

**CITY COUNCIL MINUTES
CHAPPELL NEBRASKA**

A regular meeting of the Chappell City Council was held January 6, 2020, at the Chappell City Hall at 7:00 P.M. The following members were present; Brott, Riley, Carlson, Reichman and Johnson. Staff members present were City Attorney J. Leef, City Administrator/Clerk Ashlea Bauer, City Treasurer GERALYN KONRUFF, CDD Britt Miller, Utilities Superintendent Mike Criss, Utilities Worker Todd Rust and Street Overseer Jerrod Elms. Others present included Lonnie Dallegge and Adam Greenman.

Notice of the meeting was posted as required by law. The Pledge of Allegiance was recited by those present. Mayor Brott informed the public of the location of the Nebraska Open Meeting Act on the back wall of Council room.

Public Comments:

No public comments.

Consent Agenda:

A motion was made by Council member Johnson, second of Council member Riley to approve the consent agenda, minutes of the regular meeting December 16, 2019, claims list and dept head reports. "Yes" Riley, Carlson, Reichman, Johnson. "No" None. Motion carried.

Bomgaars - \$349.99 * Cash-Wa Distributing - \$500.82 * Century Link - \$582.08 * Chappell Lumber - \$1153.08 * Chappell Municipal Utilities - \$5355.60 * Chappell Register - \$273.75 * Chappell Super Foods - \$59.13 * Cranmore Pest Control LLC - \$45.00 * Culligan - \$47.00 * Dearborn National Life Insurance Co. - \$24.08 * Deuel County Treasurer - \$7333.34 * Dutton-Lainson Company - \$4791.32 * Eakes Office Products Center - \$416.36 * Enviro Service Inc - \$20.00 * Eric Reichert Insulation & Construction - \$84630.15 * Frenchman Valley Co-op - \$30.00 * Hansen's Petroleum - \$717.83 * Matheson Tri-Gas Inc - \$108.24 * Michael Todd & Company Inc - \$3373.57 * Municipal Supply Inc of Nebraska - \$2331.87 * NE Safety & Fire Equipment - \$206.00 * Nebraska Municipal Power Pool - \$589.32 * Nebraska Public Health Environmental Lab - \$229.00 * Northwest Pipe Fittings Inc - \$404.75 * Olsson Associates - \$1496.65 * One Call Concepts, Inc - \$32.62 * Rod Hanson - \$59.97 * Ron Nordyke - \$21.38 * Sedgwick County Sales - \$1717.70 * Spic and Span Cleaners - \$783.44 * Vistabeam - \$127.90 * WEX BANK - \$1222.25 * Total Payroll - \$33,008.75 *

Unfinished Business:

Utilities Superintendent Mike Criss provided the council with an estimate for the costs associated with putting in a new electric service for Frenchman Valley Coop. A motion was made by Council member Riley, second of Council member Carlson to approve the new electrical service application for Frenchman Valley Coop and to give Mike Criss approval to provide the estimate to Frenchman Valley. "Yes" Riley, Carlson, Reichman, Johnson. "No" None. Motion carried.

Lonnie Dallegge addressed the council in regards to the city wanting to put the electric poles on his side of the fence for the new Frenchman Valley Coop project. Mike Criss would like to install inside the fence for safety concerns of trying to access the pole from the side of the county road. Mr. Dallegge would like to be compensated for allowing the city access on his property. The utilities department believes there should be an easement. Attorney Leef will check to see if there is any existing utility easement there and if there is not one, she can get one put together. More information will be at the next council meeting.

CDD Miller informed the council that on December 18, 2019 the downtown revitalization project was deemed substantially complete after the handrails were installed.

CDD Miller provided the council with memo of a list of tentative punch-list items that still need to be addressed after having a walkthrough of the project with the engineers from Wilson & Company, along with Jerrod and a member of the Council. A motion was made by Council member Johnson, second of Council member Reichman to accept the punch-list items based on the staff recommendations made in the memo to the council. The list will be sent to Eric Reichert. "Yes" Riley, Carlson, Reichman, Johnson. "No" None. Motion carried.

Discussion was held on the most recent pay app received from Reichert for the DTR project. CDD Miller along with the engineers from Wilson & Company reviewed the pay app and sent a list back to Reichert that requested revisions under Section 13.03. Miller recommended paying \$84,630.15 for this pay app. A motion was made by Council member Johnson, second of Council member Riley to approve paying the recommended amount and approve Attorney Leef sending a letter to Reichert in regards to the pay and to also schedule a walk through with the City, Engineers, and NDOT representatives pursuant to the contract. "Yes" Riley, Carlson, Reichman, Johnson. "No" None. Motion carried.

