

**CITY COUNCIL MINUTES  
CHAPPELL NEBRASKA**

A regular meeting of the Chappell City Council was held March 4, 2024, at the Chappell City Hall at 7:00 P.M. The following members were present; Riley, Ortgies, Carlson, Johnson. Staff members present were City Attorney J. Leef, City Administrator/Clerk Ashlea Bauer, CDD Shaunna Mashek, City Treasurer Geralyn Konruff, Utilities Superintendent Todd Rust, Golf Superintendent Rod Hason and Street Supervisor Jerrod Elms. Others present included Lyneil Rahe, Jim & Tracy McCormick.

Notice of the meeting was posted as required by law. The Pledge of Allegiance was recited by those present. Mayor 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 Johnson, second of Council member Carlson to excuse Council member Hahn. "Yes" Ortgies, Carlson, Johnson. "Absent" Hahn. "No" None. Motion carried.

**Public Comments:**

Todd Rust said there was a nice article on Nebraska News relating to ACE funds the city used for the center park.

**Consent Agenda:**

A motion was made by Council member Johnson, second of Council member Ortgies to approve the consent agenda, minutes of the regular meeting February 20, 2024 and Dept Head Reports. "Yes" Ortgies, Carlson, Johnson. "Absent" Hahn. "No" None. Motion carried.

Aaron Stegeman - Supplies - \$29.54 \* Acacati dba Lighting - Supplies - \$398.98 \* BOKF, NA - Street Bond Interest Expense - \$38,578.75 \* BOKF, NA - Administrative Fee - \$200.00 \* Bomgaars - Supplies - \$9.98 \* Century Link - Telephone/Communications - \$567.76 \* Century Link--Long Distance - Telephone/Communications - \$76.62 \* Chappell Municipal Utilities - Utilities - \$5451.16 \* Chief Sign Company - Chappell Lake Exp - \$1354.00 \* Chief Sign Company - Supplies - \$112.00 \* Culligan - Supplies - \$66.95 \* Dearborn Life Insurance Company - Life Insurance - \$27.52 \* Deuel County Treasurer - Law Enforcement - \$8166.66 \* Deuel County Treasurer - Licenses, fees and permits - \$250.00 \* Eakes Office Products Center - Supplies - \$380.82 \* Frenchman Valley Co-op - Chemicals & Fertilizer - \$240.00 \* Highline Electric Association - Utilities - \$685.89 \* Ingram Book Company - Books/Video - \$38.22 \* Municipal Energy Agency of Nebraska - WAPA & MEAN - \$57,973.13 \* Olsson Associates - