

A regular meeting of the Mayor and the City Council of O'Neill was held at the City Hall in said City on the 6th day of January, 2020 at 7:30 P.M.

Present: Mayor Scott Menish, City Clerk/Treasurer Nikki Schwanz, City Attorney Boyd Strope, Council President Don Baker and Council members; Susie Kramer, Tim Schneider, Terri Krysl, Quana Kelly, Michelle Liewer and Tim Gleason. Absent: Council member Beth Walsh.

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 Kramer, second by Liewer to waive the reading of the minutes of the December 2nd meeting and approve them as if read. Roll call vote as follows: All Ayes. Motion carried.

Moved by Kelly, second by Kramer to open the Loutzenhiser Minor Subdividsion public hearing. Roll call vote as follows: All Ayes. Motion carried.

City Clerk Schwanz reported that the Planning Commission had met and approved the plat as submitted.

No public comment was made.

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

Moved by Kramer, second by Kelly to approve the Loutzenhiser Minor Subdivision as submitted. Roll call vote as follows: All Ayes. Motion carried.

Jack and Janice Welch are requesting their property on the west side of town be annexed in to allow Economic Development resources to be utilized.

Moved by Schneider, second by Kelly to authorize the City Attorney, City Clerk and City Engineer to develop a plan for annexation of the real estate to the City including alternative tracts and the City Engineer is directed to survey and prepare the necessary legal descriptions of the alternative tracts. Roll call vote as follows: All Ayes. Motion carried.

Moved by Schneider, second by Kramer to open the Class D liquor license request public hearing submitted by Sunrise Flower and Gift. Roll call vote as follows: All Ayes. Motion carried.

No public comment was made.

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

Council member Krysl introduced Resolution No. 20-01, which is on file with the City Clerk.

RESOLUTION NO. 20-01

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 D liquor license application from Corinne Winings d/b/a Sunrise Flower and Gift.

Sec. 2. Notice of a Public Hearing on said application set for January 6, 2020 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 Corinne Winings d/b/a Sunrise Flower and Gift for a Class D liquor license.

Sec. 4. Upon hearing it is found and determined that the liquor license of Corinne Winings d/b/a Sunrise Flower and Gift 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 6th day of January, 2020.

SCOTT MENISH, MAYOR

ATTEST:
(SEAL)

NIKKI SCHWANZ, CITY CLERK/TREASURER

Second by Kelly to adopt Resolution No. 20-01. Roll call vote as follows: All Ayes. Motion carried.

Moved by Kramer, second by Baker to open the Class C liquor license request public hearing submitted by Taco and Tequila LLC. Roll call vote as follows: All Ayes. Motion carried.

No public comment was made.

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

Council member Kelly introduced Resolution No. 20-02, which is on file with the City Clerk.

RESOLUTION NO. 20-02

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 Taco & Tequila, LLC d/b/a Taco & Tequila.

Sec. 2. Notice of a Public Hearing on said application set for January 6, 2020 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 Taco & Tequila LLC d/b/a Taco & Tequila for a C liquor license.

Sec. 4. Upon hearing it is found and determined that the liquor license of Taco & Tequila LLC d/b/a Taco & Tequila 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 6th day of January, 2020.

SCOTT MENISH, MAYOR

ATTEST:
(SEAL)

NIKKI SCHWANZ, CITY CLERK/TREASURER

Second by Kramer to adopt Resolution No. 20-02. Roll call vote as follows: All Ayes. Motion carried.

Moved by Liewer, second by Gleason to approve loan application 11-LB840-19 in the amount of \$30,000 for the purpose of purchasing display cases. Roll call vote as follows: All Ayes. Motion carried.

Moved by Schneider, second by Kelly to approve application PIP-LB840-71 in the amount of \$4,200.30 for renovation of a commercial building. Roll call vote as follows: All Ayes. Motion carried.

Council member Liewer introduced Resolution No. 20-03, which is on file with the City Clerk.

RESOLUTION NO. 20-03

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 must be the entity to make the request and take official action in order to use Highways 20/275/281 for events and a parade, and since they are within the corporate limits of O'Neill, NE.

Sec. 2. As required by subsection (2) LB 589/NRS *39-1359, that the City accepts all duties set out in said subsection, and

Sec. 3. If a claim is made against the state, the City shall indemnify, defend, and hold harmless the state from all claims, demands, actions, damages, and liability, including reasonable attorney's fees that may arise as a result of the special event.

