

**MINUTES OF CITY COUNCIL
CITY OF SARGENT, NEBRASKA
Regular Session
Sargent Community Center
February 9, 2009**

The Mayor and Council of the City of Sargent, Nebraska, met in Regular Session at the Sargent Community Center on the 9th day of February, 2009 at 7:00 p.m. Notice of the meeting was posted at the City Office, U. S. Post Office, Sargent Community Center, Sargent Corner Market and First National Bank on Monday, January 26, 2009, and agendas were hand delivered Friday, February 6, 2009. The following were present: City Mayor, Bernard Griebel; Council Members: Jan Oeltjen, Tim Leibert, Robert Nitchie and Mick Kozeal; City Administrator/Utility Superintendent, Mike Criss; City Clerk/Treasurer, Kathy Drake, Chief of Police, J.D. Keefe and City Attorney, Glenn Clark.

Mayor Griebel welcomed guests and publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act was available for review and indicated the location of such copy posted on the east wall of the meeting room in the Sargent Community Center. Mayor Griebel called the meeting to order at 7:00 p.m.

Council Member Leibert made the motion to move the Employee Six Month Evaluation from Old Business to the last item of New Business and approve the items one (1) through three (3) on the consent agenda. Council Member Oeltjen seconded. Vote yea: Oeltjen, Leibert, Nitchie and Kozeal. Vote nay: none. Motion carried.

Mayor Griebel opened the meeting to Citizen Comments. Gene Nelson, Sargent resident, understood that there was considerable cost being incurred by the taxpayers due to additional legal fees and other costs from a few select people and requested a report of that cost at the next meeting. Lyle Runyan, Sargent resident, also expressed his concern over the legal issues being raised and the expenses involved to all the taxpayers at the request of a very small group of Sargent residents. He also requested an accounting of these costs. Dixie Troxel, Sargent resident, stated she would like an accounting of the extra work that has been involved with the issues that had been raised by these few people. There being no further comments from those present, the Mayor asked for the Supervisors Reports.

City Clerk/Treasurer, Kathy Drake, informed the Council that the W-2's, 1099's and year end reports had been completed. The carpets were cleaned but there was no charge as they were unable to clean them to their standards. Letters had been received from the Attorney General on the recent complaints submitted by Richard Hardesty finding that the City was in compliance with the exception of the December 23, 2008, request which came in while she was out of the office due to a death in the family. The release of funds for the housing grant should be sometime this week if all went according to plan. The financial books were completed and the auditors are looking at their schedule to see when they can all come. She will now start creating the books in the new program and entering all the information. Kathy will be attending the Mid-Winter Conference on February 23-24, 2009 in Lincoln. She had received a phone call from Phil Hargis from the DEQ who would like to meet with the Council to give them an update on the Jerry Grause property and get feedback from the members. The date of March 2, 2009, at 7:00 p.m. was determined to work for all involved.

City Administrator/Utility Superintendent, Mike Criss, stated the motors in the light plant had been painted, and they did some mowing in the ditches while it was frozen. New swimming pool regulations require a cover over the drains to avoid injury. The price that has been quoted to Mike is \$1,200 per cover with our pool having two.

Mick Kozeal gave the landfill report.

Police Chief, J.D. Keefe, stated that there were a lot of illegal u-turns happening in front of where the post office relocated to. He has visited with the people he has caught and given them a warning stating tickets will start being issued soon. It will be six-weeks before the Jeep can be rewired and it will take a couple of days to complete.

Logan VanDeWerken was available regarding his building permit to erect a chain link fence on the property he is renting. Logan answered that permission had been given by the owner and agreed to place the fence so that the meter was not inside the fence. Council Member Leibert moved to approve the building permit submitted by Logan VanDeWerken to erect a chain link fence at 205 North 5th Street allowing the meter to be assessable by City Personnel. Council Member Oeltjen seconded. Vote yea: Oeltjen, Leibert, Nitchie and Kozeal. Vote nay: none. Motion carried.

Robert Smith was not present to discuss his request to establish a policy regarding copyrighted matter. The City Clerk read his request from the Agenda Item Summary submitted by Mr. Smith. Council Member Kozeal moved that the City of Sargent take under consideration developing a policy establishing copyrighted matter. Council Member Leibert seconded. Voting yea: Oeltjen, Leibert, Nitchie and Kozeal. Voting nay: none. Motion carried.

Lori Arnett from The Palladium will be catering the Fireman's Ball on April 11, 2009, at the Community Center. As the building does not allow smoking, she was present to request permission from the Council to place a temporary fence outside the southeast door for a beer garden. The Council requested she get permission also from the adjoining owner, Clyde Drake, and to bring a proposed drawing to the next

meeting. Council Member Leibert moved that the city of Sargent allow Lori Arnett, owner of The Palladium, to erect a beer garden on the southeast side of the Community Center, following State Liquor specifications, for the Fireman's Ball being held on April 11, 2009. Council Member Nitchie seconded. Voting yea: Oeltjen, Leibert, Nitchie and Kozeal. Voting nay: none. Motion carried.

With no representative present from the Sargent Housing Authority, the Council reviewed the annual report. Council Member Nitchie moved that the City of Sargent waive the Payment in Lieu of Tax Payment in the amount of \$1,857.26. Council Member Leibert seconded. Voting yea: Oeltjen, Leibert, Nitchie and Kozeal. Voting nay: none. Motion carried.

