

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 May, 2021 at 7:30 P.M.

Present: Mayor Scott Menish, City Attorney Boyd Strobe, City Clerk/Treasurer Sarah Sidak, Council President Don Baker and Council members; Susie Kramer, Kayla Burdick, Terri Krysl, Quana Kelly and Beth Walsh. Absent: Tim Schneider 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. 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 Baker to waive the readings of the minutes of the April 5th & 26th meetings and approve them as if read. Roll call vote as follows: All Ayes. Motion carried.

Moved by Walsh, second by Kelly to open the public hearing for the Amanda Nekolite DBA Neko's Pub Class C Liquor License application. Roll call vote as follows: All Ayes. Motion carried.

No public comment was made.

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

Council member Baker introduced Resolution No. 21-06, which is on file with the City Clerk.

RESOLUTION NO. 21-06
OF THE
CITY OF O'NEILL, NEBRASKA

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

Sec. 1. The City of O'Neill has received a Class C liquor license application from Amanda Nekolite DBA Neko's Pub.

Sec. 2. Notice of a Public Hearing on said application set for May 3, 2021 at 7:30 p.m. was published as required by law.

Sec. 3. The O'Neill City Council held a public hearing concerning the application of Neko's Pub for a Class C liquor license.

Sec. 4. Upon hearing it is found and determined that the liquor license of Neko's Pub is hereby approved.

Sec. 5. The City Clerk is authorized to submit necessary documents to the Nebraska Liquor Commission evidencing the outcome of the public hearing of said application.

PASSED AND APPROVED this 3rd day of May, 2021.

SCOTT MENISH, MAYOR

ATTEST:
(SEAL)

SARAH SIDAK, CITY CLERK/TREASURER

Second by Kramer to adopt Resolution No. 21-06. Roll call vote as follows: All Ayes. Motion carried.

Mayor Menish called for all hay bids.

Moved by Kramer, second by Kelly to close the hay bids. Roll call vote as follows: All Ayes. Motion carried.

Attorney Strobe read the following bid aloud:

Jason Maloun	\$650.00
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Moved by Baker, second by Kelly to accept the hay bid submitted by Jason Maloun for \$650.00. Roll call vote as follows: All Ayes. Motion carried.

Mayor Menish called for all garbage truck bids.

Moved by Baker, second by Krysl to close the garbage truck bids. Roll call vote as follows: All Ayes. Motion carried.

City Attorney Strobe read the following bids aloud:

RTS	\$160,759.00
	\$156,759.00
Elliot Equipment	\$151,613.92
Elliot Equipment	\$179,100.00
Mid IA Solid Waste	\$167,434.40
Freightliner Truck Center	\$175,220.00
Cornhusker International Truck	\$153,483.00

Solid Waste Supervisor Kevin Seger took the bids for review.

Mayor Menish called for all medium rescue truck bids. There were no bids submitted.

Hall of Fame nominations will be accepted at the city offices until May 28th at 5:00 p.m.

City Attorney Strobe read the second reading of Ordinance No. 1393 by title and number.

ORDINANCE NO. 1393
OF THE
CITY OF O'NEILL, NEBRASKA

AN ORDINANCE OF THE CITY OF O'NEILL, NEBRASKA, AMENDING SECTION

2-134 BY ADDING PARKS AND POOL TO THE SEXUAL PREDATOR RESIDENCY RESTRICTIONS; 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. That Section 2-134 of the O'Neill Municipal Code be amended to read as follows:

"SECTION 2-134: SEXUAL PREDATORS; RESIDENCY RESTRICTIONS; EXCEPTIONS

A. Prohibited location of residence. It is unlawful for any person who is a sexual predator, as defined herein, or under similar provisions of any other state, to reside within 500 feet of the real property compromising the following:

1. A public, private, denominational or parochial school which meets the requirements for accreditation or approval in Neb. Rev. Stat. Chapter 79.
2. A child care facility.
3. A municipal park.
4. A municipal pool.

B. Measurement of distance. For purposes of determining the minimum distance separation, the requirement shall be measured by following a straight line from the outer property line of the permanent residence or temporary residence to the nearest outer boundary line of a public or nonpublic elementary or secondary school, child care facility, municipal park, or municipal pool.

C. Exceptions to Schools or Child Care Facilities. A person residing within 500 feet of any real property comprising of a public or nonpublic elementary or secondary school, child care facility, municipal park, or municipal pool does not commit a violation of this section if any of the following apply:

1. The person's residence results from a requirement to serve a sentence at a jail, prison, juvenile facility, or resides in any other correctional institution or facility including a correctional or treatment facility operated by the state or any political subdivision.
2. The person established such residence before July 1, 2006 and has not moved from that residence.
3. The person's place of residence becomes a violation of this ordinance solely because of annexation into the City.
4. The person established a residence after July 1, 2006 and the public or

nonpublic elementary or secondary school, child care facility, municipal park, or municipal pool within 500 feet of the person's permanent residence was established after his or her initial date of residence at that location."