Sec. 4. The City of O'Neill approves and adopts a resolution as outlined above, for a Special Events activity

- St. Patrick's Day Celebration Parade on a portion of Highways 20, 281 and 275, within the corporate limits of the City of O'Neill, NE, to be held March 14, 2020 (Saturday) from 11:00 A.M. to 3:00 P.M, from Eighth Street to First Street.

- Back to School on a portion of Highways 20, 281 and 275, within the corporate limits of the City of O'Neill, NE, to be held in August 2020.

- Christmas/Winter Parade on a portion of Highways 20, 281 and 275, within the corporate limits of the City of O'Neill, NE, to be held in November or December 2020.

PASSED AND APPROVED this 6th day of January, 2020.

SCOTT MENISH, MAYOR

ATTEST:
(SEAL)

NIKKI SCHWANZ, CITY CLERK

Second by Gleason to adopt Resolution No. 20-03. Roll call vote as follows: All Ayes. Motion carried.

City Attorney read the second reading of Ordinance No. 1384 by title and number.

ORDINANCE NO. 1384

OF THE

CITY OF O'NEILL, NEBRASKA

AN ORDINANCE OF THE CITY OF O'NEILL, NEBRASKA, AMENDING SECTION 1-505 (D) TO PROVIDE FOR PURCHASES THROUGH INTER AGENCY AGREEMENTS; REPEALING PRIOR ORDINANCES IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE.

Moved by Schneider, second by Kelly to waive the second reading and adopt Ordinance No. 1384. Roll call vote as follows: Aye; Kramer, Schneider, Kelly, Baker, Liewer and Gleason. Nay: Krysl. Absent: Walsh. Motion carried.

Moved by Gleason, second by Schneider to introduce Ordinance No. 1385 and waive the three readings. Roll call vote as follows: All Ayes. Motion carried.

City Attorney Strobe read Ordinance No. 1385 by title and number.

ORDINANCE NO. 1385

OF THE

CITY OF O'NEILL, NEBRASKA

AN ORDINANCE OF THE CITY OF O'NEILL, NEBRASKA, ESTABLISHING REGULATIONS FOR REGISTRATION, SPAY/NEUTER, AND JURISDICTION OF SPECIFIC BREEDS OF DOGS; REPEALING PRIOR ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE.

Moved by Baker, second by Gleason to adopt Ordinance No. 1385. Roll call vote as follows: All Ayes. Motion carried.

Council President Baker introduced Resolution No. 20-04, which is on file with the City Clerk.

RESOLUTION NO. 20-04

OF THE

CITY OF O'NEILL

WHEREAS, the City Council of O'Neill, pursuant to the O'Neill Municipal Code, has the authority to control traffic and place and remove signs by resolution; and

WHEREAS, a study of the need for stop signs on S. 10th Street has been made for the City by the Police Chief, and it has been determined that it is needed.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF O'NEILL, NEBRASKA;

Sec. 1. That stop signs be placed at the intersections of Tenth Street at Everett Street, Fremont Street, Grant Street and Hancock Street on the east side and A, B and C Streets on the west side.

Sec. 2. That proper City officials are hereby authorized to place the designated signs to effect the changes set forth in this resolution.

PASSED AND APPROVED this 6th day of January, 2020.

SCOTT MENISH, MAYOR

ATTEST:
(SEAL)

NIKKI SCHWANZ, CITY CLERK/TREASURER

Second by Schneider to adopt Resolution No. 20-04. Roll call vote as follows: All Ayes. Motion carried.

Moved by Kelly, second by Schneider to approve OOR grant work writes-ups for applications ONL-HR-01, ONL-HR-03 and ONL-HR-04. Roll call vote as follows: All Ayes. Motion carried.

Moved by Krysl, second by Liewer to approve 18-HO-32062 CDBG drawdown requests No. 1 in the amount of \$5,175 and No. 2 in the amount of \$3,220. Roll call vote as follows: All Ayes. Motion carried.

