

**CITY COUNCIL MINUTES
CHAPPELL NEBRASKA**

A regular meeting of the Chappell City Council was held March 7, 2022, at the Chappell City Hall at 7:00 P.M. The following members were present; Brott, Riley, Carlson, Hahn and Johnson. Staff members present were City Administrator/Clerk Ashlea Bauer, City Treasurer GERALYN KONRUFF, CDD Shaunna Mashek, Golf Superintendent Rod Hanson, Utilities Superintendent Todd Rust and Utilities Lineman Aaron Stegeman. Others present included Matt Reed, Chuck Hasselbrook, Polly Olson, Kent Smith, Jim Hammond, Scott DeCoste, Mike Winemiller and Sarah Stegeman.

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:

Chappell EMS Co-Coordinator Polly Olson announced to the Council that Virginia Smith Trust and Buckley Trust provided grants for the training of new EMT's for the Chappell Squad. Virginia Smith has granted \$6,000.00 and Buckley Trust \$10,000 towards the trainings. She also wanted to let the board know that Virginia Smith Trust gave a very generous retention bonus for the new EMS students. The requirements are that after each student completes the state licensure as an Emergency Medical Technician and becomes a member of the Chappell Ambulance Squad, the individual must carry the pager seven-12 hour shifts per month, for 5 years and would then be awarded a bonus of \$5,000.00 paid through the City of Chappell from the Trust. Coordinator Olson would like Attorney Leef to assist with drafting a memorandum of understanding that each new EMT will sign to agree to the terms of the bonus. Polly also said that Virginia Smith Trust awarded a bonus for the current 5 EMTS who have been dedicated to carrying the pager non-stop the last few years. They each were awarded a bonus of \$5,000.00 through the City payroll, paid by Virginia Smith. We would like to express gratitude and sincere appreciation to the Trustees of the Haven and Virginia Smith Trust and the Thomas D. Buckley Trust, they are truly forging a path for the retention and recruitment of our local Emergency Service Providers.

Consent Agenda:

A motion was made by Council member Hahn, second of Council member Riley to approve the consent agenda, minutes of the regular meeting February 22, 2022, claims list, dept head reports and animal control report. "Yes" Riley, Carlson, Hahn, Johnson. "No" None. Motion carried.

Acushnet Company/Titleist - \$1025.10 * Animal Clinic of Julesburg - \$286.86 * Bomgaars - \$399.99 * Cable Connection & Supply - \$1029.00 * Century Link - \$577.59 * Chappell Register - \$55.23 * Chappell Super Foods - \$49.46 * Cranmore Pest Control LLC - \$50.00 * Culligan - \$31.00 * Dearborn Life Insurance Company - \$6.88 * Demco - \$260.10 * Deuel County Treasurer - \$7583.34 * Dutton-Lainson Company - \$728.29 * Eakes Office Products Center - \$352.09 * EMC Insurance Companies - \$8355.82 * Good Housekeeping - \$29.97 * Hansen's Petroleum - \$760.35 * Ingram Book Company - \$365.81 * Junior Library Guild - \$97.80 * Kacey Huff - \$274.00 * Livengood Backhoe Service - \$591.00 * Masek Golf Car Company - \$319.20 * Matheson Tri-Gas Inc - \$104.72 * Mick Sisco - \$70.00 * Municipal Supply Inc of Nebraska - \$4760.16 * NMVCA - \$65.00 * Panhandle EMS Education, LLC - \$13100.00 * Premier Auto Parts & Service, LLC - \$644.21 * Public Safety Center, Inc. - \$457.87 * R Lawn - \$520.55 * Rod Hanson - \$60.33 * Ron's Chappell Auto Repair - \$575.15 * Sedgwick County Sales - \$2115.72 * SemaConnect Inc. - \$240.00 * Shaunna Mashek - \$104.50 * Spic and Span Cleaners - \$3742.00 * Vistabeam - \$73.95 * WEX BANK - \$1426.25 * Total Payroll - \$63,136.68 *

Unfinished Business:

A motion was made by Council member Hahn, second of Council meeting Johnson to read the 2nd Reading of Ordinance 539-Authorizing the Sale of Land. "Yes" Riley, Carlson, Hahn, Johnson. "No" None. Motion carried.

