

A regular meeting of the Mayor and the City Council of O'Neill was held at the City Hall in said City on the 4th day of October, 2021 at 6:30 P.M.

Present: Mayor Scott Menish, City Attorney Boyd Strobe, City Clerk/Treasurer Sarah Sidak and Council members; Susie Kramer, Tim Schneider, Kayla Burdick, Terri Krysl, Quana Kelly and Beth Walsh. Absent: Council President Don Baker 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 Menish. Mayor Menish informed the public of the location of the Open Meetings Act poster.

Moved by Schneider, second by Krysl to waive the reading of the minutes of the September 13th meeting and approve them as if read. Roll call vote as follows: All Ayes. Motion carried.

Council member Kelly introduced Resolution No. 21-15, which is on file with the City Clerk.

RESOLUTION NO. 21-15

OF THE

CITY OF O'NEILL

WHEREAS: State of Nebraska Statutes, sections 39-2115, 39-2119, 39-2120, 39-2121 and 39-2520(2), requires an annual certification of program compliance to the Nebraska Board of Public Roads Classifications and Standards; and

WHEREAS: State of Nebraska Statute, section 39-2120 also requires that the annual certification of program compliance by each municipality shall be signed by the Mayor or Village Board Chairperson and shall include the resolution of the governing body of the municipality authorizing the signing of the certification.

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF O'NEILL, NEBRASKA; that the Mayor is hereby authorized to sign the attached Municipal Annual Certification of Program Compliance.

PASSED AND APPROVED this 4th day of October, 2021.

SCOTT MENISH, MAYOR

ATTEST:
(SEAL)

SARAH SIDAK, CITY CLERK/TREASURER

Second by Walsh to adopt Resolution No. 21-15. Roll call vote as follows: All Ayes. Motion carried.

The Council tabled the Ordinance for a consent agenda until the November 8th meeting.

Council member Kramer introduced Ordinance No. 1404, which is on file with the City Clerk.

City attorney Strobe read Ordinance No. 1404 by title and number.

ORDINANCE NO. 1404
OF THE
CITY OF O'NEILL, NEBRASKA

AN ORDINANCE OF THE CITY OF O'NEILL, NEBRASKA, AMENDING MUNICIPAL CODE SECTION 6-103: WATER SERVICE; PERMIT; DEPOSIT; DELINQUENCY, SECTION 6-110; WATER RATES, SECTION 6-205: CUSTOMER DEPOSITS, SECTION 6-206: SEWER RATES, SECTION 6-409: CUSTOMER DEPOSITS; 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 6-103 of the O'Neill Municipal Code be amended to read as follows:

"SECTION 6-103: WATER SERVICE; PERMIT; DEPOSIT; DELINQUENCY

A. Every person or persons desiring a supply of water must make application to the water commissioner on a form provided by him and filed at the city office. The application shall state for what purpose the water shall be used, and the permit issued by the water commissioner shall restrict such use to that use which has been applied for. The commissioner shall not issue a permit for water use if the use of such water would violate any other provisions of the municipal ordinances or rules and regulations of the Nebraska Department of Environmental Quality. Water may not be supplied to any house or private service pipe except upon the order of the commissioner.

B. All new customers, except customers served by the City within the past 12 months and who established satisfactory payment records for the previous service, shall be required to make a deposit with the City as follows:

Water Meter Size	Combined Deposit				
	2021	2022	2023	2024	2025
1.0" or less	\$170.00	\$210.00	\$220.00	\$230.00	\$240.00
1.5"	\$340.00	\$420.00	\$440.00	\$460.00	\$480.00
2.0"	\$680.00	\$840.00	\$880.00	\$920.00	\$960.00
3.0"	\$1370.00	\$1680.00	\$1760.00	\$1840.00	\$1920.00
4.0"	\$2740.00	\$3360.00	\$3520.00	\$3680.00	\$3840.00

Deposit amount is one amount for water, sewer and/or garbage or any combination of the three.

C. Each deposit shall be refunded when the customer has established a satisfactory payment record for a period of 12 consecutive months and has not been served with more than two disconnect notices during such period of time. When supported by facts, the mayor may determine the deposit shall be held for a longer period to assure a satisfactory payment record.

D. The City may offset any customer's deposit at any time during which the customer's account is delinquent. Such deposit may also be used to offset any payment due on any other account of the customer, payment for damages due from the customer, or payment of a judgment obtained by the City for any reason, either against the property owner or customer, if a different person.

