

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 June, 2019 at 7:30 P.M.

Present: Mayor Scott Menish, City Attorney Boyd Strobe, City Clerk/Treasurer Nikki Schwanz, Council President Don Baker and Council members; Susie Kramer, Tim Schneider, Terri Krysl, Quana Kelly, Michelle Liewer, Tim Gleason and Beth Walsh. Absent: None.

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 Walsh, second by Kramer to waive the reading of the minutes of the May 6th meeting and approve them as if read. Roll call vote as follows: All Ayes. Motion carried.

Moved by Baker, second by Gleason to open the public hearing in consideration of the Evergreen Expansion Redevelopment Plan. Roll call vote as follows: All Ayes. Motion carried.

City Clerk Schwanz reported that the Planning Commission and Community Redevelopment Authority have met and adopted resolutions approving the redevelopment plan as submitted.

There was discussion about drainage and sidewalks with this development.

There were no public comments made.

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

Council President Baker introduced Resolution No. 19-05, which is on file with the City Clerk.

RESOLUTION NO. 19-05

RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF O'NEILL, NEBRASKA, APPROVING A REDEVELOPMENT PLAN; APPROVING A REDEVELOPMENT PROJECT; AND APPROVING OF RELATED ACTIONS

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

WHEREAS: The City of O'Neill, Nebraska, a municipal corporation (the "City"), has determined it to be desirable to undertake and carry out urban redevelopment projects in certain areas of the City that are determined to be blighted and substandard and in need of redevelopment;

WHEREAS: The Community Development Law, Chapter 18, Article 21, Reissue Revised Statutes of Nebraska, as amended (the "Act"), prescribes the requirements and procedures for the planning and implementation of redevelopment projects;

WHEREAS: The City has previously declared an area, which includes an area legally described in Exhibit A (the "Redevelopment Area"), to be blighted and substandard and in need of redevelopment pursuant to the Act;

WHEREAS: The Community Redevelopment Authority of the City of O'Neill, Nebraska (the "Authority") has received a Redevelopment Plan (the "Redevelopment Plan") prepared by Sandhills Investors, LLC, a Nebraska limited liability company (the "Redeveloper"), in the form attached as Exhibit B, for the redevelopment of the Redevelopment Area;

WHEREAS: The Planning Commission of the City (the "Planning Commission") held a public hearing on the Redevelopment Plan in strict accordance with notice provisions of the Act, has reviewed the Redevelopment Plan and passed a resolution recommending that the Mayor and Council of the City approve the Redevelopment Plan;

WHEREAS: The Authority has conducted a cost benefit analysis, pursuant to Section 18-2113 of the Act, of the project which is set forth in the Redevelopment Plan (the "Redevelopment Project"), reviewed the Redevelopment Plan, and recommended approval of the Redevelopment Plan by the Mayor and Council of the City;

WHEREAS: The City published and mailed notices of a public hearing regarding the consideration of the approval of the Redevelopment Plan in strict accordance with Section 18-2115.01 of the Act, and has on June 3, 2019 conducted a public hearing on said Redevelopment Plan and all members of the public who wished to be heard on said Redevelopment Plan have been heard; and

WHEREAS: The City has reviewed the Redevelopment Plan and finds and documents the following:

(a) The Redevelopment Plan provides that funds authorized in Section 18-2147 of the Act will be utilized to finance a portion of the Redevelopment Plan; that the Redeveloper has provided the Agency and City with cash flow projections showing that the Redevelopment Project is not financially feasible without such funds and would not occur in the Redevelopment area or elsewhere, as the Redevelopment Project would not generate positive cash flow without such funds; The redevelopment project area is underutilized and is in a location that would not attract development or tax generation without the redevelopment project proposed in the plan. The project is entirely consistent with the Comprehensive Plan and will make a substantial step in preventing the spread of blighting conditions.

(b) The costs and benefits of the redevelopment project, including costs and benefits to other affected political subdivisions, the economy of the community, and the demand for public and private services have been analyzed by the governing body and have been found to be in the long-term best interest of the community impacted by the redevelopment project. Specifically, the Council has considered the Cost-Benefit Analysis in the Redevelopment Plan and the testimony at the public hearing.