A motion was made by Council member Hahn, second of Council member Carlson to waive the 3rd Reading of Ordinance 539-Authorizing the Sale of Land. "Yes" Riley, Carlson, Hahn, Johnson. "No" None. Motion carried.

A motion was made by Council member Riley, second of Council member Hahn to pass Ordinance 539-Authorizing the Sale of Land. "Yes" Riley, Carlson, Hahn, Johnson. "No" None. Motion carried.

A motion was made by Council member Hahn, second of Council member Johnson to publish Ordinance 539-Authorizing the Sale of Land. "Yes" Riley, Carlson, Hahn, Johnson. "No" None. Motion carried.

ORDINANCE 539

AN ORDINANCE OF THE CITY OF CHAPPELL, NEBRASKA, AUTHORIZING THE SALE OF ALL RIGHT, TITLE AND INTEREST OF THE CITY OF CHAPPELL, NEBRASKA, IN AND TO A TRACT OF LAND LEGALLY DESCRIBED AS ALL THAT PART OR PORTION LYING NORTH OF THE UNION PACIFIC RAILROAD COMPANY'S RIGHT OF WAY OF LOTS 1, 2, 3, 4, 5 AND 6, BLOCK 21, ORIGINAL TOWN OF CHAPPELL; AND SPECIFYING THE TERMS OF SUCH SALE IN SECTION TWO BELOW.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF CHAPPELL, NEBRASKA:

Section 1.

Pursuant to the provisions of Section 17-503, R.R.S. 1943 as amended, the City of Chappell, Nebraska, shall sell and convey unto Stuart Wilson, all right, title and interest of the City of Chappell, Nebraska, in and to the real estate described in Section 2 of this Ordinance upon the terms and conditions set forth in the following sections.

Section 2.

The terms of the sale are as follows:

1. SELLER: City of Chappell, Nebraska
2. BUYER: Stuart Wilson
3. PROPERTY SOLD: A tract of land composed of all that part or portion lying North of the Union Pacific Railroad Company's right of way of Lots 1, 2, 3, 4, 5 and 6, Block 21, Original Town of Chappell, NE
4. PURCHASE PRICE: Three Thousand Five Hundred Dollars
5. DEED: Warranty Deed.
6. CONTINGENCIES: None.
7. REMONSTRANCE: Sale void if sufficient remonstrance filed pursuant to Section

- 17-503, R.R.S. 1943, as amended.
8. **CLOSING:** Upon expiration of remonstrance period and an insufficient remonstrance made. At closing, the Warranty Deed, executed by the Mayor, will be delivered by Seller to Buyer.

Section 3.

That notice of such proposed sale and conveyance and the terms hereof shall be given by publication once each week for three consecutive weeks in the *Chappell Register* after the passage and publication of this Ordinance, and that if remonstrance against such sale signed by local electors of the City equal in number to 30% of the electors of such City voting at the last regular municipal election held herein be filed with the governing body of the City within thirty (30) days of the passage and publication of this Ordinance, then the proposed sale set forth above shall be null and void.

A motion was made by Council member Riley, second of Council meeting Hahn to read the 2nd Reading of Ordinance 540-Amending Alcoholic Beverage Section 112.12 Hours of Sale. "Yes" Riley, Carlson, Hahn, Johnson. "No" None. Motion carried.

A motion was made by Council member Johnson, second of Council meeting Carlson to waive the 3rd Reading of Ordinance 540-Amending Alcoholic Beverage Section 112.12 Hours of Sale. "Yes" Riley, Carlson, Hahn, Johnson. "No" None. Motion carried.

A motion was made by Council member Riley, second of Council member Johnson to pass Ordinance 540-Amending Alcoholic Beverage Section 112.12 Hours of Sale. "Yes" Riley, Carlson, Hahn, Johnson. "No" None. Motion carried.

