

A regular meeting of the Mayor and the City Council of O'Neill was held at the City Hall in said City on the 3rd day of April, 2023 at 6:30 P.M.

Present: Mayor Scott Menish, City Attorney Boyd Strobe, Deputy City Clerk Jan Fuhrer, Council President Tim Schneider and Council members; Susie Kramer, Michelle Liewer, Kayla Burdick, Paul Asche, Quana Wheeler, Beth Walsh 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 Schneider to waive the readings of the minutes of the March 6th meeting and approve them as if read. Roll call vote as follows: All Ayes. Motion carried.

Moved by Wheeler, second by Gleason to approve Fox's liquor license manager application for Carolyn Hahlbeck. Roll call vote as follows: All Ayes. Motion carried.

Moved by Schneider, second by Kramer to approve increasing Butler County Landfill's tipping fee 5.6% effective April 1, 2023. Roll call vote as follows: All Ayes. Motion carried.

Moved by Walsh, second by Kramer to approve advertising for bids for the 1st and 8th Street projects with a bid opening of April 27th. Roll call vote as follows: All Ayes. Motion carried.

No action was taken to determine a completion date on street projects.

Moved by Schneider, second by Walsh to open the public hearing for the Fred Forslund Re-zoning Request at 512 S. 7th Street from R-Residential to C-2 General Business. Roll call vote as follows: All Ayes. Motion carried.

Council member Wheeler informed the Council that the Planning Commission had conducted a public hearing and approved the re-zoning request.

No other public comment was made.

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

Moved by Wheeler, second by Kramer to approve the Fred Forslund Re-zoning Request at 512 S. 7th Street from R-Residential to C-2 General Business as submitted. Roll call vote as follows: All Ayes. Motion carried.

Mayor Menish informed the Council that the LB840 Finance Committee met at noon today and approved everything.

Moved by Wheeler, second by Burdick to approve PIP-LB840-147 for new windows and door in the amount of \$10,000.00. Roll call vote as follows: Aye; Asche, Wheeler, Kramer, Schneider, Liewer, Gleason and Walsh. Nay: None. Abstain: Burdick. Motion carried.

Moved by Kramer, second by Wheeler to approve PIP-LB840-149 for new door, sign and exterior work in the amount of \$10,000.00, PIP-LB840-150 for new sign in the amount of \$2,187.75, PIP-LB840-151 for new sign in the amount of \$4,110.95. Roll call vote as follows: All Ayes. Motion carried.

Moved by Burdick, second by Asche to approve adding angle parking for half a block along the west side of 3rd Street from Douglas Street north to the alley. Roll call vote as follows: All Ayes. Motion carried.

The Council tabled signing the real estate lease with TP&L until the next meeting.

Council member Schneider introduced Ordinance No. 1415, which is on file with the City Clerk.

City Attorney Strobe read Ordinance No. 1415 by title and number.

ORDINANCE NO.1415

AN ORDINANCE GRANTING TO THE NEBRASKA PUBLIC POWER DISTRICT, A PUBLIC CORPORATION AND POLITICAL SUBDIVISION OF THE STATE OF NEBRASKA, ITS SUCCESSORS AND ASSIGNS, THE NONEXCLUSIVE RIGHT AND FRANCHISE FOR A PERIOD OF 25 (TWENTY-FIVE) YEARS TO ERECT, OPERATE AND MAINTAIN AN ELECTRIC LIGHT AND POWER SYSTEM IN THE CITY OF O'NEILL FOR THE PURPOSE OF FURNISHING ELECTRIC ENERGY TO SAID CITY OF O'NEILL AND THE INHABITANTS THEREOF; LIMITING THE MAXIMUM CHARGES FOR SUCH ENERGY; PROVIDING CERTAIN REGULATIONS WITH REFERENCE THERETO; AND ALL THINGS INCIDENTAL TO THE PURPOSES THEREOF; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH; DIRECTING THE PUBLICATION OF THIS ORDINANCE AND PRESCRIBING THE TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

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

Section 1. The City of O'Neill a municipal corporation, hereby grants unto the Nebraska Public Power District, its successors and assigns, the nonexclusive right and franchise for a period of 25 (twenty-five) years to erect, operate and maintain within said City of O'Neill, an electric light and power system; and the right to construct, operate and maintain poles, conduits, wires and other necessary equipment, in, over, across or under the streets, alleys and public places in said City of O'Neill for the purpose of supplying electric energy to said City of O'Neill and its inhabitants, or to other cities, villages and communities and their inhabitants, or to others connected or to be connected to said system.

Section 2. Nebraska Public Power District shall have the authority to trim trees upon and overhanging the streets, alleys and public places of the City of O'Neill so as to prevent the branches of such trees from coming in contact with or endangering said electric light and power system.

Section 3. Nebraska Public Power District is hereby authorized to establish, charge, collect and receive a reasonable compensation for electricity furnished to the City of O'Neill and its inhabitants, and establish terms and conditions for such service in accordance with the provisions of Chapter 70 of the Revised Statutes of Nebraska, as amended, empowering a public power district to set and collect reasonable charges for its services and to establish rules and regulations for the conduct of its business and affairs.

Section 4. This Ordinance shall be published in accordance with laws of the state of Nebraska.

Section 5. This Ordinance shall be effective from and after its passage, approval, publication and written acceptance hereof by Nebraska Public Power District.

Section 6. All ordinances and parts of ordinances in conflict with the provisions hereof are hereby repealed.

PASSED AND APPROVED this 3rd day of April, 2023.