Wilson and Company reviewed the buffer zone in front of Burgie's and it was done according to the plan specifications. It will be up to the city as to what to do with the area. It was recommended that steps and a hand railing be put in so the area isn't so steep. A motion was made by Council member Riley, second of Council member Johnson to have the city street department work in conjunction with Reichman Construction to fix the buffer zone, weather permitting. "Yes" Riley, Carlson, Johnson. "Abstain" Reichman. "No" None. Motion carried.

Britt followed up with Al Johnson in regards to the hand railing that he was going to make for Farm Bureau Insurance. He has ordered the pipe and he plans to try and have it done by the end of January. If they railings are not complete, the city will explore other options to get the hand rails made and installed. Britt will check in with him before the first meeting in February.

New Business:

Mayor Brott nominated the following 2020 Board and City Appointments.

2020 APPOINTMENTS

Board Appointments:

Library Board	Marge Freeman
Zoning/Planning Commission	Greg Fidele, Terry Livengood
Lake & Park Board	Ernie Husmann, Jeff Ortgies
Housing Authority Board	Cindy Wilber

Ambulance Board

Cyndy Wilber

City Appointments:

Administrator/Clerk	Ashlea Bauer
Treasurer	Geralyn Konruff
Attorney	J. Leef
Physician	Dr. Michael Matthews
Police Chief	Scott DeCoste
Water Commissioner	Mike Criss
Street Overseer	Jerrod Elms
City Engineer	Olsson Associates

A motion was made by Council member Riley, second of Council member Carlson to approve the appointment of Olsson & Associates as the city's engineer for 2020. "Yes" Riley, Carlson, Reichman, Johnson. "No" None. Motion carried.

A motion was made by Council member Reichman, second of Council member Johnson to approve the appointments for 2020. "Yes" Riley, Carlson, Reichman, Johnson. "No" None. Motion carried.

Mayor Brott asked to discuss the community development position and the wages.

A motion was made by Council member Riley, second of Council member Johnson to go into executive session to discuss the community development position and wages at 8:08 p.m. "Yes" Riley, Carlson, Reichman, Johnson. "No" None. Motion carried.

A motion was made by Council member Reichman, second of Council member Carlson to come out of executive session at 8:51 p.m.

A motion was made by Council member Reichman, second of Council member Johnson to increase the salary based on the same percentage's city employees received in 2017, 2018 and 2019. The figures were discussed with CDD Miller. "Yes" Riley, Carlson, Reichman, Johnson. "No" None. Motion carried.

Communications:

Council member Riley inquired about the couch that's sitting behind a resident's house. A letter has been mailed. Clerk Bauer will follow up.

Council asked about the car parked on the city street with no wheels on it. Clerk Bauer will be in touch with the Sheriff's department.

Council would like to have Attorney Leef review the current animal ordinances for the city.

A motion was made by Council member Johnson, second of Council member Reichman to adjourn the meeting at 9:03 p.m. "Yes" Riley, Carlson, Reichman, Johnson. "No" None. Motion carried.

Steve Brott, Mayor

ATTEST:

Ashlea Bauer
City Administrator/Clerk

**CITY COUNCIL MINUTES
CHAPPELL NEBRASKA**

A regular meeting of the Chappell City Council was held on January 21, 2020, at the Chappell City Hall at 7:00 P.M. The following members were present; Brott, Riley, Carlson, Reichman and Johnson. Staff members present were City Attorney J Leef, City Administrator/Clerk Ashlea Bauer, City Treasurer Geralyn Konruff, CDD Britt Miller, Utilities Worker Todd Rust, and Street Overseer Jerrod Elms. Others present included Joe Wollenhaupt, Jess Hurlbert, Scott DeCoste, Rich Eymann, and Christy Amen.

Notice of the meeting was posted as required by law. The Pledge of Allegiance was recited by those present. Mayor Brott informed the public of the location of the Nebraska Open Meeting Act on the back wall of Council room.

Public Comments:

No public comments.

Consent Agenda:

A motion was made by Council member Riley, second of Council member Carlson to approve the consent agenda, minutes of the regular meeting January 6, 2020 claims list, treasurer's report and sheriff's report. "Yes" Riley, Carlson, Reichman, Johnson. "No" None. Motion carried.