E. The City may use any means available to it by law for collection of a customer's delinquent account in addition to use of his or her deposit.
(Neb. Rev. Stat. §17-537) (Am. by Ord. Nos. 843, 8/6/91; 850, 10/1/91; 917, 9/7/93; 924, 2/1/94; 1041, 1/7/97; 1312, 12/6/10)

Sec. 2. Section 6-110 of the O'Neill Municipal Code be amended to read as follows:

"SECTION 6-110: WATER RATES

A. All water customers shall be liable for the basic service rate and value charge provided by ordinance unless and until the consumer shall, by written order, direct the Water Commissioner to shut off the water at the curb valve box, in which case he/she shall not be liable thereafter for water rates until the water is turned on again. The water service rates as adopted by ordinance of the Governing Body are as follows:

Water Meter Size	Basic Service Rate				
	2021	2022	2023	2024	2025
1.0" or less	\$22.00	\$23.00	\$24.00	\$25.00	\$26.00
1.5"	\$44.00	\$46.00	\$48.00	\$50.00	\$52.00
2.0"	\$88.00	\$92.00	\$96.00	\$100.00	\$104.00
3.0"	\$176.00	\$184.00	\$192.00	\$200.00	\$208.00
4.0"	\$352.00	\$368.00	\$384.00	\$400.00	\$416.00

ADDITIONAL WATER USAGE PER 1,000 GALLONS
\$1.80 \$2.00 \$2.10 \$2.20 \$2.30

B. Fees for required services are as follows:

	2021	2022	2023	2024	2025
Backflow Test	\$50.00	\$53.00	\$55.00	\$58.00	\$61.00
Backflow Cleaning (doesn't include price of parts)	\$50.00	\$53.00	\$55.00	\$58.00	\$61.00
Tapping Fee (0.75"/1.0")	\$100.00	\$105.00	\$111.00	\$117.00	\$123.00
Tapping Fee (1.5"/2.0")	\$150.00	\$158.00	\$166.00	\$175.00	\$184.00
Curb Valve and Box replacement parts	\$800.00	\$842.00	\$886.00	\$933.00	\$982.00
Water/Sewer Inspection	\$40.00	\$42.00	\$44.00	\$47.00	\$49.00
Septage/ 500 gallons	\$8.00	\$8.50	\$8.90	\$9.00	\$10.00
Late Fee 8 am - 5 pm	\$50.00	\$53.00	\$55.00	\$58.00	\$61.00
Late Fee after 5:00 P.M. Weekends or Holidays)	\$100.00	\$105.00	\$111.00	\$117.00	\$123.00
Water Sampling	\$100.00	\$105.00	\$111.00	\$117.00	\$123.00

Sec. 3. Section 6-205 of the O'Neill Municipal Code be amended to read as follows:

"SECTION 6-205: CUSTOMER DEPOSITS

(A) All new customers (except customers served by the City within the past 12 months and who established satisfactory payment records for the previous service) shall be required to make a deposit with the City as follows:

Water Meter Size	<u>Combined Deposit</u>				
	2021	2022	2023	2024	2025
1.0" or less	\$170.00	\$210.00	\$220.00	\$230.00	\$240.00
1.5"	\$340.00	\$420.00	\$440.00	\$460.00	\$480.00
2.0"	\$680.00	\$840.00	\$880.00	\$920.00	\$960.00
3.0"	\$1370.00	\$1680.00	\$1760.00	\$1840.00	\$1920.00
4.0"	\$2740.00	\$3360.00	\$3520.00	\$3680.00	\$3840.00

This deposit amount is one amount for water, sewer and/or garbage or any combination of the three.

(B) Each deposit shall be refunded when the customer has established a satisfactory payment record for a period of twelve (12) consecutive months and has not been served with more than two disconnect notices during such period of time. When supported by facts the Mayor may determine the deposit shall be held for a longer period to assure a satisfactory payment record.

(C) The City may offset any customer's deposit at any time during which the customer's account is delinquent. Such deposit may also be used to offset any payment due on any other account of the customer, payment for damages due from the customer, or payment of a judgment obtained by the City of O'Neill for any reason either against the property owner or customer, if a different person.

(D) The City may use any means available to it by law for collection of a customer's delinquent account in addition to use of their deposit."

Sec. 4. Section 6-206 of the O'Neill Municipal Code be amended to read as follows:

"SECTION 6-206: SEWER RATES

(A) All new customers (except customers served by the City within the past 12 months and who established satisfactory payment records for the previous service) shall be required to make a deposit with the City as follows:

Water Meter Size	<u>Basic Service Rate</u>				
	2021	2022	2023	2024	2025
1.0" or less	\$20.10	\$21.60	\$23.10	\$24.60	\$26.10
1.5"	\$40.20	\$43.20	\$46.20	\$49.20	\$52.20
2.0"	\$80.40	\$86.40	\$92.40	\$98.40	\$104.40
3.0"	\$160.80	\$172.80	\$184.80	\$196.80	\$208.80
4.0"	\$321.60	\$345.60	\$369.60	\$393.60	\$417.60
ADDITIONAL SEWER USAGE PER 1000 GALLONS					
	\$2.80	\$3.00	\$3.20	\$3.40	\$3.60

User NOT on City Sewer System

	2021	2022	2023	2024	2025
Residential per Month	\$69.00	\$89.00	\$109.00	\$129.00	\$149.00

Commercial per Month \$79.00 \$99.00 \$119.00 \$149.00 \$169.00

Commercial Haulers

Commercial haulers shall only dump at the Waste Treatment Plant and only after receiving permission from the Sewer Commissioner. Dumping rates shall be as set by the Sewer Commissioner from time to time."

