

**MINUTES OF CITY COUNCIL
CITY OF SARGENT, NEBRASKA
Special Session
Sargent Community Center
March 25, 2009**

The Mayor and Council of the City of Sargent, Nebraska, met in Special Session at the Sargent Community Center on the 25th day of March, 2009, at 6:30 p.m. Notice of the meeting was posted at the City Office, U. S. Post Office, and First National Bank on Monday, March 23, 2009. The following were present: Mayor Bernard Griebel; Council Members: Jan Oeltjen, Tim Leibert, and Bob Nitchie. Council Member Mick Kozeal arrived at 6:50 p.m. Also present were City Administrator/Utility Superintendent, Mike Criss; and City Clerk/Treasurer, Kathy Drake; and, City Attorney, Glenn Clark.

Mayor Griebel 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 6:30 p.m.

Council Member Oeltjen moved to approve the consent agenda. Voting yea: Council Members Oeltjen, Leibert, and Nitchie. Voting nay: none. Absent: Council Member Kozeal. Motion carried.

Discussion was held on the property owned by Jerry and Dolly Grause with the ground contamination. It was decided that prior to passing a "no basement" ordinance, notice would be served by the Chief of Police to the other property owners notifying them of the tabled ordinance. Decision tabled to next regularly scheduled meeting.

Rick Nelson from Custer Public Power District presented information and proposal for providing the City of Sargent with electrical power.

Jessica Decker, Deputy Clerk, answered questions regarding the grant received from Safe Routes Nebraska. Council Member Oeltjen introduced Resolution 2009-03 declaring the City's official intent to enter into an agreement with the State of Nebraska Department of Roads for construction of school sidewalks. City Clerk/Treasurer, Kathy Drake read the resolution in its entirety. Council Member Oeltjen moved for the adoption of Resolution 2009-03 (copy in minutes). Voting yea: Oeltjen, Leibert, Nitchie and Kozeal. Voting nay: none. Motion carried.

Mike and Amy Kozeal, representing the Summer Rec. Program, presented prices for bleachers and received clarification for summer help. The maintenance person will be interviewed and hired by Mike Kozeal with that person being run through the city's payroll. The Summer Rec Program was encouraged to keep doing fund raisers, and applying for grants as the city budgeted some money, but it would not be enough to do all that was needed.

Council Member Kozeal moved that the City of Sargent adopt Schedule K as proposed by Nebraska Municipal Power Pool. Voting yea: Oeltjen, Leibert, Nitchie and Kozeal. Voting nay: none. Motion carried.

Council Member Kozeal introduced Ordinance No. 452.

AN ORDINANCE TO ESTABLISH A NEW SCHEDULE OF RATES BASED ON CONSUMPTION OF ELECTRIC CURRENT FROM THE ELECTRIC UTILITY SYSTEM OF THE CITY OF SARGENT, NEBRASKA; TO REPEAL ORDINANCE NO. 438 PASSED AND ADOPTED THE 12TH DAY OF MARCH, 2007; PROVIDING FOR EFFECTIVE DATE; AND, FOR PUBLICATION IN PAMPHLET FORM.

Council Member Leibert moved that the statutory rule requiring reading on three different days be suspended. Voting yea: Oeltjen, Leibert, Nitchie and Kozeal. Voting nay: None. Motion carried. Said Ordinance was then read by title and thereafter Council Member Kozeal moved for final passage of the Ordinance. The Mayor then stated the question "Shall Ordinance No. 452 be passed and adopted?" Upon roll call vote, the following Council Members voted yea: Oeltjen, Leibert, Nitchie and Kozeal. The passage of said Ordinance having been concurred in by a majority of all members of the Council, the Mayor declared the Ordinance adopted. A true, correct and complete copy of said Ordinance can be found in the Ordinance Record Book.

The recommendation of Tim Leibert, Bob Nitchie and Mike Criss was presented to the Council Members on Marty Riddle's wish for ditch cleaning on his property east of town due to the flooding. The Council determined to have Conner Construction do the work and present a bill to the City for payment.

Council Member Oeltjen moved to adjourn the meeting at 9:15 p.m. Voting yea: Oeltjen, Leibert, Nitchie and Kozeal. Mayor Griebel declared the meeting adjourned.

City Clerk, Kathy Drake

Mayor, Bernard Griebel

RESOLUTION 2009-03

Council Member Oeltjen introduced the following Resolution and moved its adoption.

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SARGENT, NEBRASKA, AS FOLLOWS:

WHEREAS: The City of Sargent wishes to enter into an agreement with the State of Nebraska Department of Roads to repair sidewalks on Semler Street, 4th Street and Edith Street to Sargent Public Schools, with funds made available through STP Safe Routes Program funds; and

WHEREAS: the Federal share payable shall be a maximum of ninety-eight percent (98%) of the eligible costs thereof, up to a maximum payment from federal funds of \$137,005.00; and

WHEREAS: the City of Sargent has committed to an in-kind donation of approximately \$2,700.00; and

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL THE CITY OF SARGENT, NEBRASKA, that the City of Sargent enter into an agreement with the State of Nebraska Department of Roads for the construction of a school sidewalk route from Semler Street, 4th Street and Edith Street to Sargent Public Schools; that this project be constructed under the designation of Project Number SRTS-21(24), State Control No. 61483, and that the terms and conditions as contained in the Agreement with the Nebraska Department of Roads are hereby approved and that the Mayor is hereby authorized to execute said agreement.

Council Members Oeltjen, Leibert, Nitchie and Kozeal voted YEA and the following Council Members vote NAY – none.

Whereupon the Mayor declared said motion carried and said Resolution adopted.

Passed and approved this 25th day of March, 2009.

Mayor, Bernard Griebel

ATTEST:

Kathy Drake, City Clerk

(SEAL)