

**MINUTES OF CITY COUNCIL
CITY OF SARGENT, NEBRASKA
Regular Session
Sargent Community Center
May 11, 2009**

The Mayor and Council of the City of Sargent, Nebraska, met in Regular Session at the Sargent Community Center on the 11th day of May, 2009 at 7:00 p.m. Notice of the meeting was posted at the City Office, U. S. Post Office and First National Bank on Wednesday, April 29, 2009, and agendas were hand delivered Friday, May 8, 2009. The following were present: Mayor, Bernard Griebel; Council Members: Jan Oeltjen, Tim Leibert, Bob 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 Nitchie moved to approve the items on the consent agenda. Council Member Leibert seconded. Voting yea: Oeltjen, Leibert, Nitchie and Kozeal. Voting nay: none. Motion carried.

Mayor Griebel opened the meeting to Citizen Comments. Richard Hardesty presented his thoughts to correct the water problem on the Marty Riddle property east of town by using the land that is owned by the railroad right-a-way.

City Clerk/Treasurer, Kathy Drake stated that she had been notified by the State Auditor that the City had lost the state funding until the audit was received and approved. Once approved, the funds would be reinstated. She had spoken with the Alvin Alms office who indicated that the audit would be mailed by the end of the month. An audit was performed by USDA who informed the Clerk that the Mayor needed to be bonded for a minimum of \$75,000. This would cost \$263 and bring us within compliance with USDA requirements.

City Administrator/Utility Superintendent, Mike Criss stated the hard surfacing of the streets would begin in July and he would start purchasing gravel now. The grand stand was going to be painted prior to the fair.

Chief of Police, J.D. Keefe, informed the Council that the jeep's rewiring was complete. He was still experiencing problems with it starting so was going to have the battery checked again. The stop signs were going to be erected this week and he had given a list of lawns that were in need of mowing to the City Clerk for letters to be mailed.

Mike Criss explained that there was going to be more work required on the Medical Clinic furnace/air conditioner than was originally stated and that this should be something that we budget for in the next year. The Council suggested it be put out for bid again and ask everyone bid the same thing.

Discussion was held on the condemnation process with the City Attorney, Glenn Clark. There is more research required by Glenn before further action will be taken.

Discussion on purchasing bleachers for the ball field took place. Council Member Kozeal moved that the City of Sargent pay for the bleachers at the ball field and have Summer Rec order them. Summer Rec is to continue to have fund raisers and apply for grants to offset this expense until the Park account was reimbursed. Council Member Oeltjen seconded. Voting yea: Oeltjen, Leibert, Nitchie and Kozeal. Voting nay: none. Motion carried.

Lori Arnett from The Palladium requested permission for a Special Liquor License for May 29 and 30, 2009, for the Slagle wedding. Council Member Leibert moved that the City of Sargent allow a Special Liquor License for Lori Arnett of The Palladium at the Community Center for May 29 and 30, 2009, for the Slagle wedding, Council Member Oeltjen seconded. Voting yea: Oeltjen, Leibert, Nitchie and Kozeal. Voting nay: none. Motion carried.

Chris Legros was present to ask the Council Members to participate in the Choke Cherry Parade. The Council Members agreed to participate.

The building permits for erecting fences submitted by Jerry Poland and Will Lowry were discussed. Council Member Nitchie moved for approval of the building permit submitted by Jerry Poland to erect a fence around his property at 300 W Jesse. Council Member Leibert seconded. Voting yea: Oeltjen, Leibert, Nitchie and Kozeal. Voting nay: none. Motion carried. Council Member Kozeal moved for approval of the building permit submitted by Will Lowry to change the location of the existing fence and change the fence design on his property located at 901 W Main. Council Member Nitchie seconded. Voting yea: Oeltjen, Leibert, Nitchie and Kozeal. Voting nay: none. Motion carried.