A motion was made by Council member Carlson, second of Council member Hahn to publish Ordinance 540-Amending Alcoholic Beverage Section 112.12 Hours of Sale. "Yes" Riley, Carlson, Hahn, Johnson. "No" None. Motion carried.

Ordinance #540

AN ORDINANCE TO AMEND CHAPTER 112 ALCOHOLIC BEVERAGES SECTION 112.12 HOURS OF SALE OF THE CHAPPELL MUNICIPAL CODE TO PROVIDE FOR THE SALE OF ALCOHOLIC LIQUOR ON SUNDAYS AS ALLOWED BY THE NEBRASKA STATE STATUTES; TO REPEAL SUCH SECTION AS HERETOFORE EXISTING AND REPLACE SUCH SECTION AS AMENDED, AND TO PROVIDE FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

Be it ordained by the Mayor and the City Council of the City of Chappell, Nebraska.

Section One: That Chapter 112 Alcoholic Beverages, Sections 112.12 is hereby amended to read as follows:

§ 112.12 HOURS OF SALE.

(A) For the purposes of this section, "on sale" shall be defined as alcoholic beverages sold at retail by the drink for consumption on the premises of the licensed establishment. "Off sale" shall be defined as alcoholic beverages sold at retail in the original container for consumption off the premises of the licensed establishment.

(B) It shall be unlawful for any licensed person or persons or their agents to sell any alcoholic beverages within the municipality except during the hours provided herein:

HOURS OF SALE

Alcoholic Liquor (except beer and wine)

Secular Days

Off Sale...6:00 a.m. to 1:00 a.m.

On Sale...6:00 a.m. to 1:00 a.m.

Sundays

Off sale...6:00 a.m. to 1:00 a.m.

On Sale...6:00 a.m. to 1:00 a.m.

Beer and Wine

Secular Days

Off Sale...6:00 a.m. to 1:00 a.m.

On Sale...6:00 a.m. to 1:00 a.m.

Sundays

Off sale...6:00 a.m. to 1:00 a.m.

On Sale...6:00 a.m. to 1:00 a.m.

(C) No person or persons shall consume any alcoholic beverages on licensed premises for a period of time longer than 15 minutes after the time fixed herein for stopping the sale of alcoholic beverages on the premises.

(D) Nothing in this section shall be construed to prohibit licensed premises from being open for other business on days and hours during which the sale or dispensing of alcoholic beverages is prohibited by this section.

Section 2: That all other sections of 112 shall remain in affect; and that Ordinances in direct conflict herewith are repealed.

New Business:

The Golf Advisory Committee met the week before the council meeting and came up with suggestions for the golf course. Council and Golf Superintendent Hanson reviewed the suggestions and discussion was held. The suggestions were as follows: 1. Installing a point-of-sale system to track inventory and track money in and out. 2. Setting hours for off-season and summer clubhouse. 3. Food options; pizza oven and serving frozen pizzas. Simple menu of burgers, chicken strips and fries. 4. Idea of a clubhouse manager separate from the golf superintendent.

From the suggestions provided, the Council would like to explore the options for a point-of-sale system. CDD Mashek will look for options for this. They would also like to have Rod purchase frozen pizzas and try selling them by the pizza during the summer and see how that goes. There were good suggestions but some are not feasible. Rod does a good job running the course.

Matt Reed with NMPP Energy and Chuck Hasselbrook with Sandhills Energy presented information on a Community Solar Project. Sandhills Energy would like to work with the city to install a solar array within the city. Sandhills would own, design, construct, operate and maintain the solar array. Sandhills offered pricing for \$0.0399/ kWh with a 0.05% annual escalation with a 25-year contract. The current price offered by Sandhills is currently cheaper than the MEAN wholesale rate of \$0.0407/kWh. The city would need to supply the transformer and the land with a lease agreement. Utilities Superintendent Rust found a location at Chappell Lake that could potentially work. The solar array would need three-phase power and this location has that. Council member Hahn likes the idea of the solar project, but would not be in favor of it being installed at the Chappell Lake. He would like to look into putting it at the Chappell Dump. Rust said that it would take new poles and wires to get the three-phase power to the dump. The city would need approximately 100 ft by 100 ft of space for the project. Mr. Hasselbrook did state that the project could not be placed anywhere that would be in a flood plain. Rust will look into some other locations owned by the city to see if there is any other feasible options. This item was tabled until the next meeting.

CDD Mashek presented a quote for a shade structure for the swimming pool. She has received grant funding for the majority of the structure and has applied for more funding through other avenues. The department for the swimming pool has funds budgeted and will pay for the portion of the structure that is not funded by grants. Mashek has asked for permission to order the structure since the shipping time is approximately 12 weeks. A motion was made by Council member Hahn, second of Council member Carlson to approve purchasing the shade structure. "Yes" Riley, Carlson, Hahn, Johnson. "No" None. Motion carried.

The city sends weed liens and special assessments to the Deuel County Treasurer annually. There were three properties that sold last year that had either a weed lien or special assessment and they were not discovered when the properties had a title searches done. There are two properties that had been in foreclosure and when they were sold to the new owners, they were unaware that there were liens. A motion was made by Council member Hahn, second of Council member Carlson to waive the weed lien fees for the properties located at 589 Vincent Ave and 1134 3rd St. Yes" Riley, Carlson, Hahn, Johnson. "No" None. Motion carried. A property with a special street assessment on it was sold last fall and the fees weren't paid. A motion was made by Council member Hahn, second of Council member Johnson to waive the assessment fees at 802 1st St. Yes" Riley, Carlson, Hahn, Johnson. "No" None. Motion carried. Clerk Bauer will contact the Deuel County Treasurer to clear these fees.

Communications:

ACE, the Public Alliance for Community Energy, distributed \$1,849 to the City of Chappell as its share of \$200,000 being distributed through ACE's revenue return program to the 76 Nebraska member communities of the not-for-profit, community-owned natural gas supplier.

CDD Mashek told the Council that Adams Bank & Trust gave a \$2,500.00 donation for the new dock that was installed at the Chappell Lake. Mashek also purchased a plaque thanking Adams Bank that will be installed by the new dock. Council member Riley wanted to say thank you to the city employees for all their help out at the lake. They hauled off over 700 loads of debris from the dredging.

A motion was made by Council member Johnson, second of Council member Hahn to adjourn the meeting at 8:27 p.m. "Yes" Riley, Carlson, Hahn, 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 March 21, 2022, at the Chappell City Hall at 7:00 P.M. The following members were present; Riley, Carlson, Hahn and Johnson. Staff members present were City Attorney J Leef, City Administrator/Clerk Ashlea Bauer, CDD Shaunna Mashek City Treasurer Geralyn Konruff and Utilities Superintendent Todd Rust. Others present included Kent Smith, James Hammond, Bob Meyer, Brad Slaughter, Zach Ringer, and Jim McCormick.

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

A motion was made by Council member Hahn, second of Council member Carlson to excuse Mayor Brott. "Yes" Riley, Carlson, Hahn, Johnson. No" None. Motion carried.

Public Comments:

No public comments.

Consent Agenda:

A motion was made by Council member Johnson, second of Council member Hahn to approve the consent agenda, minutes of the regular meeting March 7, 2022, claims list, treasurer's report and sheriff's report. "Yes" Riley, Carlson, Hahn, Johnson. No" None. Motion carried.

Aaron Stegeman - \$544.87 * Acushnet Company/Titleist - \$363.00 * Black Hills Energy - \$734.67 * Century Link--Long Distance - \$74.60 * Chappell Lumber - \$1153.56 * Chappell Municipal Utilities - \$4919.75 * Contractors Materials -

