

October Meeting Minutes

The Elgin City Council met for a regular meeting on Monday, October 1, 2018 at the Elgin City Hall. Notice of said had been posted at three places, namely, Dean's Market, U.S. Post Office, and the Elgin City Hall, as prescribed by law.

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, Jim Kittelson and Don Mackel.

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

Also in attendance were Kevin and Diana Finkral, Janet Koinzan and Dennis Morgan.

A motion was made by Mackel to approve the previous regular meeting minutes, budget hearing minutes, special hearing minutes and special meeting minutes. A second to the motion was made by Miller. All members voted aye and the motion carried.

Kevin and Diana Finkral met with the Council requesting permission for their two German Shepherds to be allowed within the Elgin City limits.

Mr. Finkral explained that they had purchased the Ron Wilkinson property and didn't realize that German Shepherds were prohibited in Elgin.

Mr. Finkral stated that they would install a 6' privacy fence, an unground fence and have a kennel for his dogs. He would also posted signs and his home owners insurance would cover the dogs also. He stated the one year old dog has a GPS chip and the female will also have one. They would also take the dogs to obedience classes if necessary.

Mr. Finkral stated the only reason German Shepherds are listed as dangerous is because they are used by law enforcement.

Finkral informed the Council that area towns such as Neligh, Albion and Oakdale are okay with German Shepherds.

Mayor Schmitt stated that the Council will discuss it and let him know what they have decided.

City Attorney Bartell stated that the Council could remove the breed from the prohibited list or leave the ordinance as is.

Councilman Dvorak asked if they could have a prohibited dog as long as the met all the requirements needed for a dangerous dog.

Mr. Bartell stated the ordinance states that the dogs listed as prohibited are not allowed in Elgin, unless they were "grandfathered in".

It was discussed to have some of the less aggressive dogs listed on the prohibited list, be allowed in city limits, provided they met the regulations of a dangerous dog.

Following discussion, a motion was made by Dvorak to have the City Attorney research area towns and draft an ordinance stating which breeds would be allowed, if they meet the confinement regulations. Also the City's insurance agent will be contacted regarding the possible change. A second to the motion was made by Kittelson. All members voted aye and the motion carried.

Janet Koinzan met with the Council to discuss covering the inlet in the drainage ditch south of Elgin One Stop. Ms Koinzan stated that trucks have been stuck there and if would work better to close it up.

City Engineer Zwingman was up last week and made the recommendation to put an inlet in at what appears to be a low spot in the parking lot about 30' north of North Street.

Ms Koinzan stated that Jerry Niewohner had talked to Zwingman and that was what he was told. Also they would need to cover the inlet with something other than concrete, in case it ever need to be reopened.

The cost of this will be their expense.

Ms Koinzan was asked to provide the City with an easement. Ms Koinzan thought we probably already had one.

A motion was made by Mackel to allow KNBB to install an inlet and cover the drainage ditch. A second to the motion was made by Dvorak. All members voted aye and the motion carried.

Mayor Schmitt informed Ms Koinzan that we had someone lined up to start on the bridge extension on Myrtle Street, as soon as she installed her sidewalks.

Ms Koinzan stated she couldn't do her sidewalks until the bridge was done.

Mayor Schmitt stated that the sidewalks would go west of the telephone box.

The building permit received from KNBB was reviewed. Ms Koinzan stated that the plans had changed and instead of building a new building in the southeast corner, they will be adding a 70' x 70' addition onto the existing building east of the motel.

They will be concreting the area between the addition and the motel for parking.

Ms Koinzan stated that the addition maybe 72' x 72' she wasn't sure.

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

A building permit from the Elgin Men's Charitable Corp was reviewed. They will be constructing an outdoor area north of the KC Hall. There will be 60' of concrete and a 20' x 24' pergola, with a natural gas fire pit. The walls will have siding on them.

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

The problem with prohibited dogs and unlicensed dogs was discussed. City Attorney Bartell stated that the ordinance states that unlicensed dogs can be impounded and held for five (5) days or sooner if owner meets the necessary requirements. If said animal is not claimed within five (5) days the animal may be sold, given away, donated to any authorized person or institution for a scientific research or destroyed.

The prohibited dogs would be impounded and the Judge would issue an order that the dog would need to be gone within so many days.

Following discussion the Council instructed the City Clerk to contact the Sheriff's office to check into properties that have dogs that are not license and to see if any are on the prohibited list.

Mayor Schmitt informed the Council that City Engineer Zwingman put together an estimate that would pave Beech Street from 1st to 2nd Street and 1st Street from Beech to Maple. The work would also include a 3 way return at the intersection of Beech and 1st Street along with storm sewer extending along Beech Street from Highway 14. The street would be 35 foot wide, with 40 foot radii, to facilitate the truck traffic. There would also be curb and guttering along the north side of Beech Street.

