

**MINUTES OF CITY COUNCIL
CITY OF SARGENT, NEBRASKA
Regular Session
Sargent Community Center
March 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 March, 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 Thursday, February 26, 2009, and agendas were hand delivered Friday, March 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 Kozeal requested that the claim made by Absolute Plumbing for Central Nebraska Medical Clinic be reviewed before accepting the Consent Agenda. It was discussed whether this should be paid by the City or if it was the Clinic's responsibility. After discussing the reason for service and the bill, it was determined that the City would pay the bill but would not pay the camera charge. Council Member Oeltjen made the motion to approve the items one (1) through three (3) on the consent agenda. Council Member Kozeal seconded. Vote yea: Oeltjen, Leibert, Nitchie and Kozeal. Vote nay: none. Motion carried.

Mayor Griebel opened the meeting to Citizen Comments. Citizen Richard Hardesty was present with questions on the CDBG Housing Rehab Grant stating that he saw nothing in the application about it being used for housing but had information on the Community Center, City, Park and other areas and didn't believe that was what the grant was for. City Clerk explained to him that the information he was referring to was the preliminary information that was required before we made application to see if we even qualified for the grant. In the grant application itself it states that the grant was for the rehab of eight houses with a minimum of \$25,000.00. He stated there was nowhere showing these eight houses and it was explained to him that the applications were just now being accepted and the qualifications would be determined by Community Development Services. There were no further questions from the public.

Because of the weather conditions and the distance that some of the people on the agenda had to travel, the Council moved the Supervisors Report to a later time in the meeting and moved portions of New Business ahead of Old Business.

Ron Richards from J & J Sanitation informed the Council that the polycarts had arrived, were put together and ready to be delivered to the residents of Sargent. There was discussion regarding those who owned their own dumpsters. Although they owned them, they would still get a polycart as the purpose was to keep the large trucks out of the alleys. If they had a large amount (graduation, cleaning out garage, etc.), they could still use their dumpster and notify J & J who would dump the trash from those. It was decided that flyers would be distributed to local businesses to have for the residents so that they were aware of the new dumpsters and where they needed to be located for pickup. Ron also presented a standardized commercial price list. Ron explained that there is no consistency with the pricing as it is right now. With this price list, the size of the container is the same price for every commercial customer. Council Member Kozeal made the motion that the City of Sargent accepts the pricing schedule for commercial property presented by J & J Sanitation. Council Member Nitchie seconded. Voting yea: Oeltjen, Leibert, Nitchie, and Kozeal. Voting nay: none. Motion carried.

Billy Cutsor from Nebraska Municipal Power Pool presented the Cost of Service and Rate Design Study prepared by NMPP to the Council. Based on their study, if the City remained with the Schedule K rates, an increase of 7.2% is needed for electric charges to meet existing and future obligations. Chuck Langston from MEAN was present to explain the differences between the Schedule K (which the City currently is on) and the Schedule M. While Schedule M would be cheaper, it would be obligating the City to this contract for 30 years. The Council decided to invite Custer Public Power District to give a quote and presentation at a special meeting to be held later this month. At that time, the Council would determine which would be the most beneficial for the City.

The Council then returned to old business. Lori Arnett from The Palladium was not present, but City Clerk, Kathy Drake, stated that Lori had stopped into the office and informed her that she had received permission from Clyde and Rosie Drake to put a beer garden between The Community Center and their property as long as it wasn't permanent. The Council had agreed to the beer garden at the February 9, 2009, meeting as long as permission was granted from the Drake's so were satisfied that this requirement had been met.

Darlene Leitschuck explained to the Council her plan for wages for the summer help. She also asked permission to form a committee for the Summer Recreation Program. Her intention was to work with Mike Kozeal to combine the pool and ball fields

for input. With this, they could work together to obtain grants and hold fund raisers that would benefit both. The Council agreed to this.

The bids for the Farmall A and Massey Ferguson TO20 were opened. Eleven bids were received for the Farmall A ranging from low bid of \$606.00 to high bid of \$2,510.00 by Joseph Tondreau. There were four bids received on the TO20 ranging from low bid of \$676.00 to high bid of \$1,300.00 by Ivan Neth. Council Member Kozeal moved that the City of Sargent accept the bid presented by Joseph Tondreau in the amount of \$2,510.00 for the Farmall A tractor and the bid presented by Ivan Neth in the amount of \$1,300.00 for the Massey Ferguson TO20 tractor. Council Member Nitchie seconded. Voting yea: Oeltjen, Leibert, Nitchie and Kozeal. Voting nay: none. Motion carried.

