

**MINUTES OF CITY COUNCIL  
CITY OF SARGENT, NEBRASKA  
Regular Session  
Sargent Community Center  
November 11, 2008**

The Mayor and Council of the City of Sargent, Nebraska, met in Regular Session at the Sargent Community Center on the 11th day of November, 2008 at 7:00 p.m. Notice of the meeting was posted at the City Office, U. S. Post Office and First National Bank on Tuesday, October 28, 2008, and agendas were hand delivered Friday, November 7, 2008. The following were present: Council Members: Mick Kozeal, Robert Nitchie, Jan Oeltjen and Orville Mankle; City Administrator/Utility Superintendent, Mike Criss; and City Clerk/Treasurer, Kathy Drake, Chief of Police, J.D. Keefe, City Attorney, Glen Clark, and Deputy Clerk, Jessica Decker.

Mayor Griebel welcomed guests, introduced Council Members and Staff, 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 Oeltjen moved to approve the items on the consent agenda. Council Member Mankle seconded. Vote yea: Oeltjen, Mankle, Nitchie and Kozeal. Vote nay: none. Motion carried.

Mayor Griebel opened the meeting to Citizen Comments. Resident Richard Hardesty was present to discuss several issues with the Council. No action was taken by the Council.

Kathy Drake, City Clerk/Treasurer informed the Council that the auditors were scheduled to be here November 24 and 25, 2008; that the Power Manager Software Refresher Course had been attended by Jessica Decker, Deputy Clerk, and herself; had attended a workshop and was now certified for NIMS; informed that the Receipt/Disbursement report was published and about the legal calendar put out by the Nebraska Municipal Clerk's and followed; a bill received from Railroad Management Co. was discussed and decided by the Council to send a letter disputing the bill.

Mike Criss, City Administrator/Utility Superintendent discussed purchasing wind power with the Council wishing for more information to be brought to the special meeting; cleaning the ditch going to the river for drainage was postponed to the special meeting; the equipment purchased to prevent the plugged sewer line caused by Golden Living Center and the Council authorized to offset this cost, an additional fee be added to their account.

As Mick Kozeal was unable to attend the last Landfill meeting he was unable to report any information.

J.D. Keefe, Chief of Police informed the Council that he had picked up a stray dog from the school and took it to Burwell Vet where they would try to adopt the pet out but after three days, the dog would be euthanized with that charge as well as boarding being the City's expense; asked to purchase a high quality flashlight with the funds coming from the violations bureau account with permission granted; there has been children/teenagers climbing up to the whistles on the water tower and suggested "No Trespassing" signs be placed around the perimeter, which the Council agreed with; and he was advised by the Council to contact Jerry White concerning the graffiti that was spray painted on his garage around Halloween asking him to get it cleaned up.

City Clerk, Kathy Drake, advised the Council that Deanne Schaeffer did not receive her condemnation letter, so another letter was being sent the following day by restricted delivery. This would start her 60 days over for cleanup for the property located at 201 North 1<sup>st</sup> Street.

Lisa Grint, web designer, was present to show the Council the web information she had developed to date. It was decided amongst the Council that Council Member Nitchie would be the daily contact person for Lisa who would review any changes that were requested or needed to be made. Council Member

Mankle moved that the City of Sargent approve the information provided by Lisa Grint for the City Website. Council Member Kozeal seconded. Vote yea: Oeltjen, Mankle, Nitchie and Kozeal. Vote nay: none. Motion carried.

Jerry White was not present to discuss the building permit request.

Judy Peterson with Central Nebraska Housing Developers presented the Housing Rehabilitation Program Guidelines for review and revisions. After questions, clarifications and discussion, Council Member Kozeal moved that the City of Sargent approve the Housing Rehabilitation Program Guidelines as provided and revised by Judy Peterson, Housing Coordinator of Central Nebraska Housing Developers. Council Member Oeltjen seconded. Vote yea: Oeltjen, Mankle, Nitchie and Kozeal. Vote nay: none. Motion carried.