(c) The Council has determined that the proposed land uses and building requirements described in it are designed with the general purpose of accomplishing a coordinated, adjusted, and harmonious development of the City and its environs which will, in accordance with present and future needs, promote health, safety, morals, order, convenience, prosperity, and the general welfare, as well as efficiency in economy in the process of development; including, among other things, adequate provision for traffic, vehicular parking, the promotion of safety from fire, panic, and other dangers, adequate provisions for light and air, the promotion of the healthful and convenient distribution of population, the provision of adequate transportation, water, sewerage, and other public utilities, schools, parks, recreational and community facilities, and other public requirements, the promotion of sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the recurrence of unsanitary or unsafe dwelling accommodations, or conditions of blight.

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

1. The Redevelopment Plan is determined to be feasible and in conformity with the general plan for the development of the City as a whole, and the Redevelopment Plan is in conformity with the legislative declarations and determinations set forth in the Act. It is found and determined, based on the analysis conducted by the Authority, that (a) the redevelopment project described in the Redevelopment Plan would not be economically feasible without the use of tax-increment financing, (b) the Redevelopment Project would not occur without the use of tax-increment financing, and (c) the costs and benefits of the redevelopment project, including costs and benefits to other affected political subdivisions, the economy of the community, and the demand for public and private services have been analyzed by the City and have been found to be in the long-term best interest of the community impacted by the redevelopment project. The City acknowledges receipt of the recommendations of the Authority and the Planning Commission with respect to the Redevelopment Plan.
2. The Redevelopment Plan is approved in substantially the form attached as Exhibit B.
3. In accordance with Section 18-2147 of the Act, the City provides that any ad valorem tax on real property in the City of O'Neill, Nebraska, more fully described on Exhibit A, attached hereto, for the benefit of any public body be divided for a period of 15 years after the effective date as provided in Section 18-2147 of the Act, which effective date shall be determined in a Redevelopment Contract entered into between the Redeveloper and the Authority. Said tax shall be divided as follows:
 - (a) That proportion of the ad valorem tax which is produced by levy at the rate fixed each year by or for each public body upon the Redevelopment Project Valuation (as defined in the Act) shall be paid into the funds of each such public body in the same proportion as all other taxes collected by or for the bodies; and

(b) That proportion of the ad valorem tax on real property in the Project Area in excess of such amount (the Redevelopment Project Valuation), if any, shall be allocated to, is pledged to, and, when collected, shall be paid into a special fund of the Authority to pay the principal of, the interest on, and any premiums due in connection with the bonds, loans, notes, or advances of money to, or indebtedness incurred by, whether funded, refunded, assumed, or otherwise, such Authority for financing or refinancing, in whole or in part, the Redevelopment Project. When such bonds, loans, notes, advances of money, or indebtedness, including interest and premium due have been paid, the Authority shall so notify the County Assessor and County Treasurer and all ad valorem taxes upon real property in the Redevelopment Project Area shall be paid into the funds of the respective public bodies.

4. The Mayor and Clerk are authorized and directed to execute such documents and take such further actions as are necessary to carry out the purposes and intent of this Resolution and the Redevelopment Plan.

5. This Resolution shall become effective immediately upon its adoption.

PASSED and APPROVED on June 3, 2019.

Scott Menish, Mayor

ATTEST:
(SEAL)

Nikki Schwanz, City Clerk

Second by Gleason to adopt Resolution No. 19-05. Roll call vote as follows: All Ayes. Motion carried.

Moved by Walsh, second by Kelly to open the public hearing in consideration of the Handlebend Redevelopment Plan. Roll call vote as follows: All Ayes. Motion carried.

City Clerk Schwanz reported that the Planning Commission and Community Redevelopment Authority have met and adopted resolutions approving the redevelopment plan as submitted.

There were no public comments made.

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

Council member Kelly introduced Resolution No. 19-06, which is on file with the City Clerk.

RESOLUTION NO. 19-06

RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF O'NEILL, NEBRASKA, APPROVING A REDEVELOPMENT PLAN; APPROVING A REDEVELOPMENT PROJECT; AND APPROVING OF RELATED ACTIONS

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

WHEREAS: The City of O'Neill, Nebraska, a municipal corporation (the "City"), has determined it to be desirable to undertake and carry out urban redevelopment projects in certain areas of the City that are determined to be blighted and substandard and in need of redevelopment;

WHEREAS: The Community Development Law, Chapter 18, Article 21, Reissue Revised Statutes of Nebraska, as amended (the "Act"), prescribes the requirements and procedures for the planning and implementation of redevelopment projects;

WHEREAS: The City has previously declared an area, which includes an area legally described in Exhibit A (the "Redevelopment Area"), to be blighted and substandard and in need of redevelopment pursuant to the Act;