Glenn Grint was present to ask for support from the City Council for the Sandhills Motorsport Park that he and his wife are building on their property located south of the city limits. Glenn explained what the Park was going to consist of and answered questions from the Council Members. Larry Gibbens from the Custer County Zoning Department also answered questions from the Council Members. Glenn asked that the Council Members sign the petition as individuals showing their support as well as having the City write of letter of support. Council Member Nitchie moved that the City of Sargent send a letter, signed by Mayor Griebel, to the County indicating support of the Sandhills Motorsport Park, owned by Glenn and Lisa Grint. Council Member Leibert seconded. Voting yea: Oeltjen, Leibert, Nitchie and Kozeal. Voting nay: none. Motion carried. Those that wished also signed the petition that Glenn circulated.

Darlene Leitschuck came before the Council to establish wages for swimming pool personnel and other pool requests. The Council asked that she put together a proposal and bring back to them at the next meeting.

Marty Riddle discussed the water problems on his property and explained what was in the contract between the City and himself with his portion having been honored. He felt that eight years had been a long enough time for the City to fulfill their end of the contract. The City agreed with him explaining that lack of money was the issue. After many ideas were discussed, it was decided that it would be best to have Robert Mohler from the Lower Loup Natural Resources District come to the Special Meeting on March 2, 2009, to discuss these ideas and get his input. The City Clerk also suggested Glen Gatz from the USDA and someone from Miller & Associates in their grant writing department be invited so that everyone is aware of the needs and can determine if there is any grant or loan money available. Mike Criss also suggested Phil Johansen from Senator Ben Nelson's office be invited.

The Mayor then announced that he needed a motion for the Council to adjourn into closed session for the protection of public interest to discuss pending litigation and personnel issues. Council Member Kozeal moved that the City of Sargent adjourn into closed session at the hour of 8:50 p.m. for the protection of the public interest to discuss pending litigation and personnel issues. Council Member Oeltjen seconded. Voting yea: Oeltjen, Leibert, Nitchie and Kozeal. Voting nay: none. Motion carried. Mayor Griebel announced that the Council was going into closed session for the protection of the public interest to discuss pending litigation and personnel issues.

The Council reconvened into regular session at the hour of 9:32 p.m. Council Member Leibert moved to adjourn. Council Member Nitchie seconded. Voting yea: Oeltjen, Leibert, Nitchie and Kozeal. Voting nay: none. Motion carried. Meeting adjourned at 9:33 p.m.

Ben Griebel, Mayor

Kathy Drake, City Clerk

Claims Approved February 9, 2009

	<u>Name</u>	<u>Split</u>	<u>Amount</u>
Community Center			
	Appeara	Department Supplies	-20.10
	Great Western Gas Company	Building Maintenance	-89.95
	NCTC	Telephone	-45.60
	Sargent Municipal Utilities	Ele, Sewer or Water	-303.45
First National Bank - Municipal			
	BlueCross Blue Shield Of NE	Payroll Expenses	-449.41
	Burwell Tribune	Advertising/Publication	-82.13
	Capital One	Department Supplies	-201.41
	Central NE Economic Dev. District	Dues & Subscriptions	-973.50
	Clark Law Office	Legal	-2,860.00
	Corner Market	Department	-35.60
	Credit Bureau Services	Dues & Subscriptions	-5.00

Dan's Locksmithing	Building Maintenance	-11.50
Don's Auto Parts, Inc.	Equipment	-80.78
Drake Oil Co.	Vehicle Maintenance	-14.90
Forget- Me- Not Shoppe	Other Expense	-37.28
GoFer Foods	Fuel	-251.44
Great Plains One-Call Service	Other Expense	-4.04
Grint Farm Supply	Department Supplies	-127.25
HSBC Business Solutions	Building Maintenance	-136.03
League of Municipalities	Training	-314.00
Louie's Body Shop	Equipment Maintenance	-2.35
NCTC*	Telephone	-297.06
NE Dept of Revenue	NE and County Lodging Tax	-9.74
NE Mosquito & Vector Control Assoc	Training	-60.00
Petty Cash	Postage, Meals	-62.18
Prairie Eyecare Center	Other Expense	-74.00
Sargent Municipal Utilities	Electricity	-129.87
Sargent Variety	Building Maintenance	-83.44
SourceGas	Natural Gas	-12.98
First National Bank - Utilities		
Alltel	Telephone	-53.82
Appearra	Uniforms, Department Supplies	-170.29
Capital One	Department Supplies	-805.76
Corner Market	Department Supplies	-19.44
Department of Energy	WAPA	-4,287.10
Don's Auto Parts, Inc.	Equipment Maintenance	-36.45
Drake Oil Co.	Vehicle Maintenance	-434.92
GoFer Foods	Fuel	-175.25
Grint Farm Supply	Department	-40.60
HD Supply Waterworks	Department Supplies	-732.25
Hometown Leasing	Equipment Lease	-52.69
HSBC Business Solutions	Building Maintenance	-80.10
J & J Sanitation	Solid Waste Fees Paid	-5,541.36
Kriz-Davis Electrical Supply	Department Supplies	-228.26
Lab Safety Supply	Department Supplies	-194.40
League of Municipalities - Utilities Sect	Dues/Subscriptions	-276.00
Municipal Energy Agency of NE	MEAN	27,205.23
NE Dept of Revenue	Sales & Use Tax	-3,060.01
NE Public Health Environmental Lab.	Lab Fees	-1,067.00
NMPP	Professional Services	-750.00
Post Master	Postage	-300.00
Primus Lawn Service & Repair	Equipment Maintenance	-15.00
Sargent Municipal Utilities	Electricity	-1,044.02
Sargent Variety	Building Maintenance	-6.47
SourceGas	Natural Gas	-785.54
Trotter Grain and Fertilizer	Department	-11.20