Mayor Bernard Griebel opened a public hearing at 9:05 p.m. and asked if anyone in the audience wished to address the application made by Steve Conner with the Economic Development Reuse Application? There were no comments or questions addressed. Council Member Kozeal moved to close the Public Hearing for the application made by Steve Conner doing Business as Conner Construction with the Economic Development Reuse Program. Council Member Oeltjen seconded. Voting yea: Oeltjen, Leibert, Nitchie and Kozeal. Voting nay: none. Motion carried. The public hearing was closed at 9:07 p.m. Council Member Leibert moved that the City of Sargent deny the loan application made by Steve Conner doing business as Conner Construction through the Economic Development Reuse Program. Council Member Oeltjen seconded. Voting yea: Oeltjen, Leibert, Nitchie and Kozeal. Voting nay: none. Motion carried.

The fence that Logan VanDeWerken had obtained a building permit for at the last meeting was discussed. It was explained that the fence was not as indicated on the permit and the electrical meter had been moved by someone other than a city employee. The Council was informed that Logan had stopped into the office and stated the fence was just a temporary fence until the ground thawed and he would move it at that time. A neighbor informed the Council that the fence had been moved.

Cody Oxford requested to be next so that he could leave. He asked that the City condemn the house on 1005 West Main that he purchased from Stan and Viola Tucker so that he could tear the property down and clean the lot up. Council Member Nitchie moved that the City of Sargent condemn the property located at 1005 West Main owned by Cody Oxford so that the property may be torn down. Council Member Leibert seconded. Voting yea: Oeltjen, Leibert, Nitchie and Kozeal. Voting nay: none. Motion carried.

At the February regular meeting, Gene Nelson, Lyle Runyan and Dixie Trotter had requested the cost to the taxpayers that were being incurred as a result of a small group of vocal citizens. City Clerk/Treasurer, Kathy Drake, informed those in attendance that there was a minimum of \$9,249.22 spent so far – this included wages of \$6,496.42 by city staff, \$2,680.00 attorney fees and \$71.80 for two cases of paper. She pointed out that this did not include all wages nor did it include long distance calls or faxes. She stated that the City was in jeopardy of losing state funding as the audit would not be completed in time, which could result in a loss of over \$40,000.00. Those in attendance were informed that they could stop in the office and read the file. The audience was also informed that the Attorney General's office had received four complaints on the City. The Attorney General's office had notified the City and the person(s) who submitted the complaints that there were no violations performed by the City.

Lori Cox had received an email from Cindy Paustian of the AseraCare Hospice Educational Program wanting to hold a free educational presentation on hospice services and starting a volunteer program in Sargent and requesting a place to hold this presentation. Lori, while not present, was requesting permission to use the Community Center for hospice training at no charge. Council Member Oeltjen moved that the City of Sargent waive the rent at the Community Center for the purpose to train volunteers for Hospice Care. Council Member Nitchie seconded. Voting yea: Oeltjen, Leibert, Nitchie and Kozeal. Voting nay: none. Motion carried.

Representing the Loup Valley Road Riders was Tom Kleeb. Their annual Spring Fling is scheduled for May 16 and 17, 2009, and they are requesting the use of the RV Park, picnic tables and for Main Street to be blocked off for the Show and Shine. Council Member Oeltjen commended the club for the work and good deeds. Council Member Nitchie moved to allow the use as has been done in the past years. Council Member Leibert seconded. Voting yea: Oeltjen, Leibert, Nitchie and Kozeal. Voting nay: none. Motion carried.

Mike Kozeal from the Sargent Recreation Program explained the 2009 plans for the ball field. Mike informed the Council that they were going to hold registration earlier this year so that insurance could be in place prior to the first practice and no child would be allowed to practice or play until insurance was in place. Discussion was held on the condition of the bleachers behind home plate. Mike is to get prices to present to the Council at the next meeting. The FFA will be constructing new dugouts for their project. The person hired to take care of the field will be hired through the City and ran through the City payroll.

The building permits submitted by Custer Public Power District and Mike Criss were discussed and explained to the Council. Council Member Nitchie moved that the City of Sargent approve the building permit submitted by Custer Public Power District for the office/storage building which will be located on Hwy 183. Council Member Leibert seconded the motion. Voting yea: Oeltjen, Leibert, Nitchie and Kozeal. Voting nay: none. Motion carried. Council Member Nitchie moved that the City of Sargent

approve the building permit submitted by Mike Criss for a storage shed located at 207 West Semler be approved. Council Member Leibert seconded. Voting yea: Oeltjen, Leibert, Nitchie and Kozeal. Voting nay: none. Motion carried.

Marty Riddle was present to ask the City to clear the ditch on his property before it gets too wet to get in there and do it. After discussion, the Council decided that two Council Members would accompany Marty and Mike Criss to see exactly where and what Marty was wanting and bring that information back to the Special Meeting for discussion and a decision.

