

A regular meeting of the Mayor and the City Council of O'Neill was held at the City Hall in said City on the 10th day of July, 2023 at 6:30 P.M.

Present: Mayor Scott Menish, City Clerk/Treasurer Sarah Sidak and Council members; Susie Kramer, Kayla Burdick, Michelle Liewer, Paul Asche, Quana Wheeler, Beth Walsh and Tim Gleason. Absent: City Attorney Boyd Strobe and Council President 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 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 Gleason, second by Asche to waive the readings of the minutes of the June 5th meeting and approve them as if read. Roll call vote as follows: All Ayes. Motion carried.

Mayor Menish appointed Council members Liewer and Kramer to go over the health insurance quotes and report back at the August meeting with their recommendation.

Moved by Asche, second by Wheeler to deny changing the date of established residence from July 1, 2021 to July 1, 2022 in section 2-134: SEXUAL PREDATORS; RESIDENCY RESTRICTIONS; EXCEPTIONS UNDER SUBSECTION D: EXCEPTIONS TO PARKS AND POOLS #4. Roll call vote as follows: All Ayes. Motion carried.

The Council tabled taking over putting up and taking down the flags for holidays and storing them for the O'Neill Lions Club.

City Clerk Sidak read the following municipal water improvements phase B project bids aloud:

A&R Construction	\$694,230.00
Myers Construction	\$1,935,352.35

City Engineer Dave Olsson opened the bids prior to the meeting and after review recommends accepting the bid submitted by A&R Construction for \$694,230.00.

Moved by Asche, second by Walsh to approve the bid submitted by A&R Construction for \$694,230.00. Roll call vote as follows: All Ayes. Motion carried.

Moved by Wheeler, second by Kramer to approve the Neko's Pub addition of their permanent 20x27 outdoor area to their liquor license. Roll call vote as follows: All Ayes. Motion carried.

Moved by Wheeler, second by Liewer to approve Handlebend having a Mule/Beer Garden for the Satellite Rotary Club sand volleyball tournament Tuesday August 15, 2023 4 pm - 12 am at Carney Park. Roll call vote as follows: All Ayes. Motion carried.

Council member Gleason introduced and moved to adopt Resolution No. 23-5, which is on file with the City Clerk.

**RESOLUTION 23-5
GOVERNMENTAL LEASE-PURCHASE AGREEMENT NO. 001-0670625-301
DATED AS OF JUNE 21, 2023**

A resolution authorizing the negotiation, execution, and delivery of Governmental Lease-Purchase Agreement No. **001-0670625-301** dated **June 21, 2023** (the "Lease"), in principal amount not to exceed **\$369,962.02**, between **City of O'Neill, 401 East Fremont Street, O'Neill, NE 68763** and **The Huntington National Bank, 11100 Wayzata Blvd, Suite 700, Minnetonka, MN 55305**; and prescribing other details in connection therewith.

WHEREAS, City of O'Neill, (the "Lessee") is a political subdivision duly organized and existing pursuant to the Constitution and laws of the State of Nebraska, and

WHEREAS, Lessee is duly authorized by applicable law to acquire such items of personal property as are needed to carry out its governmental functions and to acquire such personal property by entering into lease-purchase agreements; and

WHEREAS, Lessee hereby finds and determines that the execution of a Lease for the purpose of leasing with the option to purchase the property designated and set forth in Attachment 2 to the Lease is appropriate and necessary to the function and operations of the Lessee; and

WHEREAS, The Huntington National Bank, (the "Lessor") shall act as Lessor under said Lease; and

WHEREAS, the Lease shall not constitute a general obligation indebtedness of the Lessee within the meaning of the Constitution and laws of the State;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF City of O'Neill:

Section 1. The Lease, in substantially the form as presently before the governing body of the Lessee, is hereby approved, and the Mayor of the Lessee, is hereby authorized to negotiate, enter into, execute, and deliver the Lease and related documents in substantially the form as presently before the governing body of the Lessee, with such changes therein as shall be approved by such officer, and which Lease will be available for public inspection at the offices of Lessee.

