

AGENDA
REGULAR MEETING
Tuesday, September 5, 2017
7:30 p.m.

1. Call to order and announce the location of the Open Meetings Act
2. Approve the previous regular meeting minutes
3. Discussion and action on New Water Well Updates
4. Discussion and action on Pump damage at Marty Henn's-Marty Henn
5. Discussion and action on Library Agreement with Antelope County
6. Discussion and action on Meadow Brook Subdivision Water/Sewer—Janet Koinzan
7. Discussion and action on Replacement of Public Bathroom Door
8. Discussion and action on Used bridge planks (Sealed Bid)
9. Discussion and action on Closed Session To Prevention of Needless Injury To the Reputation of an Individual
10. Discussion and action on Ordinance 647—Annual Wage Ordinance
11. Discussion and action on Non-working fire siren at pool
12. Discussion and action on Amending the 2016-2017 Budget
13. Discussion and action on Building Permits: Michael Moser, Dave Henn
14. Maintenance Report:
15. Sheriff's Report:
16. Attorney's Report:
17. Trash/Recycling Report:
18. Treasurer's Report:
19. Transaction Report and Claims:
20. Councilman's Report:
21. Clerk's Report:
22. Adjournment

Next Regular Meeting will be held on October 2, 2017 at 7:30 p.m.

THE BOARD MAY ENTER INTO CLOSED SESSION TO DISCUSS ANY MATTER ON THIS AGENDA WHEN IT IS DETERMINED BY THE BOARD THAT IT IS CLEARLY NECESSARY FOR PROTECTION OF THE PUBLIC INTEREST OR THE PREVENTION OF NEEDLESS INJURY TO THE REPUTATION OF AN INDIVIDUAL AND IF SUCH AN INDIVIDUAL HAS NOT REQUESTED A PUBLIC MEETING, OR AS OTHERWISE ALLOWED BY LAW. ANY CLOSED SESSION SHALL BE LIMITED TO THE SUBJECT MATTER FOR WHICH THE CLOSED SESSION WAS CALLED. IF THE MOTION TO CLOSE PASSES, THE PRESIDING OFFICER IMMEDIATELY PRIOR TO THE CLOSED SESSION SHALL RESTATE ON THE RECORD THE LIMITATION OF THE SUBJECT MATTER OF THE CLOSED SESSION.

BUDGET HEARING
SEPTEMBER 5, 2017
7:30 P.M.

1. CALL TO ORDER
2. BUDGET REVIEW
3. PUBLIC OPINION
4. MOTION TO ADOPT OR AMEND THE 2017-2018 BUDGET
5. ADJOURNMENT

SPECIAL HEARING
TO SET FINAL TAX REQUEST
September 5, 2017
7:30 P.M.

1. CALL TO ORDER
2. PUBLIC OPINION
3. RESOLUTION 2017-3, A RESOLUTION SETTING THE FINAL TAX REQUEST FOR 2017-2018
4. ADJOURNMENT

September Meeting Minutes

The Elgin City Council met for a regular meeting on Tuesday, September 5, 2017, at the Elgin City Hall. Notice of said meeting had been posted at three places, namely, Dean's Market, US Post Office and the Elgin City Hall, as prescribed by law. The meeting was change due to the Labor Day Holiday.

Mayor Schmitt called the meeting to order at 7:30 p.m. and announced the location of the Open Meeting Act.

Councilmen present were Duane Miller, Mike Dvorak, Don Mackel and Jim Kittelson.

Staff present was Vicki S. Miller, Don E. Poulsen and City Attorney Fredrick Bartell.

Also present was Janet Koinzan, Mark and Carol Tharnish and Marty Henn.

A motion was made by Kittelson to approve the previous regular meeting minutes. A second to the motion was made by Miller. All members voted aye and the motion carried.

Water Well Update: Mayor Schmitt reported that both water tests that come back with favorable results and Sargent should be here next week to put the new water well online.

Marty Henn stated that his water had been shut off in 2016, without anyone telling them that it would be shut off, and there was damage to his pressure pump. The pump needed to be replaced at the cost of \$399.38.