\$79.00 * Dutton-Lainson Company - \$189.47 * Eakes Office Products Center - \$88.97 * Enviro Service Inc - \$25.00 * Frenchman Valley Co-op - \$800.00 * Ideal Linen Supply - \$596.19 * Jerrod Elms - \$218.79 * Johnson Brothers of Nebraska - \$229.00 * Kurtzer's - \$87.54 * Municipal Energy Agency of Nebraska - \$40,649.00 * Northwest Pipe Fittings Inc - \$574.30 * Quick Med Claims - \$680.57 * Rick's Auto & Tires - \$22.00 * RJ Meyer & Associates - \$8750.00 * RNDC-Eagle/Falcon Division - \$414.00 * Rod Hanson - \$219.89 * Ron's Chappell Auto Repair - \$2194.37 * Southern Glazer's of NE - \$1438.40 * Stegeman Services - \$90.37 * T & R Electric Supply Co. Inc. - \$536.00 * Tom's Delivery Service, Inc - \$120.50 * Verizon Wireless - \$101.76 * Vistabeam - \$321.85 * Vital Link Training Center - \$30.00 * Western Resources Group Inc. - \$344.00 * Wolf Outdoor Power - \$126.22 * Total Payroll - \$33,758.93 *

Unfinished Business:

Utilities Superintendent Rust did more research on the proposed locations for the solar project. The locations are in the floodplain and cannot be used for the project. The project wouldn't be financially feasible for the city at this time. This topic was tabled.

New Business:

Information was presented to the City Council in regards to the potential savings of refinancing the City's current water bonds through Piper Sandler & Co. A spreadsheet and letter were given to the council outlining the details. The council would like to have the option of being able to refi the bonds if there is a potential savings and the interest rates are lower than what the city is paying currently.

Consideration was given to Resolution 2022-03, Calling GO Water Bond, Series 2017. A motion was made by Council member Hahn, second of Council member Carlson to approve Resolution 2022-03. "Yes" Riley, Carlson, Hahn, Johnson. No" None. Motion carried.

RESOLUTION 2022-03

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

Section 1. That the following bonds issued by the City of Chappell, Nebraska are hereby called for redemption at par plus accrued interest to the extent and on such date as set forth in the Designation of Call Date (as defined below):

General Obligation Water Refunding Bonds, Series 2017, dated September 25, 2017, in the outstanding principal amount of \$680,000, numbered as they are shown on the books and records of the Paying Agent and Registrar, maturing in the principal amount and bearing CUSIP numbers as follows:

<u>Principal Amount</u>	<u>Maturity Date</u>	<u>CUSIP No.</u>
\$ 65,000	October 1, 2023	15956P DG8
70,000	October 1, 2024	15956P DH6
70,000	October 1, 2025	15956P DJ2
305,000	October 1, 2029	15956P DK9
85,000	October 1, 2030	15956P DL7
85,000	October 1, 2031	15956P DM5

The General Obligation Water Refunding Bonds, Series 2017, maturing on October 1, 2022, are not called for repayment hereunder and will be paid at maturity.

Section 2. Said bonds are payable at the office of the City Treasurer, as Paying Agent and Registrar, in Chappell, Nebraska.

Section 3. The Mayor or the City Clerk of the City (each, an "Authorized Officer") are hereby authorized at any time on or after the date of this resolution to determine the call date for said bonds on behalf of the City and such determination, when made in writing (the "Designation of Call Date"), shall constitute the action of the City without further action of the Mayor and Council. The Call Date shall be set for any time on or after September 25, 2022, which is the earliest permissible redemption date for the bonds, provided, however, that after December 31, 2022, the Authorized Officers shall have no authority to make any such determination hereunder without further action of the Mayor and Council of the City and this resolution shall be of no further force and effect.

Section 4. A copy of this resolution shall be filed with the Paying Agent and Registrar for the bonds and said Paying Agent and Registrar is hereby instructed to give notice of redemption in the manner provided for in the ordinance authorizing the bonds and in accordance with the Designation of Call Date.