Section 2. The Lessee shall, and the officers, agents and employees of the Lessee are hereby authorized and directed to take such further action and execute such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Resolution, and to carry out, comply with and perform the duties of the Lessee with respect to the Lease.

Section 3. The Lessee's obligations under the Lease shall be expressly subject to annual appropriation by Lessee; and such obligations under the Lease shall not constitute a general obligation of Lessee or indebtedness of Lessee within the meaning of the Constitution and laws of the State of Nebraska.

Section 4. All other related contracts and agreements necessary and incidental to the Lease are hereby authorized, ratified and approved.

Section 5. Lessee reasonably anticipates to issue not more than \$10,000,000 of tax-exempt obligations (other than "private activity bonds" which are "qualified 501(c)(3) bonds") during the current calendar year and hereby designates the Lease as a "qualified tax-exempt obligation" for purposes of Section 265(b) of the Internal Revenue Code of 1986, as amended.

Section 6. This resolution shall take effect immediately upon its adoption and approval.

X CERTIFIED AS TRUE AND CORRECT THIS 10TH DAY OF JULY, 2023.

X

Signature of Clerk

X

Printed Name of Clerk

Second by Asche to adopt Resolution No. 23-5. Roll call vote as follows: All Ayes. Motion carried.

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

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

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

ALL FUNDS

Payroll, salary	266,154.04	FED & FICA, tax	39,171.36
American Family, ins	2,322.84	Black Hills Energy, util	476.04
BlueCrossBlueShield, ins	48,540.73	Bomgaars, su	2,128.50
Colonial life, ins	1,428.42	Guardian, ins	1,656.26
John Hancock, pension	7,859.66	NE Dept. of Revenue, tax	9,100.76
NPPD, util	14,947.05	NT&T, phone	820.13
One Office, su	723.98	Quadient Leasing, pmt	86.88
Unum, ins	217.88	Verizon, phone	845.34
Wex Bank, fuel	8,933.65		

GENERAL FUND

A&J Tire, su	1,724.46	Agronomy Solutions, su	110.00
Akrs, su	261.75	Appeara, su	841.64
C&S Repair, ser	127.09	Carhart Lumber, su	65.96
Century Link, phone	59.63	Central NE Pool & Spa, ser	340.00
Contingent Fund, su	904.80	Dearborn Life, ins	89.44
Ecolab, ser	75.00	EVFM, ser	168.00
First Interstate Bank, ser	40.00	Floor Maintenance, ser	156.76
GreatAmerica Finance, ser	218.25	Harte's Lawn, ser	1,345.45
Hollman Media, ser	19.95	Holt Co Independent, ad	185.49
In The Swim, su	313.54	Island Sprinkler, su	164.88
Island Supply, su	80.70	Kaup's Plumbing, ser	310.00
KBRX, ad	30.00	LB840 Fund, pmt	33,861.81
Lincoln Marriott, room	238.00	Mathison Heating & Air, ser	607.56

