.08	548.08	681.08
8 YD	198.80	376.13	553.46	730.79	908.12

Any small business not having a dumpster and not generating more than six (6) standard garbage bags per week of garbage shall be entitled to a small business rate of \$37.72 per month. All small businesses shall be required to sign a certificate qualifying them for such rates. When a small business signs up for the small business rate, the same shall not go into force and effect until the next month. At sites where there are both commercial and residential accounts, the commercial charge has priority and will be the only charge levied. Payments to utility bills will be applied under a priority system, paying garbage first, sewer second and water last. Delinquent fees shall cause discontinuance of service under the same procedures set forth in the municipal code for water and sewer disconnection. Any person whose service has been discontinued and allows garbage to collect can be prosecuted under the city nuisance ordinances.

EFFECTIVE DATE. The above rates shall become effective \_\_\_\_\_, 2025."

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.

ATTEST:  
(SEAL)

SARAH SIDAK, CITY CLERK/TREASURER

Kevin Seger, Solid Waste Supervisor, talked with the Council about new employees that have been hired and informed them of some route changes that will be taking place February 1, 2025. Starting February 1<sup>st</sup> residential trash that was normally picked up on Monday mornings will be moved to Tuesday morning. The affected area is on the South side of Hynes Street to the North side of Adams Street and from the East side of HWY 281 to the West side of 4<sup>th</sup> Street. That area only will move from Monday morning to Tuesday morning.

Moved by Walsh, second by Gleason to approve the Treasurer's Report. Roll call vote as follows: Aye; Asche, Wheeler, Liewer, Laursen, Schneider, Gleason and Walsh. Nay: Burdick. Motion carried.

Moved by Wheeler, second by Liewer to approve the bill submitted at this meeting by O'Neill Lumber. Roll call vote as follows: Aye; Asche, Wheeler, Burdick, Liewer, Laursen, Gleason and Walsh. Nay: None. Abstain: Schneider. Motion carried.

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

**ALL FUNDS**

Payroll, salary	171,237.88	FED & FICA, tax	38,822.30
American Family, ins	1,683.74	Black Hills Energy, util	2,912.94
BlueCrossBlueShield, ins	47,373.66	Bomgaars, su	456.30
Colonial Life, ins	1,083.44	Guardian, ins	1,429.12
John Hancock, pension	8,817.82	NE Dept. of Revenue, tax	6,068.41
NPPD, util	15,832.93	NT&T, phone	891.67
Reiser Insurance, ins	3,455.00	Unum, ins	188.00
Verizon, phone	674.20	VSP, ins	93.88
Wex Bank, fuel	4,248.20		

**GENERAL FUND**

Above the Garage, ser	953.88	Appeara, su	540.16
AT&T, phone	175.50	Century Link, phone	64.12
Cheri Closson, re	135.00	Contingent Fund, su	159.60
Danko, su	115.00	Dearborn Life, ins	75.68
EcoLab, ser	78.75	GreatAmerica Finance, ser	218.25
Holt Co Independent, ad	*	Island Supply, su	127.30
KBRX, ad	7.50	LB840 Fund, pmt	32,772.20
NE Clerks Institute, fee	443.00	Ogden's, su	126.95
One Office, su	21.00	O'Neill Fire Depart., re	2,105.16
O'Neill Shopper, ad	15.00	Pinnacle Bank, su	71.44
Dori Rich, clean	885.00	Smoke It Up, ser	104.91
Steppco, ser	226.28	Strope Law, fees	1,272.00
Tax Commissioner, tax	44.49	Torpin's, su	13.99
Mike Walker, ser	100.00		

**POLICE FUND**

911 Custom, su	3,010.00	AT&T, phone	38.09
Boyd/Holt Mutual Aid, dues	56.10	Century Link, phone	76.14
GreatAmerica Finance, ser	129.00	Harmony Inn, room	104.00
Holt Co 4Paws, ser	100.00	Jack's Uniforms, su	1,380.58
O'Neill Car Wash, ser	13.84	O'Neill Shopper, ad	66.85
Pinnacle Bank, su	75.58	Quill, su	42.78
Ranchland Auto, su	21.78	Strope Law, fees	168.00
Town & Country, ser	312.77	Antonela Vanegas, ser	20.00

**STREET FUND**

Appeara, su	269.60	C&S Repair, ser	1,130.84
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Carhart, su	22.99	Cole Redi Mix, su	143.25
Connot Tire, ser	40.80	Cubby's, fuel	546.77
Deere Credit, pmt	81,748.22	Hendricks Small Motor, ser	10.00
Olsson, fees	200.00	One Office, su	50.63
O'Neill Auto, su	184.94	O'Neill Lumber, su	45.31
<b><u>SEWER FUND</u></b>			
Applied Industrial, su	285.64	Cubby's, fuel	67.00
Denali Water, ser	81,930.00	Farmers Pride, fuel	77.54
FedEx, ser	123.59	Hutcheson, su	504.86
Krotter's, ser	180.14	LONM, fees	300.00
Midwest Lab, su	694.07	Ogden's, su	14.99
Olsson, fees	139.05	O'Neill Lumber, su	4.38
Pinnacle Bank, su	80.25	Quadient Finance, postage	500.00
Ranchland Auto, su	15.99	Smoke It Up, ser	75.00
Tax Commissioner, tax	4,470.19	Torpin's, su	3.55
<b><u>WATER FUND</u></b>			
American Water Works, dues	375.00	Badger Meter, su	112.28
Barco, su	282.41	City Utility Deposit, re	1,150.00
Contingent Fund, su	12.10	Farmers Pride, fuel	77.54
FedEx, ser	116.82	Grainger, su	24.19
Krotter's, ser	180.14	NE Child Support, pmt	141.24
NEDOT, pmt	751.84	NE Public Health, tests	451.00
Ogden's, su	15.00	Pinnacle Bank, su	80.25
Quadient Finance, postage	500.00	Ranchland Auto, su	16.00
Strope Law, fees	672.00	Tax Commissioner, tax	1,819.07
Torpins, su	3.55		
<b><u>SOLID WASTE FUND</u></b>			
A&J Towing, ser	724.00	Armor Equipment, su	219.76
Butler Co. Landfill, fee	40,835.33	Connot Tire, ser	1,355.00
Contingent Fund, su	104.52	Cubby's, fuel	929.08
Elliott, ser	3,316.70	Johnson's Plumbing, ser	863.54
Linweld, su	45.47	Little Tots, pmt	121.23
Niobrara Valley, util	*	NMC, su	499.13
Ogden's, su	11.96	Overhead Door, ser	162.75
Ranchland Auto, su	141.06	Smoke It Up, ser	161.55
Strope Law, fees	21.00		
<b><u>LB840</u></b>			
Strope Law, fees	84.00		

KAYLA BURDICK, WARD I  
MICHELLE LIEWER, WARD I

Mayor Menish informed the Council that Governor Pillen will be at the Holt County Annex on Friday, January 17, 2025 at 11:15am to hand out medals to our local World War II veterans.

Moved by Walsh, second by Wheeler to adjourn. Roll call vote as follows:

The meeting was adjourned at 7:50 P.M.

SCOTT MENISH, MAYOR

ATTEST:  
(SEAL)

SARAH SIDAK, CITY CLERK/TREASURER

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