ATTEST:
(SEAL)

SCOTT MENISH, MAYOR

JANIS FUHRER, DEPUTY CITY CLERK

Moved by Schneider, second by Gleason to introduce Ordinance No. 1415 and waive the three readings. Roll call vote as follows: All Ayes. Motion carried.

Moved by Wheeler, second by Asche to adopt Ordinance No. 1415. Roll call vote as follows: All Ayes. Motion carried.

Moved by Wheeler, second by Gleason to approve advertising for hay bids. Roll call vote as follows: All Ayes. Motion carried.

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

Moved by Liewer, second by Wheeler to approve the bill submitted at this meeting by Scott Menish. 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: Aye; Asche, Wheeler, Kramer, Burdick, Liewer, Gleason and Walsh. Nay: None. Abstain: Schneider. Motion carried.

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

ALL FUNDS

Payroll, salary	156,358.40	FED & FICA, tax
35,118.35		
American Family, ins	1,660.56	Black Hills Energy, util
4,726.07		
BlueCrossBlueShield, ins	49,795.00	Colonial life, ins
563.10		
Guardian, ins	1,762.12	John Hancock, pension
8,334.16		
Heartland Fire, fees	1,553.36	NE Dept. of Revenue, tax
5,547.75		
NPPD, util	16,388.68	NT&T, phone
808.58		
Unum, ins	228.26	Verizon, phone
762.88		
Wex Bank, fuel	8,620.13	

GENERAL FUND

Appeara, su	556.55	Bartak Glass, su
1,010.60		

Bomgaars, su 280.40	188.98	C&S Repair, ser
Carhart Lumber, su 60.03	311.45	Century Link, phone
Contingent Fund, su 96.32	719.16	Dearborn Life, ins
Emergency Medical, su 1,056.97	1,142.06	Emme Sand & Gravel, su
Gokie Oil, fuel 218.25	156.20	GreatAmerica Finance, ser
Holiday Inn, rooms 19.95	574.75	Hollman Media, ser
Holt Co Independent, ad 9.60	208.81	Island Supply Welding, su
KBRX, ad 154.00	7.50	Krotter Home & Auto, su
LB840 Fund, pmt 100.00	30,985.93	Scott Menish, ser
Midwest Connect, su 1,700.00	37.00	NECC, School
Ogden's, su 627.34	94.95	One Office, su
O'Neill Auto, su 84.80	34.99	O'Neill Electric, su
Pinnacle Bank, su 12.00	28.00	Precision IT, ser
Prouty Construction, su 112.24	88.00	Ranchland Auto, su
Dori Rich, clean 1,296.41	885.00	Schaecher Electric, ser
Torpins, su 503.00	24.45	Zoll Medical, su
<u>POLICE FUND</u>		
Century Link, phone 160.00	66.72	Jackolyn Collier, clean, su
Contingent Fund, su 98.80	49.57	Detectachem, su
Jesus Ortiz Garcia, ser 129.00	15.00	GreatAmerica Finance, ser
Jack's Uniforms, su 72.00	57.94	Terri Krysl, ser
NECC, ser 36.70	48.00	O'Neill Car Wash, ser
O'Neill Shopper, ad 93.07	100.40	Public Safety, su
Quill, su 1,738.32	101.39	Sunset Law Enforce, su
<u>STREET FUND</u>		
Appeara, su 110.25	247.35	Barco Municipal Products, su
Bomgaars, su 95.24	235.28	Carhart Lumber, su
Connot Tire, ser 145.33	25.95	Contingent Fund, su
Cubby's, fuel 2,670.62	401.85	Emme Sand & Gravel, su
Great Western Gas, su 17.24	16.11	Holt Co Independent, ad
Olsson, fees 1,121.75	10,745.62	Omni Engineering, su
O'Neill Auto, su 27.97	199.39	Ranchland Auto, su
<u>SEWER FUND</u>		
Fedex, ser 122.30	44.79	Holt Co Independent, ad
Midwest Labs, ser 49.99	13.00	Ogden's, su
Olsson, fees 2.57	8,130.00	One Call, ser
O'Neill Shopper, ad 145.00	19.50	Postmaster, fees

Quadient Finance, postage 4,056.48	800.00	Tax Commissioner, tax
<u>WATER FUND</u>		
Badger Meter, ser 5.37	78.20	Bomgaars, su
City Utility Deposit, re 219.90	880.00	Comfort Inn, rooms
Contingent Fund, su 84.80	299.44	Fedex, ser
Holt Co Independent, ad 4,718.10	61.15	Metering & Technology, su
NE Public Health, tests 363.68	78.00	NE Support, pmt
Niobrara Valley, util 89.73	*	Olsson, fees
One Call, ser 28.50	2.57	O'Neill Shopper, ad
Postmaster, fees 200.00	145.00	Quadient Finance, postage
Ranchland Auto, su 859.82	19.34	Tax Commissioner, tax
<u>SOLID WASTE FUND</u>		
A&J Towing, ser 12.99	630.00	Bomgaars, su
Butler Co. Landfill, fee 243.90	33,463.69	Connot Tire, ser
Cubby's, fuel 301.32	284.09	Holtz Ind., su
Kansas Pmt Center, pmt 38.99	75.70	Linweld, su
Niobrara Valley, util 1,143.41	*	NMC, su
Ogden's, su 31.14	107.94	One Office, su
Dori Rich, clean 127.57	300.00	Smoke It Welding, su

SUSIE KRAMER, WARD II
TIM SCHNEIDER, WARD II

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

The meeting adjourned at 7:07 P.M.

SCOTT MENISH, MAYOR

ATTEST:
(SEAL)

JANIS FUHRER, DEPUTY CITY CLERK