Helen Ruh mailed a letter to Tim Leibert questioning information on the repayment of the cash reserve transferred from the Light Fund and the Medical Clinic to the Community Center Project as notated in the May 14, 2004, minutes. Tim requested this added to the agenda for Helen to ask her questions. City Clerk/Treasurer, Kathy Drake, stated she was unable to find anything in the minutes that mentioned how or when this was to be repaid. City Attorney, Glenn Clark, was going to research the state statutes to determine if there was a statute that mandated repayment.

Council Member Kozeal stated that Ross Plock had come to him with a complaint about his irrigation charges and requested them changed. The Council, after discussion, felt the rates and the way the rates were established would not be changed.

Council Member Leibert next brought up complaints that he had received and he personally had about the large amount of cats in the City. He, and several in the audience, felt that if dogs needed to be licensed, cats should be also. Council Member Leibert moved to treat cats like dogs and authorize the attorney to create an ordinance. The motion died due to lack of a second.

Mayor Griebel announced the appointment of Phillip Ottun and Mick Kozeal to fill the vacancies of the Sargent Airport Authority. Council Member Leibert moved to approve the appointments. Council Member Nitchie seconded. Voting yea: Oeltjen, Leibert and Nitchie. Voting nay: none. Abstaining: Kozeal. Motion carried.

Council Member Leibert moved that the City of Sargent enter into an Interlocal Agreement with the Sargent Airport Authority and Custer County for the 2009-2010 fiscal year for \$2,500.00 and that the Mayor have the authorization to sign the agreement. Council Member Nitchie seconded. Voting yea: Oeltjen, Leibert, Nitchie and Kozeal. Voting nay: none. Motion carried.

Council Member Leibert moved that the City of Sargent enter into the Nebraska WARN Mutual Aid Agreement and appoint the City Administrator/Utility Superintendent as the representative. Council Member Oeltjen seconded. Voting yea: Oeltjen, Leibert, Nitchie and Kozeal. Voting nay: none. Motion carried.

Council Member Nitchie moved that the City of Sargent accept the Current Plan as submitted by Starmark for the health insurance provided to full-time employees. Council Member Kozeal seconded. Voting yea: Nitchie and Kozeal. Voting nay: Oeltjen and Leibert. Tie broken by Mayor Griebel with a nay vote. Council Member Oeltjen moved that the City of Sargent accept the Alternative Plan 1 as submitted by Starmark for the health insurance provided to the full-time employees. Council Member Leibert seconded. Voting yea: Oeltjen, Leibert and Nitchie. Voting nay: Kozeal. Motion carried.

City Clerk/Treasurer explained the results of the water and sewer study recently performed by the Nebraska Rural Water Association and the recommendation made by Randy Hellbusch. Council Member

Nitchie moved that the City of Sargent increase the water rates to \$15.50 for the monthly minimum and \$1.20 per 1000 gallons sold; and the sewer rates to be increased to \$20.50 for the monthly minimum and \$1.35 per 1000 gallons units used effective June 1, 2009. Council Member Oeltjen seconded. Voting yea: Oeltjen, Leibert, Nitchie and Kozeal. Voting nay: none. Motion carried.

Council Member Leibert moved that the City of Sargent adjourn into closed session at the hour of 9:40 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.

Council Member Kozeal moved to reconvene into regular session at 10:42 p.m. Council Member Leibert seconded. Voting yea: Oeltjen, Leibert, Nitchie and Kozeal. Voting nay: none. Motion carried.

Council Member Kozeal moved that the City of Sargent authorize City Attorney, Glenn Clark, to start legal proceedings to reclaim the website name of sargentnebraska.com. Council Member Oeltjen seconded. Voting yea: Oeltjen, Leibert, Nitchie and Kozeal. Voting nay: none. Motion carried.

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 10:35 p.m.