Henn stated someone told him, when he asked how he was supposed to get into his driveway, they told him to drive across his lawn.

Poulsen explained that the correct backflow device was not on his pump and if it had been on there everything would have been fine.

Mr. Henn stated he will put the correct backflow device on now, but he feels someone needs to pay for his new pump because he wasn't notified that the water was to be off.

City Attorney Bartell, stated to file a claim with the City, Mr. Henn would need to file a tort claim, but since it was past a year, the statute of limitations had run out.

Mr. Henn explained that he didn't notice any problems and he shut the system down for the year and when he started it up this spring he had Dave Schrage come out. Mr. Schrage told him the pump was damaged, because the pump was running and there was no water.

Mr. Henn asked who could inform him on the reduced pressure vacuum and the State law regarding it.

City Superintendent Poulsen stated that he would give Mr. Henn, Dave Junck, with the Nebraska Health and Human Services' phone number.

Mr. Poulsen also informed Mr. Henn, that the City is required to provide safe drinking water to the residents; the State doesn't really care about sprinkler systems.

Following the discussion, a motion was made by Mackel to deny any payment to Mr. Henn. A second to the motion was made by Miller. All members voted aye and the motion carried.

The annual library agreement with Antelope County was reviewed. A motion was made by Mackel to sign the agreement. A second to the motion was made by Kittelson. All members voted aye and the motion carried.

Janet Koinzan met with the Council regarding the water and sewer lines at Meadow Brook subdivision.

Ms Koinzan stated she did not want the line to come from 2nd Street, but instead to come from Myrtle Street.

Ms Koinzan wanted to know what the City would be paying for. Mayor Schmitt stated that City Engineer Zwingman will break that all out.

Ms Koinzan stated she had figured the costs for the City and explained what she felt the City would be responsible for. Copies of Ms Koinzan's figured cost were given to the Council.

Mayor Schmitt stated that the City would wait for the City Engineer before the City agreed on any cost figures.

Mark and Carol Tharnish asked when construction of the water and sewer lines would start. Ms Koinzan stated mid-October.

Ms Koinzan asked if anything had been decided about the bridge discussed at last month's meeting.

Mayor Schmitt stated that the City would not be doing anything until the property owners agree to install the sidewalks.

Ms Koinzan reminded Mayor Schmitt that the City Engineer would need to survey the area so everyone knew where to place the sidewalks.

Discussion was held on replacing the outside door to the public bathrooms, which is starting to bow out at the bottom. Mayor Schmitt submitted the cost of a metal door, which is 44" X 80", with a window for ventilation, at \$1660.00. An additional cost of \$150.00 to have it painted.

A motion was made by Mackel to purchase a new door. A second to the motion was made by Dvorak. All members voted aye and the motion carried.

A sealed bid for the bridge planks was received. Mayor Schmitt asked Poulsen if he and Randy would measure and count the bridge planks, so they could be advertised for sale.

The sealed bid will be maintained until the October meeting.

A motion was made by Kittelson to enter into closed session for the prevention of needless injury to the reputation of an individual. A second to the motion was made by Dvorak. All members voted aye and the motion carried.

The Council entered into closed session at 8:05 p.m.

The Council reconvened in open session at 8:45 p.m.

Mayor Schmitt read the present wage Ordinance to the Council. Clerk Miller informed the Council that the Library Board had given the librarians a \$1.00 per hour salary increase which equaled \$50.00 more per month.

Following a short discussion a motion was made by Miller to give the City maintenance personnel a 3% wage increase. A second to the motion was made by Dvorak. Roll call vote: Ayes-Miller, Kittelson, Dvorak and Mackel. Motion passed.

A motion was made by Dvorak to give the City Clerk a 3% wage increase. A second to the motion was made by Mackel. Roll call vote: Ayes-Mackel, Dvorak and Kittelson, with Miller abstaining. Motion carried.

A motion was made by Miller to suspend the reading of Ordinance 647 on three different days. A second to the motion was made by Kittelson. All members voted aye and the motion carried.