Black Hills Energy - \$667.83 * Border States Industries, Inc - \$442.90 * Britt Miller - \$6.85 * Cash-Wa Distributing - \$1064.39 * Century Link--Long Distance - \$73.12 * Dutton-Lainson Company - \$1657.96 * Eakes Office Products Center - \$403.84 * Enviro Service Inc - \$20.00 * Eric Reichert Insulation & Construction - \$82966.82 * HireRight, LLC - \$32.34 * Hometown Leasing - \$116.00 * Ideal Linen Supply - \$605.96 * Kurtzer's - \$233.78 * Municipal Energy Agency of Nebraska - \$38144.24 * NE Safety & Fire Equipment - \$165.00 * NMC Exchange LLC - \$138.30 * Olsson Associates - \$8871.79 * Pitney Bowes - \$56.45 * Premier Auto Parts & Service, LLC - \$475.04 * Quick Med Claims - \$435.47 * Valley Repair - \$83.88 * Verizon Wireless - \$51.20 * Vistabeam - \$291.85 * Western Resources Group Inc. - \$344.00 * Total Payroll - \$74,026.96 *

Unfinished Business:

Joe Wollenhaupt with Frenchman Valley wanted to confirm that city council would not sign a waiver to let Wheatbelt into the city territory for the electric service. Council confirmed they will not allow Wheatbelt into their territory. Mr. Wollenhaupt stated that FVC will accept the estimate he received from Mike Criss for the new electrical service. He will be in contact with the utilities department for a timeframe of beginning the work.

Mr. Wollenhaupt stated that FVC doesn't feel they are responsible for the cost study that was done by Olsson & Associates because it wasn't specific for the new electric service but for a broader area of potential service. The City is paying for the cost study.

There was no record of an easement in place for the city to access utilities on Mr. Dallegge's property. Attorney Leef drafted a sample of an easement that could be used for access to a portion of the Dallegge property. The council would like a permanent easement in place to access the city utilities on the property. The utilities department will provide Attorney Leef with a description of the specific area to reference in the easement. Item will be on the next agenda.

The Substantial Completion Walkthrough was done on January 13, 2020 for the downtown project. Those present were representatives from Wilson & Company, NDOT, the Contractor and city personnel. The previous walkthrough was not official as the Contractor was not present. After this walkthrough and discussion on the punchlist items it was determined that December 2nd, 2019 was the Substantial Completion Date, not the December 18th date that was presented prior. The contractor provided evidence that the outer railings were installed on December 2nd, therefore deeming the project substantially complete.

Eric Reichert submitted a letter to the City requesting the Downtown Revitalization Project be suspended until a later date of May 11, 2020 and more favorable weather to do the rework area. This was discussed during the walkthrough with representatives from the Nebraska Department of Transportation, the engineers from Wilson and Company and representatives from the City of Chappell. A motion was made by Council member Reichman, second of Council member Johnson to approve project suspension until May 11, 2020. "Yes" Riley, Carlson, Reichman, Johnson. "No" None. Motion carried.

Adam with Wilson & Company provided a letter and a final punch list item of the corrective work that needs to be completed for the downtown project. The council is in agreeance with the work that is needed to be corrected. A motion was made by Council member Riley, second of Council member Carlson to approve the final punchlist of corrective work. "Yes" Riley, Carlson, Reichman, Johnson. "No" None. Motion carried.

CDD Miller provided Council with an updated pay app from Eric Reichert. Since Substantial Completion is now established, the retainage on the project must be reduced to 5% contractually. There is approximately \$25,718.00 left for what needs to be corrected and also the amount for final completion. Miller recommends paying \$82,966.82 for this pay app. The final amounts of the project will be paid after the contractor comes back to finish the project. A motion was made by Council member Reichman, second of Council member Johnson to pay \$82,966.82 for this pay app. "Yes" Riley, Carlson, Reichman, Johnson. "No" None. Motion carried.

Burgie's has reached out to CDD Miller to inquire when the repair work would begin at their business in regards to the buffer zone. Reichman Construction will be in touch with Burgie's to discuss the work to be done. They are waiting for favorable weather to begin.

Olsson and Associates provided plans for the council to review for the Community Gathering Space. Discussion was held on the plans. Olsson's will work on getting costs together so the project can be put out for bid.