(B) Fees for required services are as follows:

	2021	2022	2023	2024	2025
Backflow Test	\$50.00	\$53.00	\$55.00	\$58.00	\$61.00
Backflow Cleaning (doesn't include price of parts)	\$50.00	\$53.00	\$55.00	\$58.00	\$61.00
Tapping Fee (0.75"/1.0")	\$100.00	\$105.00	\$111.00	\$117.00	\$123.00
Tapping Fee (1.5"/2.0")	\$150.00	\$158.00	\$166.00	\$175.00	\$184.00
Curb Valve and Box replacement parts	\$800.00	\$842.00	\$886.00	\$933.00	\$982.00
Water/Sewer Inspection	\$40.00	\$42.00	\$44.00	\$47.00	\$49.00
Septage/ 500 gallons	\$8.00	\$8.50	\$8.90	\$9.00	\$10.00
Late Fee 8 am - 5 pm	\$50.00	\$53.00	\$55.00	\$58.00	\$61.00
Late Fee after 5:00 P.M. Weekends or Holidays)	\$100.00	\$105.00	\$111.00	\$117.00	\$123.00

Water Sampling	\$100.00	\$105.00	\$111.00	\$117.00	\$123.00
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Sec. 5 Section 6-409 of the O'Neill Municipal Code be amended to read as follows:

"SECTION 6-409: CUSTOMER DEPOSITS

(A) All new customers (except customers served by the City within the past 12 months and who established satisfactory payment records for the previous service) shall be required to make a deposit with the City as follows:

Water Meter Size	Combined Deposit				
	2021	2022	2023	2024	2025
1.0" or less	\$170.00	\$210.00	\$220.00	\$230.00	\$240.00
1.5"	\$340.00	\$420.00	\$440.00	\$460.00	\$480.00
2.0"	\$680.00	\$840.00	\$880.00	\$920.00	\$960.00
3.0"	\$1370.00	\$1680.00	\$1760.00	\$1840.00	\$1920.00
4.0"	\$2740.00	\$3360.00	\$3520.00	\$3680.00	\$3840.00

(B) Each deposit shall be refunded when the customer has established a satisfactory payment record for a period of 12 consecutive months and has not been served with more than two disconnect notices during such period of time. When supported by facts, the mayor may determine that the deposit shall be held for a longer period to assure a satisfactory payment record.

(C) The City may offset any customer's deposit at any time during which the customer's account is delinquent. Such deposit may also be used to offset any payment due on any other account of the customer, payment for damages due from the customer, or payment of a judgment obtained by the City for any reason either against the property owner or customer, if a different person.

(D) The City may use any means available to it by law for collection of a customer's delinquent account in addition to use of his or her deposit.

Sec. 6. That all prior ordinances in conflict herewith are repealed.

Sec. 7. 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 _____, 2021.

SCOTT MENISH, MAYOR

ATTEST:
(SEAL)

SARAH SIDAK, CITY CLERK/TREASURER

Moved by Kramer, second by Schneider to introduce Ordinance No. 1404 and waive the three readings. Roll call vote as follows: Aye; Kramer, Schneider and Kelly. Nay; Krysl, Burdick and Walsh. Absent: Baker and Gleason. Motion failed.

Moved by Schneider, second by Kelly to approve OOR Grant drawdown request #18 in the amount of \$8,770.83. Roll call vote as follows: All Ayes. Motion carried.

There was no action taken on 05-LB840-21 loan application due to the LB840 Finance Committee needing more information before they can approve it.

Moved by Schneider, second by Kelly to approve advertising for a mini excavator with loader for the water and sewer department. Roll call vote as follows: All Ayes. Motion carried.

Moved by Walsh, second by Kelly to approve advertising for a vac-truck for the water and sewer department. Roll call vote as follows: All Ayes. Motion carried.

Moved by Kelly, second by Schneider to approve advertising for a patrol unit. Roll call vote as follows: All Ayes. Motion carried.