WHEREAS: The Community Redevelopment Authority of the City of O'Neill, Nebraska (the "Authority") has received a Redevelopment Plan (the "Redevelopment Plan") prepared by Handlebend, LLC, a Nebraska limited liability company (the "Redeveloper"), in the form attached as Exhibit B, for the redevelopment of the Redevelopment Area;

WHEREAS: The Planning Commission of the City (the "Planning Commission") held a public hearing on the Redevelopment Plan in strict accordance with notice provisions of the Act, has reviewed the Redevelopment Plan and passed a resolution recommending that the Mayor and Council of the City approve the Redevelopment Plan;

WHEREAS: The Authority has conducted a cost benefit analysis, pursuant to Section 18-2113 of the Act, of the project which is set forth in the Redevelopment Plan (the "Redevelopment Project"), reviewed the Redevelopment Plan, and recommended approval of the Redevelopment Plan by the Mayor and Council of the City;

WHEREAS: The City published and mailed notices of a public hearing regarding the consideration of the approval of the Redevelopment Plan in strict accordance with Section 18-2115.01 of the Act, and has on June 3, 2019 conducted a public hearing on said Redevelopment Plan and all members of the public who wished to be heard on said Redevelopment Plan have been heard; and

WHEREAS: The City has reviewed the Redevelopment Plan and finds and documents the following:

(a) The building to be rehabilitated as a part of the redevelopment plan is over 50 years old and requires substantial investment in order to be used for the purpose described in the Redevelopment Plan. The amount of investment to rehabilitate the building will exceed the value of the building. It is not economically feasible to make that investment without funds described in section 18-2147 of the Act. The City has determined that the Project is not financially feasible without such funds and would not occur in the Redevelopment area or elsewhere.

(b) The costs and benefits of the redevelopment project, including costs and benefits to other affected political subdivisions, the economy of the community, and the demand for

public and private services have been analyzed by the governing body and have been found to be in the long-term best interest of the community impacted by the redevelopment project. Specifically, the Council has considered the Cost-Benefit Analysis in the Redevelopment Plan and the testimony at the public hearing.

(c) The Council has determined that the proposed land uses and building requirements described in it are designed with the general purpose of accomplishing a coordinated, adjusted, and harmonious development of the City and its environs which will, in accordance with present and future needs, promote health, safety, morals, order, convenience, prosperity, and the general welfare, as well as efficiency in economy in the process of development; including, among other things, adequate provision for traffic, vehicular parking, the promotion of safety from fire, panic, and other dangers, adequate provisions for light and air, the promotion of the healthful and convenient distribution of population, the provision of adequate transportation, water, sewerage, and other public utilities, schools, parks, recreational and community facilities, and other public requirements, the promotion of sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the recurrence of unsanitary or unsafe dwelling accommodations, or conditions of blight.

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

1. The Redevelopment Plan is determined to be feasible and in conformity with the general plan for the development of the City as a whole, and the Redevelopment Plan is in conformity with the legislative declarations and determinations set forth in the Act. It is found and determined, based on the analysis conducted by the Authority, that (a) the redevelopment project described in the Redevelopment Plan would not be economically feasible without the use of tax-increment financing, (b) the Redevelopment Project would not occur without the use of tax-increment financing, and (c) the costs and benefits of the redevelopment project, including costs and benefits to other affected political subdivisions, the economy of the community, and the demand for public and private services have been analyzed by the City and have been found to be in the long-term best interest of the community impacted by the redevelopment project. The City acknowledges receipt of the recommendations of the Authority and the Planning Commission with respect to the Redevelopment Plan.
2. The Redevelopment Plan is approved in substantially the form attached as Exhibit B.
3. In accordance with Section 18-2147 of the Act, the City provides that any ad valorem tax on real property in the City of O'Neill, Nebraska, more fully described on Exhibit A, attached hereto, for the benefit of any public body be divided for a period 0
of 15 years after the effective date as provided in Section 18-2147 of the Act, which effective date shall be determined in a Redevelopment Contract entered into between the Redeveloper and the Authority. Said tax shall be divided as follows:

(a) That proportion of the ad valorem tax which is produced by levy at the rate fixed each year by or for

Moved by Schneider, second by Gleason to close the roll-off truck bids. Roll call vote as follows: All Ayes. Motion carried.