New Business:

A motion was made by Council member Riley, second of Council member Reichman to open the public hearing for the One & Six Year Street plan. "Yes" Riley, Carlson, Reichman, Johnson. "No" None. Motion carried. Mayor Brott opened the public hearing at 7:28 p.m. Discussion was held on the various options for street repair. The one year plan will be to continue with the \$10,000 in maintenance. A few of the 6-year plan items will be moved to the 1 year plan. A few additions will be added to the 6 year plan.

A motion was made by Council member Reichman, second of Council member Johnson to close the public hearing for the One & Six Year Street plan. "Yes" Riley, Carlson, Reichman, Johnson. "No" None. Motion carried. Mayor Brott closed the public hearing at 7:49 p.m.

A motion was made by Council member Riley, second of Council member Reichman to approve Resolution 2020-01 to approve the One & Six Year Street plan. "Yes" Riley, Carlson, Reichman, Johnson. "No" None. Motion carried

RESOLUTION NO. 2020-01

Whereas, In accordance with the statutes of the State of Nebraska and as prescribed by the Board of Public Roads Classifications and Standards, Notice of Hearing has been given publication in the legal newspaper of Chappell, Nebraska, and by posting in three public places within the City, of a Hearing on the One and Six Year Plans of Street Improvements of Chappell, to be held at the City Office on the 21st day of January, 2020, at 7:15 p.m. for the purpose of hearing comments and objections to said plans.

Whereas, upon said Hearing, the City Council finds that the plans submitted are adequate for the purpose prescribed by law and that the same should be approved.

Now therefore, be it resolved by the Mayor and City Council of Chappell, Nebraska that the One and Six Year Plan for specific improvements during the current year are hereby approved and adopted.

CDD Miller discussed with Council the need to have a complete street study done. Jess with Olsson and Associates will be working with Street Overseer Jerrod Elms to compile a summary of findings of the streets within the city, providing an estimate of costs and prioritizing a ranking of the streets that need to be repaired first. The goal is to have a 10 year street plan for the city, separate from the One & Six Year Plan.

Discussion was held on the current ordinances for cats in the city limits. There are a number of cats running at large and it has been asked how to address the problem. Attorney Leef stated that any cat running at large is a violation of the city code 95.6. Code 95.6 Cats Running at Large states: It shall be unlawful for any owner, keeper, or harbinger of any cat to let such cat run at large at any time within the corporate limits of the municipality, unless a valid license tag

is attached and said cat is spayed or neutered. Any cat running at large in violation of the provisions of this Section is declared to be a public nuisance, and shall be impounded by the City. The City shall not release any such cat from being impounded until the owner of said cat shall have obtained a license as provided in this chapter.

The City Animal Control has the authority to trap and impound the cats that are running at large. Attorney Leef will be working on the animal ordinances to make them flow better. Animal Control can work with citizens in regards to their concerns with the cats at large.

A motion was made by Council member Riley, second of Council member Carlson to terminate the lease agreement between the City of Chappell and Lester Reichman for use of the City's South 40 acres. "Yes" Riley, Carlson, Reichman, Johnson. "No" None. Motion carried. Attorney Leef will send the notice.

Proposed golf course rate increases were discussed for 2020. A motion was made by Council member Johnson, second of Council member Reichman to approve the golf course rate increases effective immediately. "Yes" Riley, Carlson, Reichman, Johnson. "No" None. Motion carried.

A motion was made by Council member Riley, second of Council member Johnson to appoint Deborah Russell to the Housing Authority Board. "Yes" Riley, Carlson, Reichman, Johnson. "No" None. Motion carried.

Communications:

Western Nebraska Economic Development (WNED) is looking for a representative from each community in Western Nebraska to attend their meetings. CDD Miller said she would be willing to be a part of it. Mayor Brott will try and attend their next meeting.

Council member Riley spoke to the council about having the painting on the sign by the Chappell Lake redone. Clerk Bauer will be in touch with the school art teacher to see if there is any interest in repainting it.

There has been some questions as to who owns and is responsible for the stop signs on County Road 14 near the elevator. FVC wants the stop signs moved. The city is looking into who is responsible.

A motion was made by Council member Johnson, second of Council member Carlson to adjourn the meeting at 8:57 p.m. "Yes" Riley, Carlson, Reichman, Johnson. "No" None. Motion carried.

Steve Brott, Mayor

ATTEST:

Ashlea Bauer
City Administrator/Clerk