City Clerk, Kathy Drake

Mayor, Bernard Griebel

Claims Approved May 11, 2009

	<u>Name</u>	<u>Split</u>	<u>Amount</u>
Community Center	Appeara	Department Supplie	-49.65
	Corner Market	Department Supplie	-18.99
	NCTC	Telephone	-45.77
	Sargent Municipal Utilities	Ele, Sewer or Water	-265.16
First National Bank - Municipal	Transfer	NPAIT- General	-25,709.00
	Transfer	NPAIT- Street	-63,941.00
	Appeara	Uniforms	-98.92
	Arnold Pool Company	Equipment Supplies	-2,444.17
	BlueCross Blue Shield Of NE	Payroll Expenses	-449.41
	Burwell Tribune	Advertising/Publishing	-70.71
	Capital One	Department Supplies	-153.80
	Central NE Housing Developers	Professional Services	-550.00
	Central NE Medical Clinic	Other Expense	-74.00
	Conner Construction	Repairs	-4,000.00
	Corner Market	Department Supplies	-192.04
	Credit Bureau Services	Dues & Subscriptions	-5.00
	Dan Osmond	Vehicle Exp & Fuel	-750.00

Don's Auto Parts, Inc.	Vehicle Maintance	-93.88
Drake Oil Co.	Vehicle Exp & Fuel	-66.44
Emily Stoltenberg	Lodging, Meals, and Travel	-160.45
GoFer Foods	Vehicle Exp & Fuel	-348.73
Grafix Shoppe	Vehicle Exp & Fuel	-349.06
Great Plains One-Call Service	Other Expense	-9.09
Grint Farm Supply	Vehicle Maintance	-39.68
Jeffrey D. Keefe	Vehicle Exp & Fuel	-27.81
League of Municipalities	Training	-225.00
Logan Contractors Supply, Inc.	Equipment Maintance	-467.66
Michael Todd & Co	Repairs	-515.15
Mike Criss	Lodging, Meals, and Travel	-93.50
NCTC	Telephone	-279.72
NE Municipal Clerk Institute	Training	-245.00
Office Net	Office	-28.50
Payroll	Payroll	-6,833.30
Petty Cash	Postage	-27.35
Prairie Eyecare Center	Other Expense	-618.00
Sargent Fair Board	Advertising	-25.00
Sargent Municipal Utilities	Utilities - Electric	-163.83
Sargent Public Schools	License Fees Paid	-200.00
Sargent Variety	Department Supplies	-13.75
SourceGas	Natural Gas	-27.22
Topkote, Inc.	Repairs	-8,000.00
Trotter Grain and Fertilizer	Department Supplies	-72.46

First National Bank - Utilities

Transfer	NPAIT- Light (NPAIT- Light)	-35,362.00
Transfer	Misc. Fund Savings	26,950.52
Transfer	Sewer Bond 88-1 SNA	-6,319.00
Alltel	Telephone	-54.44
Appera	Department Supplies	-42.38
Department of Energy	WAPA	-4,187.63
Dept of Health & Human Services	Other Expense	-595.03
GoFer Foods	Vehicle Exp & Fuel	-194.56
Grint Farm Supply	Vehicle Exp & Fuel	-28.02
HD Supply Waterworks	Department Supplies	-396.00
Hometown Leasing	Equipment Lease	-52.69
Kriz-Davis Electrical Supply	Department Supplies	-129.98
Loup Central Landfill	Solid Waste Assessment Chg	-4,218.50
Payroll	Payroll	-15210.40
NE Dept of Revenue	Payroll Expenses	-534.02
NE Dept of Revenue	Sales & Use Tax	-2,586.03

	Post Master	Postage	-300.00
	Sargent Municipal Utilities	Utilities - Electric	-959.48
	Skarshaug Testing Lab, Inc.	Uniforms	-120.39
	SourceGas	Natural Gas	-402.79
Medical Clinic #1 MMA			
	Transfer	NPAIT- Medical Clinic	-10,146.00
	Wadas, Inc.	Building Repair	-106.62
Misc. Fund Savings			
	Transfer	First National Bank - Utilities	-26,950.52