Jim Williams was present on behalf of Deanne Schaeffer. Jim and Cathy Williams are in the process of tearing down the property located at 201 North 1<sup>st</sup> Street but anticipate that it will not be completed within 60 days as required by the letter being sent to Deanne because of the winter months. Jim asked that an extension of 120 days be added to the 60 days to get them through the winter. Council Member Oeltjen moved that the City of Sargent allow a 120 day extension from the date of signed receipt of the restricted delivery letter plus the 60 days in the letter (150 days total) for the dismantling of the building at 201 North 1<sup>st</sup> owned by Deanne Schaeffer. Council Member Nitchie seconded. Vote yea: Oeltjen, Mankle, Nitchie and Kozeal. Vote nay: none. Motion carried.

Levi Olson next discussed the drainage issue in the ditch at Della and Custer by his house. Several neighbors were also present to offer input and express their concern over the water issue. Council Member Kozeal moved that the City of Sargent have the City Engineer, Tagge Engineering, survey the properties located at 200 North Custer (Danny (Levi) Olson) and 200 West Semler (Randy Rhoad) and offer a solution for the water drainage problem. Council Member Mankle seconded. Vote yea: Oeltjen, Mankle, Nitchie and Kozeal. Vote nay: none. Motion carried.

Robert Mohler from the Lower Loup Natural Resources was present to briefly explain his report on the water drainage issue northeast of Sargent and request another date be set to allow time for Council Members to go into detail to discuss his reports. Council Member Mankle moved that the City of Sargent set a Special Meeting date for November 17, 2008, at 6:00 p.m. in the Sargent Community Center for a workshop with the Lower Loup Natural Resources, Tagge Engineering and City Attorney to discuss the water problems northeast of Sargent. Council Member Oeltjen seconded. Vote yea: Oeltjen, Mankle, Nitchie and Kozeal. Note nay: none. Motion carried.

Council Member Kozeal introduced and City Clerk, Kathy Drake, read by title Ordinance No. 449:

AN ORDINANCE OF THE CITY OF SARGENT, CUSTER COUNTY, NEBRASKA, REPEALING ORDINANCE #10-401, 10-402, 10-403, 10-404 AND 10-405, PROVIDING FOR EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM.

Council Member Mankle moved for adoption of Ordinance #449 and that the statutory rule reading of ordinances on three successive days is suspended for consideration of said ordinance. Council Member Oeltjen seconded. Vote yea: Oeltjen, Mankle, Nitchie and Kozeal. Vote nay: none. Motion carried.

Said ordinance was then read by title and thereafter Council Member Kozeal moved for final passage of the ordinance, which motion was seconded by Council Member Mankle. The Mayor then stated the question "Shall Ordinance No. 449 be passed and adopted?" Upon roll call vote, the following Council Members voted yea: Oeltjen, Mankle, Nitchie and Kozeal. Vote nay: none. The passage and adoption of said ordinance having been concurred in by majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor in the presence of the Council signed and approved the ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto. A correct and complete copy of Ordinance No. 449 is to be filed in the City of Sargent Ordinance Record Book as a permanent record thereof.

Council Member Mankle introduced and City Clerk, Kathy Drake, read by title Ordinance No. 450:

AN ORDINANCE OF THE CITY OF SARGENT, CUSTER COUNTY, NEBRASKA, AMENDING AND UPDATING THE "TRAFFIC CONTROL MAP OF THE CITY OF SARGENT", PROVIDING FOR EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM.

Council Member Oeltjen moved for adoption of Ordinance #450 and that the statutory rule reading of ordinances on three successive days is suspended for consideration of said ordinance. Council Member Kozeal seconded. Vote yea: Oeltjen, Mankle, Nitchie and Kozeal. Vote nay: none. Motion carried.