Moved by Kelly, second by Schneider 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	122,501.94	FED & FICA, tax	27,717.28
American Family, ins	1,564.28	Appeara, su	*
Black Hills Energy, util	2,110.38	Bomgaars, su	1,030.86
Contingent Fund, misc	1,338.88	Guardian, ins	2,145.44
John Hancock, pension	6,495.18	NE Dept. of Revenue, tax	4,060.25
NPPD, util	15,377.08	NT&T, phone	851.43
One Office, su	1,209.65	Strope & Gotschall, fees	3,350.00
United Healthcare, ins	47,290.31	UNUM Life, ins	217.07
Verizon, phone	775.91	Wex Bank, fuel	4,791.51

GENERAL FUND

Amazon, su	1,081.65	Arbor Day Foundation, dues	50.00
Carhart Lumber, su	200.00	Century Link, phone	53.06
EJ Computers, re	228.99	Floor Maintenance, su	199.46
Fort Dearborn, ins	134.16	Grafted Tree, ser	62.95
Great America, lease	174.99	Great Plains Engine, ser	185.00
Holt Co. Independent, ad	238.08	Island Supply, su	85.87
J&J Collision, su	764.00	KBRX, ad	7.50
Krotter Home & Auto, su	319.00	LB840 Fund, pmt	27,024.88
Scott Menish, ser	100.00	Municipal Code Services, fees	80.00
NE Support, pmt	278.76	NEMSA, school	210.00
Ogden, su	7.08	Reiser Insurance, pmt	7,109.00
Pinnacle Bank, misc	209.66	Amanda Wallace, clean	885.00
Tax Commissioner, tax	25.20	Torpin's, su	94.65

POLICE FUND

A & J Tire, su	869.68	Axon Enterprises, su	486.00
Century Link, phone	60.64	Jackolyn Collier, clean	200.00
Davidson Guns, su	1,149.96	EJ Computers, su	12.99
Great America, lease	129.00	Heartland Fire, fees	119.00
HCAS, fees	320.00	Jack's Uniform, su	402.64
Midwest Radar, ser	280.00	O'Neill Car Wash, fee	5.70
O'Neill Shopper, ad	57.25	Public Safety Center, ad	65.97
Reiser Insurance, pmt	200.00	Roberta Soukup, ser	38.00
Stick It Vinyl Graphics, su	50.00		

STREET FUND

Carhart Lumber, su	112.32	K&K Welding, re	1,448.98
O'Neill Auto, su	26.98	Ranchland, su	159.42

SEWER FUND

Colonial Research, su	1,931.20	Fastenal, su	669.81
Grainger, su	137.01	Hach, su	89.68
Midwest Labs, tests	279.50	Municipal Supply, su	1,187.55

NE State Fire Marshall, fees	120.00	NDEQ, school	150.00
Olsson, fees	1,919.99	One Call Concepts, hotline	15.58
Ranchland, su	11.63	Tax Commissioner, tax	3,098.79
Torpin's, su	23.39	Schmitz Sales, su	7,485.00
NWEA, school	350.00		

WATER FUND

Teresa Baker, ser	207.65	City of Atkinson, fees	700.00
City Utility Deposits, re	990.00	Gerard Tank, ser	208,197.88
Grainger, su	137.00	Hach Co., su	154.58
Hawkins, su	1,795.01	Metering Technology, su	6,533.06
Municipal Supply, su	572.64	NE Public Health, tests	96.00
NE Support, pmt	363.68	Niobrara Valley, util	447.82
Olsson, fees	8,969.37	One Call Concepts, hotline	15.57
O'Neill Auto, su	10.99	Ranchland Auto, su	11.64
Rutjen's, ser	231,328.57	Tax Commissioner, tax	3,238.90
Torpin's, su	29.40		

SOLID WASTE FUND

Butler Co. Landfill, fee	30,762.58	Dinkel Implement, su	464.29
EJ Computers, su	94.00	Farmer's Pride, su	789.29
Holt Co. Independent, ad	82.14	Holt Co. Tire, su	213.80
K&K Welding, re	15.00	Mathison Tri-Gas, su	35.58
Mitchell Equipment, su	351.80	MWC, su	1,480.00
Niobrara Valley, util	964.13	O'Neill Auto, su	243.76
Titan Machinery, re	25,547.43	Truck Center, equip	39,000.00

COMMUNITY IMPROVEMENT FUND

CDS Inspection, fees	4,475.00	CNEDD, fees	3,220.00
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LB840 FUND

KBRX, ad	15.00	Strope & Gotschall, fees	2,823.78
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THESE BILLS HAVE NOT BEEN RECEIVED

AUDITING COMMITTEE:

TERRI KRYSL, WARD III

QUANA KELLY, WARD III

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

The meeting adjourned at 8:04 P.M.

SCOTT MENISH, MAYOR

ATTEST:
(SEAL)

NIKKI SCHWANZ, CITY CLERK/TREASURER