City Attorney Strobe read the following bids aloud:

Elliot Equipment	\$114,619.88
RDO	\$111,315.88
Truck Center	
Mid-Iowa	\$112,201
Northern Iowa Co.	\$108,656
Add (1)	\$ 1,458
Add (2)	\$ 1,782

Solid Waste Supervisor Kevin Seger took the bids for review.

City Attorney Strobe read the final reading of Ordinance No. 1378 by title and number.

ORDINANCE NO. 1378

OF THE

CITY OF O'NEILL, NEBRASKA

AN ORDINANCE OF THE CITY OF O'NEILL, NEBRASKA, AMENDING SECTIONS 3-407, 3-408, 3-409, AND 3-413 OF THE O'NEILL MUNICIPAL CODE FOR OPERATION OF ALL-TERRAIN AND UTILITY-TYPE VEHICLES WITHIN THE O'NEILL MUNICIPAL LIMITS; REPEALING PRIOR ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE.

Moved by Schneider, second by Gleason to adopt Ordinance No. 1378. Roll call vote as follows: Aye; Kramer, Schneider, Kelly, Baker, Liewer, Gleason and Walsh. Nay: Krysl. Absent: None. Motion carried.

Moved by Gleason, second by Walsh to approve application PIP-LB840-50 in the amount of \$5,000 for replacement of front door and windows. Roll call vote as follows: All Ayes. Motion carried.

Moved by Schneider, second by Kelly to approve application PIP-LB840-51 in the amount of \$5,000 for installation of a concrete drive thru. Roll call vote as follows: All Ayes. Motion carried.

Moved by Walsh, second by Kramer to approve application PIP-LB840-52 in the amount of \$5,000 for sidewalk replacement. Roll call vote as follows: All Ayes. Motion carried.

Moved by Krysl, second by Kelly to approve application 06-LB840-19 in the amount of \$16,952.20 for exterior wall renovation and labor. Roll call vote as follows: All Ayes. Motion carried.

Moved by Baker, second by Walsh to approve the Guardian dental plan effective July 1, 2019. Roll call vote as follows: Aye;

Kramer, Schneider, Kelly, Baker, Liewer, Gleason and Walsh. Nay: None. Abstain: Krysl. Absent: None. Motion carried.

Moved by Kramer, second by Liewer to approve Mary Ann Havranek to the Library Board. Roll call vote as follows: All Ayes. Motion carried.

Council President Baker introduced Resolution No. 19-07, which is on file with the City Clerk.

RESOLUTION NO. 19-07

OF THE

CITY OF O'NEILL, NEBRASKA

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

Sec. 1. The boundaries, plans, specifications and estimates of costs as prepared by the City Engineers, Olsson and filed with the City Clerk for the improvements to the following projects listed below consisting of asphalt millings and rock surfacing and other necessary appurtenants are hereby approved.

1st Street, from Hynes Ave to Schaffer Park \$47,178

Sec. 2. The Clerk is hereby authorized to advertise for bids for determined paving and asphalt installation.

PASSED AND APPROVED this 3rd day of June, 2019.

SCOTT MENISH, MAYOR

ATTEST:
(SEAL)

NIKKI SCHWANZ, CITY CLERK/TREASURER

Second by Kramer to adopt Resolution No. 19-07. Roll call vote as follows: All Ayes. Motion carried.

Moved by Gleason, 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 with the change to Linweld amount. Roll call vote as follows: All Ayes. Motion carried.

ALL FUNDS

Payroll, salary	116,181.20	FED & FICA, tax	25,381.64
American Family, ins	1,248.96	Appearas, su	*
Black Hills Energy, util	1,325.44	Bomgaars, su	1,498.95
Contingent Fund, misc	1,324.30	John Hancock, pension	6,674.05
Metlife, ins	2,290.23	Neofunds, postage	1,000.00
NE Dept. of Revenue, tax	*	NPPD, util	15,550.98
NT&T, phone	779.03	Ranchland Auto, su	489.78
United Healthcare, ins	35,414.29	UNUM Life, ins	208.28
Verizon, phone	771.36	Wex Bank, fuel	6,658.18