Council Member Hahn introduced Ordinance No. 541 entitled:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION WATER REFUNDING BONDS, SERIES 2022, OF THE CITY OF CHAPPELL, NEBRASKA, IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED SEVEN HUNDRED TEN THOUSAND DOLLARS (\$710,000) TO REFUND CERTAIN INDEBTEDNESS OF THE CITY; PRESCRIBING THE FORM OF SAID BONDS; PROVIDING FOR A SINKING FUND AND FOR THE LEVY AND COLLECTION OF TAXES TO PAY SAID BONDS; PROVIDING FOR THE SALE OF THE BONDS AND AUTHORIZING THE CITY TO ENTER INTO A BOND PURCHASE AGREEMENT; AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER; PROVIDING FOR THE DISPOSITION OF THE BOND PROCEEDS AND ORDERING THE ORDINANCE PUBLISHED IN PAMPHLET FORM.

and moved that the statutory rule requiring reading on three different days be suspended. Council Member Johnson seconded the motion to suspend the rule and upon roll call vote on the motion the following Council Members voted YEA: Riley, Carlson, Hahn Johnson. The following voted NAY: None. The motion to suspend the rule was adopted by three-fourths of the Council and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter Council Member Hahn moved for final passage of the ordinance, which motion was seconded by Council Member Carlson. The Acting Mayor (Dan Riley) then stated the question was "Shall Ordinance No.541 be passed and adopted?" Upon roll call vote, the following Council Members voted YEA: Riley, Carlson, Hahn, Johnson. The following voted NAY: None. The passage and adoption of said ordinance having been concurred in by three-fourths of all members of the Council, the Acting Mayor declared the ordinance adopted and the Acting 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 said Clerk's signature thereto and ordered the Ordinance to be published in pamphlet form as provided therein.

Bob Meyer of RJ Meyer and Associates presented the City with a copy of the audit for fiscal year 2020 – 2021. Meyer reviewed the audit with the Council and responded to various Council questions for discussion. A motion was made by Council member Hahn, second of Council member Carlson to accept the 2020-2021 audit as presented by RJ Meyer and Associates. "Yes" Riley, Carlson, Hahn, Johnson. "No" None. Motion carried.

CDD Mashek presented three quotes for a point-of-sale system for the golf course. Council asked her to get in contact with a few golf courses who currently use the systems to get feedback. The city auditor will also have one of his contacts get in touch with the clerk to provide some information. This item was tabled until the next meeting.

Council President Riley opened the public hearing for a new Class C liquor license for Kristy Enterprises Inc DBA as Chappell Super Foods at 7:35 p.m.

Council President Riley closed the public hearing for a new Class C liquor license for Kristy Enterprises Inc DBA as Chappell Super Foods at 7:35 p.m.

A motion was made by Council member Johnson, second of Council member Hahn to approve the new liquor license for a Class C liquor license for Kristy Enterprises Inc DBA as Chappell Super Foods. "Yes" Riley, Carlson, Johnson. "No" None. Motion carried.

An application for a building permit for an addition onto a building was submitted for 1261 Rd 165. A detailed drawing was not included. This item was tabled until the next meeting.

Utilities Superintendent Rust informed the Council that Lineman Stegeman was going to obtain his electrician's license. It's been recommended to have one of the city's employees be a licensed electrician. A motion was made by Council member Hahn, second of Council member Johnson to approve the city paying for the initial electrician license and Lineman Stegeman would be responsible for the fees associated with the continuing education. "Yes" Riley, Carlson, Johnson. "No" None. Motion carried.

One bid was received for the hay harvesting by the airport and lake. A motion was made by Council member Riley, second of Council member Hahn to approve Chris Ray's bid for the hay at \$50.00 per ton. Lease to run from May 1, 2022 to January 2023. "Yes" Riley, Carlson, Hahn, Johnson. "No" None. Motion carried.

Communications:

Clerk Bauer informed Council that the Street Project is set to begin on April 4th. A preconstruction meeting will be held on the March 23rd with the engineers, contractor and street supervisor.

Council member Riley asked who owned the property to the west of the firehall. The property belongs to the school.

CDD Mashek stated that there have been a few people using the electric charging station in the gathering space. The city received their first payment for the usage in approximately \$46.00.

A motion was made by Council member Hahn, second of Council member Carlson to adjourn the meeting at 7:50 p.m. "Yes" Riley, Carlson, Hahn, Johnson. No" None. Motion carried.

Council President, Dan Riley

ATTEST:

Ashlea Bauer
City Administrator/Clerk