Said ordinance was then read by title and thereafter Council Member Oeltjen moved for final passage of the ordinance, which motion was seconded by Council Member Kozeal. The Mayor then stated the question "Shall Ordinance No. 450 be passed and adopted?" Upon roll call vote, the following Council Members voted yea: Oeltjen, Mankle, Nitchie and Kozeal. Vote nay: none. The passage and adoption of said ordinance having been concurred in by majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor in the presence of the Council signed and approved the ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto. A correct and complete copy of Ordinance No. 450 is to be filed in the City of Sargent Ordinance Record Book as a permanent record thereof.

Council Member Kozeal introduced Resolution #2008-11-02, updating the Traffic Control Map with the placement of stop signs at East Main & Kearney, 2<sup>nd</sup> & Jesse, 4<sup>th</sup> & Jesse and 5<sup>th</sup> & Jesse and moved its' adoption, a copy of which is attached to these minutes. Council Member Oeltjen seconded. Vote yea: Oeltjen, Mankle, Nitchie, and Kozeal. Vote nay: none. Motion carried.

Council Member Oeltjen introduced Resolution #2008-11-01, applying for assistance from the Safe Routes to School Program for the purpose of sidewalks and traffic signs and moved its' adoption, a copy of which is attached to these minutes. Council Member Nitchie seconded. Vote yea: Oeltjen, Mankle, Nitchie and Kozeal. Vote nay: none. Motion carried.

The Council Members witnessed Mayor Griebel signing the Standardized System of Annual Reporting Roads & Streets Certificate.

Glenn Clark, City Attorney, informed the Council that he had not received a response from Bob Smith, previous web designer, regarding the request for the City domain names return. Because of the cost of litigation, it was advised that legal action not be pursued. Duane Ruh, a visitor, informed the Council that the information that he received at the meeting was not the same information that had been being passed on to Bob Smith and himself, and that he would personally contact Bob requesting that the information on the web site be removed and to ask him to return the web site name to the City. He was thanked by the Council Members.

The contract with Community Development Services for the administration and lead-based paint services for the Housing Rehabilitation Program Grant awarded to the City was reviewed. Council Member Oeltjen moved that the City of Sargent authorize Mayor Bernard Griebel to sign the contract with Community Development Services, LLC for the Housing Administration and Lead-Based Paint Services required for the Housing Rehabilitation Program. Council Member Mankle seconded. Vote yea: Oeltjen, Mankle, Nitchie and Kozeal. Vote nay: none. Motion carried.

The spreadsheet showing what was charged for electrical usage and the charges that should have been charged to NCTC since 1999 was reviewed. Council Member Mankle moved that the City of Sargent send a bill in the amount of \$22,322.03 along with the spreadsheet explaining the charges to NCTC (Nebraska Central Telephone Company) to pay. Council Member Oeltjen seconded. Vote yea: Oeltjen, Mankle, Nitchie and Kozeal. Vote nay: none. Motion carried.

There being no further business to discuss, Council Member Mankle moved to adjourn. Council Member Nitchie seconded. Vote yea: Oeltjen, Mankle, Nitchie and Kozeal. Vote nay: none. Motion carried. Meeting adjourned at 9:27 p.m.