Grant Litz, re	75.00	Curtis Mork, fees	300.00
Odeys, su	115.65	Ogden's, su	473.79
Olsson, fees	44.87	O'Neill Electric, ser	267.50
O'Neill Lumber, su	349.07	O'Neill Pest Control, ser	100.00
Delbert Parshall, re	75.00	Pinnacle Bank, su	16.03
Precision IT, ser	12.00	Ranchland Auto, su	70.25
Dori Rich, clean	885.00	Schaecher Electric, ser	1,603.66
Shamrock Nursery, su	102.79	Siteone Landscape, su	313.47
Steppco Refrigeration, ser	146.00	Strope Law, fees	684.00
Sunset Pool Supplies, su	4,993.85	Tax Commissioner, tax	321.75
Team Lab, su	198.24	Torpin's, su	78.90
Mike Walker, ser	100.00	Windy Prairie, fees	2,300.00
Zoll Medical, su	364.00		
<u>POLICE FUND</u>			
911 Custom, su	1,188.00	C&S Repair, ser	110.91
Century Link, phone	66.41	Jackolyn Collier, clean, su	200.00
Contingent Fund, su	222.40	Detectachem, su	161.17
Jesus Ortiz Garcia, ser	22.50	GreatAmerica Finance, ser	129.00
Holt Co Court, fees	17.00	Nebraska State Patrol, fees	628.50
No. 1 Storage, rent	4,800.00	Ogden's, su	40.68
O'Neill Car Wash, ser	102.54	Pinnacle Bank, su	204.31
Police Officers' Assoc, su	115.00	Prairie Hills, ser	67.08
Quill, su	650.97	Shamrock Vet Clinic, ser	120.00
Strope Law, fees	1,701.00	Town & Country, su	21.00
<u>STREET FUND</u>			
Appeara, su	256.26	Carhart Lumber, su	22.49
Cole Redi-Mix, su	6,346.00	Connot Tire, su	5.25
Cubby's, fuel	107.83	Emme Sand & Gravel, su	653.31
Harte's Lawn, ser	107.95	Ogden's, su	101.97
Olsson, fees	3,208.61	O'Reilly, su	5.44
Ranchland Auto, su	26.17	Smoke It Up Welding, ser	270.33
Strope Law, fees	168.00		
<u>SEWER FUND</u>			
Atlas Automation, su	1,310.00	Carhart Lumber, su	49.16
Cole Redi-Mix, su	246.00	Contingent Fund, su	62.96
Environmental Resource, su	250.16	Grainger, su	232.33
Hach, su	390.27	Hutcheson Engineering, su	139.62
Ingersoll, su	951.24	Iowa Pump Works, su	60,309.91
Johnson Service, ser	16,650.00	Macqueen Equip, ser	444.82
Mid-Iowa SW Equip, pmt	37,500.00	Midwest Lab, ser	488.64
Mitchell Equip, su	36.23	Municipal Supply, su	133.70
NE Generator, ser	34,135.00	Ogden's, su	55.70
Olsson, fees	5,562.34	One Call, ser	39.97
O'Neill Electric, su	11.75	O'Neill Lumber, su	57.75
Quadiant Finance, su	800.00	Smoke It Up Welding, ser	38.02
Strope Law, fees	105.00	Tax Commissioner, tax	4,003.32
Torpins, su	5.67	USA Blue Book, su	31.95
Wahoo Heritage, room	351.80		
<u>WATER FUND</u>			
Badger Meter, ser	157.50	Carhart Lumber, su	25.97
City Utility Deposit, re	2,200.00	Contingent Fund, su	32.00
Fedex, ser	*	Holt Co Independent, ad	87.24
Interstate Industrial, ser	268.58	Mid-Iowa SW Equip, pmt	37,500.00
Mitchell Equip, su	36.23	Municipal Supply, su	446.74
NE Public Health, tests	128.00	NE Support, pmt	363.68
NE Water Resources, fees	105.00	Niobrara Valley, util	196.54
NWEA, fees	180.00	Ogden's, su	68.67
Olsson, fees	15,818.46	One Call, ser	39.97
O'Neill Electric, su	11.75	Quadiant Finance, su	200.00
Smoke It Up Welding, ser	264.70	Tax Commissioner, tax	840.79
Torpin's, su	5.67	USA Blue Book, su	269.13
<u>SOLID WASTE FUND</u>			
Butler Co. Landfill, fee	56,629.84	Connot Tire, ser	517.95
Cubby's, fuel	354.77	Elliott Equipment, su	98.38
Farmer's Pride, fuel	903.42	Holt Co Independent, ad	23.00
Kansas Pmt Center, pmt	113.55	Linweld, su	38.20
Niobrara Valley, util	627.45	O'Neill Auto, su	6.98
Ranchland Auto, su	261.32	Dori Rich, clean	300.00
Strope Law, fees	294.00		

LB 840

KBRX, ad 7.50 Strobe Law, fees 1,555.00

COMMUNITY IMPROVEMENT

Nebraska Irrigation, su 8,688.00

TIM GLEASON, WARD IV

BETH WALSH, WARD IV

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

The meeting adjourned at 7:00 P.M.

SCOTT MENISH, MAYOR

ATTEST:
(SEAL)

SARAH SIDAK, CITY CLERK/TREASURER
