

**MINUTES OF CITY COUNCIL
CITY OF SARGENT, NEBRASKA
Regular Session
Sargent Community Center
January 12, 2009**

The Mayor and Council of the City of Sargent, Nebraska, met in Regular Session at the Sargent Community Center on the 12th day of January, 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 Tuesday, December 30, 2008, and agendas were hand delivered Friday, January 9, 2009. The following were present: Council Members: Robert Nitchie, Jan Oeltjen and Tim Leibert; City Administrator/Utility Superintendent, Mike Criss; City Clerk/Treasurer, Kathy Drake, and Chief of Police, J.D. Keefe. Also present was City Attorney, Glenn Clark and City Engineer, Darold Tagge. Council Member Mick Kozeal was absent.

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 7:05 p.m.

Council Member Nitchie moved to approve the items on the consent agenda. Council Member Oeltjen seconded. Vote yea: Oeltjen, Nitchie and Leibert. Vote nay: none. Absent: Kozeal. Motion carried.

Mayor Griebel opened the meeting to Citizen Comments. Dena Beck asked the Council if Sargent had an area designated as "blighted" and was informed that would be discussed later in the meeting. There being no further comments from those present, the Mayor asked for the Supervisors Reports.

City Clerk/Treasurer, Kathy Drake informed the Council that due to a technical error within the State, the release of funds for the Housing Grant would not be until February. The necessary notifications were being republished in the paper this week. She also informed the Council that the Sales & Use Tax form did not get filed by the due date and there would be a penalty charged to the City. This was not completed in time because of the illness and death of her stepfather and being out of the office. She stated she would be attending the Midwinter Conference in Lincoln in February and asked that if any of the Council would also be attending to notify her so that reservations can be made. NCTC had the additional charge added to their which they paid, but also paid an additional payment. It was stated that they would be contacted to see if that is what they intended to do. A request for public record was sent to Jill Fiddler and law firm from Lincoln and no response had been heard back from her at this date. The County was not charged by other communities for the use of buildings for the recent election. Kathy asked for authorization to have the office carpets cleaned as they had not been clean in over five years – authorization granted.

City Administrator/Utility Superintendent gave the quotes for the tires needed for the Ford pickup which he received from Drake Oil for \$434.92 and Unruh Auto for \$505.56. The Council gave authorization to get the tires from Drake Oil. Mike had been approached by Allen Hughes from the Sargent School about helping financially with gym lights. Mike wanted the Council to think about this as it was not something that was going to be happening right away and the school would be sending a letter. He was also going to talk to MEAN and CPPD to see if they would be willing to offer some sort of financial assistance as well. He informed the Council that he had spoken with Grint Farm Supply as to what they would give for the TO/20 and A Tractors and did not feel that it was enough with the Council agreeing. It was determined that they would be put out for sealed bid and that would be worked up for the next meeting. He asked the opinion of the Council about having something put on the web site about the light plant and generator with the

Council agreeing that this would be a great way to get the benefits of the plant out to the public. Mike is to get quotes for the furnace in the back area of the City office and bring to the Council.

With Council Member Kozeal absent, there was no one present to give the landfill report but City Clerk/Treasurer, Kathy Drake, informed the Council that she had received the minutes from the last meeting and had handed them out.

Chief of Police, J.D. Keefe, informed the Council that he had only received on price for the Durango to date. Council Member Leibert asked for a service record report for the last year on the jeep. He stated that he was starting DARE at the Sargent School that would be for 10 weeks from 2:30 – 3:30.

Darold Tagge from Tagge Engineering was present to explain the One and Six Year Street Plan. At 7:45, the Mayor announced “This is a public hearing – is there anyone in the audience who wishes to address the Public Hearing on the One and Six Year Road Improvement Plan?” Mr. Tagge answered questions presented to him from the public. Council Member Leibert moved to close the Public Hearing and approve the One and Six Year Road Improvement Plan. Council Member Nitchie seconded the motion. Vote yea: Oeltjen, Nitchie and Leibert. Vote nay: none. Absent: Kozeal. Motion carried. Darold Tagge explained that Tagge had merged with Miller & Associates. He introduced Lindsey Connot from Miller & Associates who explained the additional services that would be available by Miller & Associates.

Council Member Oeltjen introduced and moved to approve Resolution #2009-01 approving the plans submitted by Tagge Engineering for the One and Six Year Road Improvement Plan. Council Member Leibert seconded. Vote yea: Oeltjen, Nitchie and Leibert. Vote nay: none. Absent: Kozeal. Motion carried.

Dena Beck from REAP (Rural Enterprise Assistance Project) was present to explain the purpose of her organization which is to strengthen rural communities through small, self-employed business development. She asked the Council what areas of concern they had about the community. She stated that before the meeting, she had the opportunity to drive through the community and noted that it was rather depressing to see the condition of the houses in the community. The Council felt that was an area as well as trying to bring businesses/industry into the area for jobs. She will contact the City Clerk later to get more details and discuss some options that may be available to the City.

Tim Parker was present to discuss the building permit he had submitted on behalf of his mother for repairs to her trailer to bring it up to code. He has purchased the lots formerly known as Drake Trailer Court from Clyde Drake and has set the trailer there. He submitted an estimate of what work he proposed to do and the cost. It was felt by Council Member Nitchie that even with this work that the trailer would not meet code. After questioning and discussing this, Council Member Nitchie moved to deny the building permit for Tim Parker to repair the trailer where his mother would like to live located in the former Drake Trailer Court. Council Member Leibert seconded. Vote yea: Oeltjen, Nitchie and Leibert. Vote nay: none. Absent: Kozeal. Motion carried. Tim Parker stated that he would have the trailer removed in a reasonable time with the Council expressing their appreciation for that.

Discussion was then held on the problems with some of the old ordinances and minutes not matching. There is a mistake with ordinance \$426 showing two ordinances with this same number. What is approved in the minutes and it in pamphlet form for this ordinance number is for a bond. What is placed in the ordinance book is regulating drilling and parts of ordinance #427 on curfews. Ordinance #432 was an ordinance that had two ordinances assigned to this number which was correct by changing one to 432-A. In further research, it has been found that there is yet another ordinance with this same number in the pamphlet folder but is not mentioned as being passed in the minutes. Ordinance #437 is in the pamphlet folder but is not mentioned as being passed in the minutes. There are many ordinances that were not signed by the previous clerk

nor the Mayor. City Attorney, Glenn Clark, informed the Council that it would be a matter of going through the ordinances and comparing them to the minutes to see what discrepancies are there. Once found, an ordinance would be made to correct, allow passage if needed and allow signature of current clerk to sign.

City Clerk/Treasurer, Kathy Drake, had received the Nebraska Basic Code of Ordinances from American Legal Publishing Corporation for the Council Members to review and discuss. It was decided after much discussion that more time was needed to compare this with the current Sargent Municipal Code book in more detail. It was also suggested that when Kathy attends the Midwinter Conference to collect more information from other vendors if they are there.

There being no further business, Council Member Oeltjen moved to adjourn. Council Member Nitchie seconded. Vote yea: Oeltjen, Nitchie and Leibert. Vote nay: none. Absent: Kozeal. Motion carried. Meeting adjourned at 9:30 p.m.

City Clerk, Kathy Drake

Mayor, Bernard Griebel