D. Exceptions to Parks and Pools. A person residing within 500 feet of any real property comprising of municipal park, or municipal pool does not commit a violation of this section if any of the following apply:

1. The person's residence results from a requirement to serve a sentence at a jail, prison, juvenile facility, or resides in any other correctional institution or facility including a correctional or treatment facility operated by the state or any political subdivision.

2. The person established such residence before July 1, 2021 and has not moved from that residence.

3. The person's place of residence becomes a violation of this ordinance solely because of annexation into the City.

4. The person established a residence after July 1, 2021 and the municipal park, or municipal pool within 500 feet of the person's permanent residence was established after his or her initial date of residence at that location."

Sec. 2. That all prior ordinances in conflict herewith are repealed.

Sec. 3. 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

Moved by Kramer, second by Kelly to change the regular meeting time of the Council meetings from 7:30 p.m. to 6:30 p.m. Roll call vote as follows: Aye; Kelly, Kramer, Burdick, Baker and Walsh. Nay: Krysl. Absent: Schneider and Gleason. Motion carried.

Moved by Walsh, second by Burdick to approve appointing James McNally as substitute trustee for a foreclosure with the City and retaining him to represent the City for a

zoning/floodplain enforcement issue. Roll call vote as follows:
All Ayes. Motion carried.

Council member Kelly introduced Resolution No. 21-07, which is on file with the City Clerk.

RESOLUTION NO. 21-07
OF THE
CITY OF O'NEILL, NEBRASKA

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

Sec. 1. The Nebraska Department of Transportation, "NDOT" has agreed to install pedestrian audible signals at the intersection of 4th Street (Highway 281) and Douglas Street in O'Neill, Nebraska, paid for by State of Nebraska at no cost to the City.

Sec. 2. The City approves placement of pedestrian audible signals on 4 leg installation at said intersection.

PASSED AND APPROVED this 3rd day of May, 2021.

SCOTT MENISH, MAYOR

ATTEST:
(SEAL)

SARAH SIDAK, CITY CLERK/TREASURER

Second by Krysl to adopt Resolution No. 21-07. Roll call vote as follows: All Ayes. Motion carried.

Moved by Burdick, second by Kramer to approve the street closure on Hancock Street from 4th Street to 2nd Street on Saturday, July 17, 2021 for the Summerfest concert at the Community Center. Also, waive the noise ordinance for the concert as it will not end until midnight. Roll call vote as follows: All Ayes. Motion carried.

Moved by Kelly, second by Walsh to approve application PIP-LB840-92 in the amount of \$2,282.00 for signage. Roll call vote as follows: All Ayes. Motion carried.

Moved by Baker, second by Kramer to approve application PIP-LB840-93 in the amount of \$3,445.28 for signage. Roll call vote as follows: All Ayes. Motion carried.

Moved by Kramer, second by Kelly to approve application PIP-LB840-94 in the amount of \$3445.28 for signage. Roll call vote as follows: All Ayes. Motion carried.

Moved by Baker, second by Walsh to approve application PIP-LB840-95 in the amount of \$870.24 for signage. Roll call vote as follows: All Ayes. Motion carried.

Moved by Kelly, second by Walsh to approve application PIP-LB840-96 in the amount of \$4,138.97 for signage. Roll call vote as follows: All Ayes. Motion carried.

Moved by Kelly, second by Krysl to approve application PIP-LB840-97 in the amount of \$1,016.29 for signage. Roll call vote as follows: All Ayes. Motion carried.

Moved by Walsh, second by Kelly to approve application PIP-LB840-98 in the amount of \$4,652.96 for a new door and property improvement. Roll call vote as follows: All Ayes. Motion carried.

Moved by Kelly, second by Burdick to approve loan application 03-LB840-21 in the amount of \$20,000 for a period of ten years for new facility construction. Roll call vote as follows: All Ayes. Motion carried.

Moved by Kelly, second by Walsh to approve loan application 08-LB840-20 in the amount of \$175,000 for a period of ten years for a purchase of a business. Roll call vote as follows: All Ayes. Motion carried.

Moved by Kramer, second by Krysl to approve application ONL-HR-10 for our OOR CDBG grant program. Roll call vote as follows: All Ayes. Motion carried.

Moved by Baker, second by Kramer to approve OOR Grant drawdown request #12 and #13 in the amount of \$7,330.29. Roll call vote as follows: All Ayes. Motion carried.

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

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

ALL FUNDS

Payroll, salary	125,320.90	FED & FICA, tax	27,978.97
American Family, ins	1,310.06	Appeara, su	779.16
Black Hills Energy, util	1,699.30	Blue Cross Blue Shield	45,382.48
Bomgaars, su	570.23	Dana F Cole, audit	13,700.00
Guardian, ins	1,702.57	John Hancock, pension	6,582.62
NE Dept. of Revenue, tax	4,127.72	NPPD, util	14,901.00
NT&T, phone	896.68	Quadiant Finance, postage	1000.00
Quadiant Leasing, pmt	957.27	UNUM Life, ins	213.62
Verizon, phone	755.48	Wex Bank, fuel	7,059.08