The estimated cost of the project would be \$268,000.00. The project could be done in two phases or all at once.

Mayor Schmitt will discuss the proposal and possible shared costs with Keith Gillham of CVA.

A motion was made by Kittelson to pursue the project. A second to the motion was made by Mackel. All members voted aye and motion carried.

In the maintenance report discussion was held on extending the man hole cover on the west side of the alley behind CVA and replacing the culvert at 6th and Oak Street.

Councilman Mackel requested that no more gravel be placed in the alley south of his house due to it causing the alley to be rough.

There was nothing to report in the Sheriff's report, trash/recycling report or the Clerk's report.

In the Attorney's report, Mr. Bartell stated that he had one case pending. Nathan Henn's dog killing neighbor's chickens.

The nuisance letters, regarding properties, will be sent out this week.

Mr. Bartell explained the City's options regarding the alley behind CVA. The alley could be vacated with the City retaining ownership and then a street lease could be given.

The alley could be vacated with the property being given to the property owners abutting the property. This would make the property owners responsible for taxes and liability.

Following discussion, the Council requested that Mr. Bartell draft an ordinance vacating the east ½ of the alley.

A motion was made by Dvorak 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 approve the transaction report and pay the claims, with the additional claim from The Elgin Review in the amount of \$197.04 out of the general fund. A second to the motion was made by Dvorak. All members voted aye, with Miller abstaining of any claims of the City Clerk, and the motion carried. (CLAIMS)

In the Councilman's report, Kittelson asked that an ad be placed in the Elgin Review informing residents of flushing of fire hydrants in the evening of October 17, 2018.

Kittelson also asked about water and sewer taps at the Richard Uhrenholdt property. If new taps are made, they would need to pay for new taps.

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, November 5, 2018 at 7:30 p.m. at the Elgin City Hall. The meeting adjourned at 8:45 p.m.

Mayor Mike Schmitt

City Clerk Vicki S. Miller

CLAIMS

GENERAL:

ERPPD,se,173.67-Great Plains Communications,se,39.29- Fitzgerald, Vetter & Temple,se,350.00- Prudential,retirement,635.52-US Treasury,tax,2445.06-Elgin Review,prnt,197.04-APPEARA,su,43.03- Bank of Elgin,ins,2250.00-Black Hill Energy,se,80.10-Dean's Market,su,13.03-NE Dept of Revenue, Tax,1379.96-EMC National Life,ins,1074.00-US Post Office,su,16.08-Payroll,2062.44

SALES TAX:

Pool Fund: 2078.61

STREET:

ERPPD, se, 1148.98- Verizon Wireless, su,56.42-Elgin One Stop,su,89.27-Black Hills Energy,se,33.07- Home Town Station,su,115.23-Elgin Equipment,rprs,146.33-Heartland Fire,se,295.50-ACES,se,2000.00- Johnson Service,se,2125.00-Bader's Highway & Street,se,5322.00-Jerry Hestekind,equip,5500.00- -Payroll,1208.02

WATER:

ERPPD,se,946.34-Verizon Wireless,su,56.43-Great Plains Communications, se,32.16-US Post Office, su,49.40-NE Dept of Revenue,tax,374.27-NE Public Health Lab,test,274.00-Municipal Supply,su,2899.58- Antelope Co Clerk,fee,10.00-Gutter Crew,se,330.00-ACES,se,28860.56-Payroll,2416.05

SEWER:

ERPPD,se,929.93-Great Plains Communications,se,36.30-Midwest Labs,Test,281.43-Dept of Revenue,tax, 205.32-USA Blue Book, su,460.45-Johnson Service,se,5435.70-MARC,su,1233.13- Dakota Pump,rprs,1645.82-Payroll,929.14

FIRE:

ERPPD,se,160.02-Great Plains Communications,se,43.09-APPEARA,su,43.02-Black Hills Energy,se, 70.45-Midwest Sprinkler,se,380.00

POLICE:

Antelope Co Sheriff,se,2,700.00

TRASH PICKUP/RECYCLING:

Bud's Sanitary Service,se,4752.00-Betty Moser,rent,100.00

POOL:

ERPPD,se,467.54-Black Hills Energy,se,173.64-NE Dept. of Revenue,tax,42.16

PARK:

ERPPD,se,645.46-NE Dept of Revenue,tax,162.14-Tommy Reyes,return,120.00-Payroll,278.89

LIBRARY:

ERPPD,se,80.64-Amazon,bks,378.79-Black Hills Energy,se,37.37-Great Plains Communications,se, 106.17-Payroll,1134.84

YOUTH:

ERPPD,se,24.94