Mackel introduced Ordinance 647, entitled, AN ORDINANCE OF THE CITY OF ELGIN, NE TO SET WAGES FOR EMPLOYEES OF THE CITY OF ELGIN, REPEALING THOSE ORDINANCES IN CONFLICT: AND PRESCRIBING THE TIME WHEN THIS ORDINANCE SHALL TAKE EFFECT, and moved for its passage. A second to the motion was made by Kittelson. Roll call vote: Ayes, Miller, Kittelson, Dvorak and Mackel. Nays: none. Motion carried.

Councilman Kittelson informed the Council that the fire siren at the pool is now working.

City Clerk Miller informed the Council that there is a possibility that the 2016-2017 budget will need to be amended due to exceeding the budgeted expenditures. If needed a special hearing will need to be held before the end of the fiscal year.

A building permit from Michael Moser was reviewed. Mr. Moser will be extending his driveway.

A motion was made by Mackel to approve the permit. A second to the motion was made by Dvorak. All members voted aye and the motion carried.

Several items were discussed in the maintenance report.

Tree removal at the storage building recently purchased. Councilman Dvorak will check into which trees will be removed.

Mayor Schmitt asked that the Councilmen look at the parking lot west of the pool and decide how big it will be and decide what type of material will be placed on it.

Discussion was held on the problems at the tree dump. Councilman Miller will look into the problem and see if the south side could be sloped so the loader would have access.

Mayor Schmitt asked that the maintenance personnel make sure all water shut offs are working, if you need to, dig them up and replace them, do it.

Also discussion was held on charging for trash, if the person is living in the property and the water is shut off. The City Clerk will review the ordinances regarding the matter and will bill accordingly.

In the Sheriff's report, July hours were 99 hours and 11 minutes, with 7-911 calls.

City Attorney Bartell reported on two pending dog citations and the letters sent regarding weed and junk nuisances.

The Council asked that letters be sent to remind them that clean up needs to be done, and if it is not done, Mr. Bartell was told to file complaints on them.

Discussion was held on two properties that letters will also be sent too, due to weeds and non-mowing.

There was nothing to report in the Trash/Recycling report.

A motion was made by Mackel to accept the treasurer's report, subject to audit. A

second to the motion was made by Miller. All members voted aye and the motion carried.

A motion was made by Kittelson to pay the claims and approved the transaction report. A second to the motion was made by Mackel. All members voted aye and the motion carried. (CLAIMS)

In the Councilmen's report the City Clerk was instructed to send a claim to TopKote for reimbursement of the damage to Nathan Niewohner's mailbox during armor coating of South Street.

The speed sign on the north side of Elgin is not working. Clerk Miller informed the Council that ERPPD had been asked to check and see if it had power and she would go out and reset it as soon as she knew there was power to the sign. It's believed that it went out when the lightning strike occurred.

Mayor Schmitt reported that Seda Landscaping submitted a bid to level the hill side and cleanup the area around the new bridge on Black Snake Road in the amount of \$3,500.00. The Council approved the cleanup and to remove the ash tree by the overflow.

The culvert replacement on Oak Street will be done soon.

Mayor Schmitt asked that the pool be drained and the weeds by Jonny Dodge's north building and Jeremy Hoefer's lot be removed.

Councilman Kittelson stated that fire hydrants will be flushed next week, but an exact date would not be known until after the meeting Monday night.

There was nothing to report in the Clerk's report.

There being no further business to come before the Elgin City Council, Mayor Schmitt declared the meeting adjourned. The next regular meeting will be held on Monday, October 2, 2017 at 7:30 p.m. at the Elgin City Hall. Meeting ended at 9:30 p.m.

Mayor Mike Schmitt

City Clerk Vicki S. Miller

BUDGET HEARING MINUTES

Mayor Schmitt opened the budget hearing at 9:30 p.m. Councilmembers present were Dvorak, Miller, Mackel and Kittelson.

The Council reviewed the 2017-2018 budget. City Clerk Miller reported that the City's valuation was up so the levy for the general budget is .3079174, which is lower than last year.

Clerk Miller also reported that the City would have only one bond payment next year so the asking amount of property tax for the debt service is \$38400.00. As the final payment for the North Street storm sewer bonds was be paid in July. This is \$21,242.43 less than last year.