Kathy Drake, City Clerk/Treasurer

Bernard Griebel, Mayor

**Claims Approved November 11, 2008**

|  | <u>Name</u>                    | <u>Split</u>             | <u>Amount</u> |
|--|--------------------------------|--------------------------|---------------|
| <b>Community Center</b>                |                                |                          |               |
|  | Appeara                        | Dept Supplies            | -34.65        |
|  | NE Central Telephone Co.       | Utilities                | -45.78        |
|  | Sargent Municipal Utilities    | Utilities                | -164.25       |
| <b>First National Bank - Municipal</b> |                                |                          |               |
|  | Appeara                        | Dept Supplies            | -94.99        |
|  | BlueCross Blue Shield Of NE    | Payroll Liability        | -449.41       |
|  | Capital One                    | Lodging, Meals & Mileage | -740.00       |
|  | Corner Market                  | Dept Supplies            | -87.47        |
|  | Credit Bureau Services         | Dues & Subscriptions     | -5.00         |
|  | Don's Auto Parts, Inc.         | Dept Supplies            | -102.73       |
|  | Drake Oil Co.                  | Maintenance              | -403.84       |
|  | Gofer Foods                    | Equipment Fuel           | -472.48       |
|  | Grint Farm Supply              | Maintenance              | 2,291.55      |
|  | Jess Decker                    | Dept Supplies            | -10.75        |
|  | Kathy Drake                    | Lodging, Meals & Mileage | -174.97       |
|  | Louie's Body Shop              | Vehicle Repairs          | -6.20         |
|  | Mid-Alliance Insurance Agency  | Insurance                | -597.00       |
|  | Midwest Line Stopping & Repair | Dept Supplies            | 4,400.00      |
|  | NE Central Telephone Co.       | Utilities                | 0.00          |
|  | Petty Cash                     | Postage                  | -33.80        |
|  | Sargent Municipal Utilities    | Utilities                | -172.34       |
|  | Sargent Variety                | Dept Supplies            | -19.07        |
|  | SourceGas                      | Utilities                | -372.19       |
|  | Trotter Grain and Fertilizer   | Dept Supplies            | -57.45        |
| <b>First National Bank - Utilities</b> |                                |                          |               |
|  | Alltel                         | Utilities                | -51.44        |
|  | Appeara                        | Dept Supplies            | -27.10        |
|  | Capital One                    | Lodging, Meals & Mileage | -171.68       |
|  | Department of Energy           | Energy Purchased         | 3,319.18      |
|  | Don's Auto Parts, Inc.         | Dept Supplies            | -50.97        |

|                                 |                      |          |
|---------------------------------|----------------------|----------|
| Gofer Foods                     | Equipment Fuel       | -292.73  |
| Great Plains One-Call Service   | Other Expense        | -21.21   |
| Great Western Gas Company       | Dept Supplies        | -42.68   |
| Grint Farm Supply               | Dept Supplies        | -45.10   |
| HD Supply Waterworks            | Dept Supplies        | -208.52  |
| Hometown Leasing                | Dept Supplies        | -52.69   |
| Lab Safety Supply               | Dept Supplies        | -118.09  |
| Lawson Products, Inc.           | Dept Supplies        | -98.85   |
| League of Municipalities        | Dues & Subscriptions | -100.00  |
| Louie's Body Shop               | Vehicle Repairs      | -572.58  |
| Loup Valley Lighting            | Dept Supplies        | -33.39   |
| M Osborn                        | Deposit Refund       | -111.51  |
| MEAN                            | Energy Purchased     | -600.00  |
| MFS Service Center, Inc.        | Payroll Liabilities  | -62.16   |
| NE Central Telephone Co.        | Utilities            | -270.21  |
| NE Dept of Revenue              | Sales & Use Tax      | 2,709.43 |
| NE Workforce Dev Tax            | Payroll Liabilities  | -275.98  |
| Nebraska Public Health Env Lab. | Other Expense        | -16.00   |
| Revenue Neb Epay                | Payroll Liabilities  | 1,183.31 |
| Sargent Municipal Utilities     | Utilities            | -88.49   |
| Sargent Municipal Utilities     | Utilities            | -678.09  |
| Sargent Variety                 | Dept Supplies        | -5.38    |
| Smith & Loveless Inc.           | Dept Supplies        | 1,213.48 |
| SourceGas                       | Utilities            | -55.58   |
| Spelts Lumber Co.               | Dept Supplies        | -216.62  |
| Trotter Grain and Fertilizer    | Dept Supplies        | -27.52   |
| Unruh Auto Sales & Service      | Vehicle Repairs      | -11.50   |