GENERAL FUND

AKRS Equipment, pmt	35,335.34	Alder Plumbing, ser	789.16
Amazon, su	288.36	Cummins Sales & Service, ser	798.76
Century Link, phone	58.04	Contingent Fund, re	45.00
Dearborn Life, ins	99.76	Ed M Feld Equip, su	7,166.15
Floor Maint, su	25.08	Great Plains Sm Engine, su	185.46
Holt Co Independent, ad	222.45	Island Supply Welding, su	150.00
KBRX, ad	15.00	Krier Technologies, su	287.50
LB840 Fund, pmt	24,505.39	Scott Menish, ser	875.00
Netcom, su	14.99	Odey's, su	4,581.70
Ogden Hardware, su	39.76	One Office, su	*
O'Neill Auto Supply, su	4.11	O'Neill Electric, ser	223.87
O'Neill Family Pharmacy, su	13.20	O'Neill Lumber, su	107.61
O'Neill Tire & Supply, su	133.95	O'Neill Ventures, pmt	1,918.86
Pinnacle Bank-Omaha, su	317.88	Dori Rich, clean	885.00
Siteone Landscape, su	4,774.47	Strope & Gotschall, fees	1,028.00
Tax Commissioner, tax	23.31	Team Laboratory, su	95.08
Torpin's, su	3.10		

POLICE FUND

A&J Tire, ser	99.00	Avera Med Group, ser	129.00
Century Link, phone	65.45	Jackolyn Collier, clean, su	160.00
Contingent Fund, re	47.02	Elkhorn Valley Family, ser	25.50
Kris Harvey, su	16.56	Jack's Uniforms, su	350.64
NE Law Enf Training, fee	135.00	NE State Patrol, fees	639.00
NECC, fee	20.50	O'Neill Car Wash, ser	40.72
O'Neill Shopper, ad	60.00	Pinnacle Bank-Omaha, fees	196.40
Public Safety Center, su	74.98	Quill, su	204.73

Strope & Gotschall, fees 73.50

STREET FUND

Barco Municipal, su 108.06
Carroll Construction, su 2,442.70
Floor Maint, su 25.08
Holt Co Independent, ad 39.04
Mercedes-Benz Finance, pmt27,636.30
NMC, su 1,329.77
Olsson, fees 17,278.92
O'Neill Auto, su 58.36

Blain P&P, ser 300.00
Emme Sand, rock 2,398.94
Gen Traffic Controls, su 1,820.00
Husker Used Trucks, su 45.00
NE Truck Center, su 146.52
NPPD, ser 802.49
Omni Engineering, su 1,930.50
Ranchland Auto, su 75.23

SEWER FUND

Barco Municipal, su 88.47
Cole Redimix, su 132.00
Contingent Fund, re 59.50
Grainger, su 16.86
Midwest Laboratories, ser 194.00
Olsson, fees 3,728.40
One Office, su *
Tax Commissioner, tax 3,670.69
USA Blue Book, su 960.83

Carhart Lumber, su 1,502.31
Colonial Research, su 2,902.80
Farmer's Pride, su 163.48
Hach Co., su 242.94
NE DOT, fees 36,000.00
One Call Concepts, ser 22.88
Ranchland Auto, su 48.91
Torpin's, su 13.47

WATER FUND

Badger Meter, ser 75.75
City Utility Deposit, re 1,360.00
Contingent Fund, re 12.80
Fedex, ser 233.13
Holt Co Independent, ad 297.00
NE DEQ. Fees 1,814.93
NE Rural Water Assoc, conf 395.00
Niobrara Valley, util *
One Call Concepts, ser 22.88
Ranchland Auto, su 50.23
USA Blue Book, su 399.85

Barco Municipal, su 88.47
Comfort Inn, rooms 419.80
Farmer's Pride, su 163.48
Grainger, su 16.85
Municipal Supply, su 253.37
NE Public Health, tests 120.00
NE Support, pmt 363.68
Olsson, fees 3,243.75
One Office, su *
Tax Commissioner, tax 3,469.67

SOLID WASTE FUND

Breiner Welding, ser 84.00
Cole Petroleum, su 300.00
Matheson Tri-Gas, ser *
One Office, su *
Strope & Gotschall, fees 73.50

Butler Co. Landfill, fee 35,787.19
Floor Maint, su 50.15
Niobrara Valley, util *
Dori Rich, clean 300.00

COMMUNITY IMPROVEMENT FUND

CDS Insp & Beyond, ser 1,508.21
Mike Hammerlun, su 82.08

CNED, ser 5,740.00

DEBT SERVICE FUND

BOKF, pmt 7,586.25

LB840 FUND

Strope & Gotschall, fees 875.00

QUANA KELLY, WARD III
TERRI KRYSL, WARD III

Moved by Baker, second by Kelly to approve the garbage truck bid submitted by Cornhusker International Trucks for \$153,483.00. Roll call vote as follows: All Ayes. Motion carried.

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

The meeting adjourned at 8:32 P.M.

SCOTT MENISH, MAYOR

ATTEST:
(SEAL)

SARAH SIDAK, CITY CLERK/TREASURER