GENERAL FUND

Amazon, su	805.23	American Legion, su	124.00
Carhart Lumber, su	153.99	Century Link, phone	49.21
Cubby's, fuel	62.13	Doty Plumbing, ser	1,554.38
Egan Supply, su	461.90	Fort Dearborn, ins	106.64
Great America, lease	174.99	Holt Co. Independent, ad	212.14
In the Swim, su	390.84	Island Supply, su	90.26
K&K Welding, re	125.22	KBRX, ad	65.00
Krier Technologies, ser	90.00	LB840 Fund, pmt	26,953.03
LONM, pmt	420.00	Lee's Refrigeration, su	745.12
Scott Menish, ser	160.00	Miller Painting, ser	24,472.00
NE Support, pmt	278.76	ODEYS, Inc., su	44.06
Ogden Hardware, su	170.09	One Office Solution, su	750.77
O'Neill Electric, re	897.23	O'Neill Lumber, su	109.59
O'Neill Ventures, lease	5,758.21	Mike Parks, reimb	100.00
Plains Equipment, su	18.99	Quality Alignment, su	109.71
Schumacher Brothers, re	1,630.00	Siteone Landscape, su	4,364.08
Strope & Gotschall, fees	387.50	Tax Commissioner, tax	34.30
Team Laboratory, su	1,975.00	Neil Tompkins, ser	100.00
Amanda Wallace, clean	885.00		

POLICE FUND

A&J Tire & Auto, re	870.28	Century Link, phone	57.14
Jackolyn Collier, clean	160.00	Consolidated Mgmt, su	34.96
Davidson Guns, su			
Great America, lease	129.00	HCAS, fee	160.00
Holt Co. Independent, ad	180.47	Jack's Uniform, su	67.94
Beverly McConnell, fee	33.25	Netcom, su	884.00
One Office Solution, su	81.83	O'Neill Car Wash, fee	47.49
Public Safety Center, su	29.98	Quill Corp., su	153.83
Strope & Gotschall, fees	455.00	Town & Country, re	210.76

STREET FUND

Asphalt & Concrete, su	842.48	Carhart Lumber, su	22.78
EJ Computers, re	28.00	Emme Sand & Gravel, su	1,054.34
Holt Co. Tire, su	16.00	Midwest Service & Sales, su	552.00
Robert Morrow, re	18.18	Newman Traffic Signs, su	185.36
Olsson, fee	1,255.79	One Office Solution, su	7.99
O'Neill Auto, su	370.09	Team Laboratory, su	2,051.50
Traffic Logix, su	8,779.00	Wise Heavy Equipment, re	977.65
Barco, su	220.27		

SEWER FUND

Barco Municipal, su	39.92	Colonial Research, su	2,575.64
Fastenal, su	9.68	Hach Co., su	484.13
Hutcheson Engineering, su	1,296.29	Krotter Home & Auto, su	57.50
Midwest Lab, tests	700.00	One Call Concepts, hotline	17.45
Seven Springs, su	18.00	Sunshine Filters, su	408.20
Tax Commissioner, tax	3,287.85	WM Krotter, pmt	11,479.50

WATER FUND

Barco Municipal, su	39.92	City Utility Deposits, re	990.00
Cole Redi-Mix, su			
FEDEX, fee	117.14	Gerard Tank & Steel, ser	172,912.50
Krotter Home & Auto, su	57.50	Metering & Technology, su	9,216.30
Municipal Automation, su	924.72	NDEQ, loan int	2,097.92
NE Public Health, tests	417.00	NE Water Resources, dues	105.00
Niobrara Valley, util	*	Ogden Hardware, su	8.37
One Call Concepts, hotline	17.46	O'Neill Electric, re	485.50
Sargent Drilling, re	21,979.81	Tax Commissioner, tax	22,495.68
Torpins, su	4.00	USA Blue Book, su	336.43
WM Krotter, pmt	11,479.50		

SOLID WASTE FUND

Butler Co. Landfill, fee	39,529.67	City of O'Neill, pmt	7,000.00
D&L Towing, ser	605.00	Holt Co. Tire, su	3,510.40
Irwin's Engine, re	380.43	Mathison Tri-Gas, su	30.52
MCW Acquisition, su	8,208.95	Niobrara Valley, util	*

O'Neill Auto, su 239.15 Overhead Door, re 318.00

DEBT SERVICE FUND

First National Bank, pmt 9,981.25

LB840 FUND

KBRX, ad 7.50 Strope & Gotschall, fees 140.00

AUDITING COMMITTEE:

TERRI KRYSL, WARD III

QUANA KELLY WARD III

Moved by Baker, second by Gleason to table the roll-off truck bids until June 24, 2019 at 6:30 p.m. Roll call vote as follows: All Ayes. Motion carried.

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

The meeting adjourned at 7:56 P.M.

SCOTT MENISH, MAYOR

ATTEST:
(SEAL)

NIKKI SCHWANZ, CITY CLERK/TREASURER