Mayor Schmitt asked if there was any public opinion regarding the 2017-2018 Elgin City Budget. There was no public opinion either written or orally.

A motion was made by Dvorak to adopt the 2017-2018 budget. A second to the motion was made by Kittelson. Roll call vote showed four ayes and no nays. Mayor Schmitt declared the motion passed and adopted.

The budget hearing adjourned at 9:45 p.m.

SPECIAL HEARING MINUTES

Mayor Schmitt opened the budget hearing at 9:46 p.m. Councilmembers present were Dvorak, Miller, Mackel and Kittelson.

There was no public opinion either written or orally, regarding setting the final property tax request for 2017-2018.

Kittelson introduced Resolution 2017-3, a resolution setting the property tax request for 2017-2018 at \$165,383.46 and moved for its passage. A second to the motion was made by Miller. Roll call vote showed four ayes and no nays. Mayor Schmitt declared Resolution 2017-3 passed and adopted.

Mayor Schmitt declared the special hearing adjourned at 9:55 p.m.

Mayor Mike Schmitt

City Clerk Vicki S. Miller

CLAIMS

GENERAL:

ERPPD,se,180.65-Great Plains Communications,se,50.37- Fitzgerald, Vetter & Temple,se,399.88-Jeanette Meis,se,125.00-Prudential,retirement,629.77-US Treasury,tax,4031.20-Elgin Review,prnt,158.52-Dean's Market,su,3.64-APPEARA,su,44.16-Vicki S. Miller,trvl,12.65-Bank of Elgin,pmt,368.08-Eakes Office,su,429.88-Elgin Insurance Services,ins,1422.00-Neligh Flower Shop,su,42.00-Bank of Elgin,ins,2250.00-Black Hill Energy,se,82.45-Payroll,2477.34

SALES TAX:

General Fund,se,2622.57

STREET:

ERPPD, se, 1108.78- Verizon Wireless, su,18.52-Elgin One Stop,su,252.91-Home Town Station,su,99.80-Black Hills Energy,se,33.69-B's Enterprised,su,975.00-Green Line,su,86.88-Nathan Niewohner,rprs,99.42-Pollock Redi Mix,su,885.31-Kayton International,su,14.31-Black Hills Energy,se,33.69-Payroll,1174.95

WATER:

ERPPD,se,1071.27-Verizon Wireless,su,18.53-Great Plains Communications, se,46.43-Sargent Drilling,se,37,040.25-ERPPD,Test,6.55-Elgin Review,prnt,64.00-One Call Concepts,se,6.62-R. Henn,ex,13.26- K & T Central Plains Plumbing,se,756.58-To Rhonda Lane Account,return,100.00-US Post Office,su,47.50-Dept of Revenue,tax,2045.10-Payroll,2349.89

SEWER:

ERPPD,se,1042.60-Great Plains Communications,se,47.57-One Call Concepts,se,6.61-USA Blue Book,su,464.17-Dept of Revenue,tax,616.07-Payroll,902.88

FIRE:

ERPPD,se,142.44-Great Plains Communications,se,54.35-APPEARA,su,44.16-Black Hills nergy,se,70.65

POLICE:

Antelope Co Sheriff,se,2,700.00

TRASH PICKUP/RECYCLING:

Bud's Sanitary Service,se,4968.00-Betty Moser,rent,100.00-NE Dept of Revenue,fee,25.00

POOL:

ERPPD,se,958.64-Great Plains Communications,se,62.76-Elgin Review,se,240.00-Black Hills Energy,se,354.38-NE Dept Revenue,tax,247.98-Christiansen Construction,se,37786.80 & 1025.49-Payroll,5615.76

PARK:

ERPPD,se,229.79-Koinzan Enterprises,rprs,2745.00-NE Dept Revenue,tax,55.58-Payroll,272.05

LIBRARY:

ERPPD,se,86.61-Great Plains Communications,se,174.49-Amazon,bks,164.50-Center Point,bks,350.00-Black Hills Energy,se,37.99-Payroll,1043.56

YOUTH:

ERRPD,se,95.57

POOL PROJECT:

Midwest Electrical Services,se,9115.05-Dvorak Construction,se,1765.50