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

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

ALL FUNDS

Payroll, salary	121,939.02	FED & FICA, tax	13,247.32
American Family, ins	2,145.68	Appeara, su	763.12
Black Hills Energy, util	347.34	Blue Cross Blue Shield	47,380.49
Contingent Fund, su	308.42	Guardian, ins	1,702.57
John Hancock, pension	3,258.72	NE Dept. of Revenue, tax	3,990.22
NPPD, util	20,868.00	NT&T, phone	1,134.59
Quadient Finance, su	2,000.00	Verizon, phone	752.59
Wex Bank, fuel	7,094.19		

GENERAL FUND

A & J Tire, ser	1,443.00	Amazon, su	386.52
Anson Ins., pmt	892.47	Bomgaars, su	1,479.95
Boyd-Holt 911, pmt	102,051.00	Century Link, phone	58.18
Chamber of Commerce, pmt	2,500.00	CNEDD, pmt	5,557.50
Daktronics, su	2,265.00	Danko, su	7,309.89
Dearborn Life, ins	72.24	Ed M Feld Equip., su	3,108.70
FCF Construction, ser	12,100.00	Fire Protection, ser	150.00
GreatAmerica Finance, ser	218.25	GreatPlains small eng.,ser	161.11
Holt Co ED, pmt	25,413.00	Holt Co Independent, ad	533.83
In The Swim, su	199.99	Island Supply Welding, su	84.46
KBRX, ad	15.00	LB840 Fund, pmt	30,792.10
LONM, pmt	7,250.00	Scott Menish, ser	460.00
Amy Moore, re	236.47	NECC, school	1,766.50
Odey's, su	733.00	One Office, su	1,832.00
O'Neill Men's Club, pmt	2,500.00	Recreation Supply, su	1,073.40
Dori Rich, clean	885.00	Rural Fire Board, pmt	64,085.50
Stick it Vinyl, ser	18.00	Sunset Pool Supplies, su	2,040.00

Tax Commissioner, tax	145.88	Universal Broadband ser	6,825.00
<u>POLICE FUND</u>			
A&J Tire, ser	78.99	Century Link, phone	65.59
Jackolyn Collier, clean, su	120.00	Consolidated Management, su	262.42
HCAS, ser	160.00	Pinnacle Bank, su	131.03
Taylor Made Printing, ser	114.50		
<u>STREET FUND</u>			
Accounts Management, pmt	298.23	Bomgaars, su	255.79
Connot Tire, ser	29.85	Heartland Hydraulics, su	221.24
Netcom, su	170.00	Olsson, fees	4,705.39
Wise Heavy Equip., su	340.99		
<u>SEWER FUND</u>			
Blackburn Mfg., su	213.58	Bomgaars, su	32.88
Colonial Research, su	4,319.40	Grainger, su	191.56
Hach Co., su	203.39	LONM, pmt	593.50
MacQueen Equipment, su	173.69	One Office, su	11.23
O'Neill Auto, su	7.08	O'Neill Lumber, su	31.14
Olsson, fees	3,792.16	Ranchland Auto, su	95.50
Tax Commissioner, tax	3,784.15	Torpin's, su	4.24
<u>WATER FUND</u>			
Blackburn Mfg., su	213.58	Bomgaars, su	122.48
City Utility Deposit, re	170.00	Fedex, ser	228.67
GI CCC, school	170.00	Grainger, su	157.49
K&K Welding, ser	202.71	LONM, pmt	593.50
Lincoln Winwater, su	727.60	Metering & Tech., su	2,184.92
NE Public Health, tests	97.00	NE Support, pmt	181.84
Niobrara Valley, util	*	Olsson, fees	4,225.08
One Office, su	11.22	O'Neill Lumber, su	31.14
Ranchland Auto, su	136.12	RSR Electrical, ser	139,957.57
Tax Commissioner, tax	5,682.27	Torpin's, su	4.24
<u>SOLID WASTE FUND</u>			
Accounts Management, pmt	275.82	AKRS Equipment, su	2,705.00
Butler Co. Landfill, fee	35,547.26	Connot Tire Service, ser	1,075.80
Matheson Tri-Gas, su	36.40	Niobrara Valley, util	*
One Office, su	23.99	Ranchland Auto, su	532.81
Dori Rich, clean	300.00	Santander Bank, pmt	40,000.00
Schindler Electric, su	12.50		
<u>COMMUNITY IMPROVEMENT FUND</u>			
CDS Insp & Beyond, ser	573.35	Kinnan Const., ser	4,928.00
Strom Construction, ser	3,269.48		
<u>LB840 FUND</u>			
KBRX, ad	15.00		

KAYLA BURDICK, WARD I
DON BAKER, WARD I

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

The meeting adjourned at 6:53 P.M.

SCOTT MENISH, MAYOR

ATTEST:
(SEAL)

SARAH SIDAK, CITY CLERK/TREASURER