Supervisors reports were given. City Clerk/Treasurer, Kathy Drake informed the Council that she had been contacted by the mortgage company who had the property for sale next to Mick Kozeal. They were going to sell the house by sealed bid and were asking permission to have the bids mailed or dropped off at the City office. They also asked if they could hold the bid opening at the City office. Council members saw no problem with this. Glenn Clark and Kathy spent Wednesday going through the incorrect ordinances as well as the Nebraska Code Book to compare to the existing code book for changes that would need to be implemented. She informed them that the required changes were included in their packets for them to review and a decision was going to need to be made at the next Council meeting or the Nebraska Code Books would need to be returned. She gave an update on the Mid Winter Conference and how beneficial it was. The auditors were to be here Wednesday, Thursday and Friday of this week. The Water CD was up for renewal and she stated that the Water fund was operating in the red. Kathy had talked to the auditor who recommended transferring money from NPAIT and cashing in half of the CD to get water in the black. She informed the Council if she did that, she would be able to transfer money from the light fund to NPAIT. Council agreed that this should be done. The Community Center account was overdrawn. The utility payment was held last month and could be held this month as there was more activity in the next two months that may not require transferring money. Council suggested that the utility bills be held. A free funding workshop was being held in North Platte on Friday that Mike and Kathy were planning on attending. There was a seminar in May for Public Agencies for Wage-Hour and FMLA in North Platte that Kathy asked permission to attend, which was granted. She also reminded the Council that she would be at Clerk School next week, which was being held in North Platte. The Village Clerk from Comstock would be sharing a room with Kathy to save expenses for both municipalities.

City Administrator/Utility Superintendent, Mike Criss informed the Council that the RV Park bathroom had the roof put on. Also said they had cleaned out a storage building and found that there was an abandoned well that needed to be decommissioned. He informed the Council of this process and the Council agreed that it needed to be done.

Mick Kozeal had nothing to report for the Landfill Report.

J.D. Keefe, Chief of Police, informed the Council he had one week left of DARE and tickets were going to be issued for illegal turns/parking in front of the newly located post office.

Council Member Oeltjen moved to adjourn. Council Member Leibert seconded. Voting yea: Oeltjen, Leibert, Nitchie and Kozeal. Voting nay: none. Motion carried. Meeting adjourned at 10:45 p.m.

City Clerk, Kathy Drake

Mayor, Bernard Griebel

Claims Approved March 9, 2009

	Name	Split	Amount
Community Center			
	Appera	Department	-34.15
	Corner Market	Department	-14.89
	NCTC*	Telephone	-45.60
	Sargent Municipal Utilities	Utilities	-326.43
First National Bank - Municipal			
	Appera	Uniforms	-113.92
	Arnold Pool Company	Building Maintenance	-1,550.50
	BlueCross Blue Shield Of NE	Payroll Expenses	-449.41
	Burwell Tribune	Publications	-213.74
	C & I Repair	Equipment Maintenance	-76.40
	Capital One	Dept Exp/Travel, Lodging	-408.98

Central I.T.	Equipment Maintenance	-58.50
Central NE Medical Clinic	Outside Services	-37.00
Corner Market	Office	-41.67
Credit Bureau Services	Dues & Subscriptions	-5.00
Custer County Chief	Advertising	-105.47
Don's Auto Parts, Inc.	Dept Exp/Maintenance	-20.30
Eakes Office Plus	Office	-120.30
GoFer Foods	Fuel	-266.55
Great Plains One-Call Service	Other Expense	-3.03
Grint Farm Supply	Equipment Maintenance	-195.08
Michael Todd & Co	Department Supplies	-1,728.72
Middle Loup 4-H Club	Advertising	-20.00
NCTC*	Telephone	-276.15
NE Dept of Health and Human Services	License Fees Paid	-40.00
Payroll	Payroll Expenses	-6,572.58
Petty Cash	Postage	-36.00
Sargent Chamber of Commerce	Advertising	-75.00
Sargent Municipal Utilities	Utilities	-143.75
Sargent Variety	Department Expense	-17.48

First National Bank - Utilities

Sewer SNA	Sewer Bond 88-1 SNA (676882)	-6,319.00
NPAIT - Light	NPAIT- Light (NPAIT- Light)	100,000.00
Alltel	Telephone	-55.29
Appeara	Department	-35.49
Capital One	Dept Exp/Travel, Lodging	-283.15
Credit Bureau Services	Write Off Accounts	-396.96
Department of Energy	WAPA	-5,084.11
GoFer Foods	Fuel	-120.60
Grint Farm Supply	Equipment Maintenance	-5.24
HD Supply Waterworks	Equipment	-258.47
Hometown Leasing	Equipment Lease	-52.69
Island Supply Welding Co.	Department	-48.68
J & J Sanitation	Solid Waste Fees Paid	-5,550.23
Kriz-Davis Electrical Supply	Department	-259.22
League of Municipalities - Utilities Sect	Training	-65.00
NE Dept of Revenue	Payroll Expenses	-931.54
NE Dept of Revenue	Sales & Use Tax	-3,252.27
Nebraska Public Health Environmental Lab.	Lab Fees	-16.00
Payroll	Payroll Expenses	-15,818.24
Sargent Municipal Utilities	Utilities	-1,005.84

Medical Clinic #1 MMA

Absolute Plumbing*	Building Maintenance	-230.81
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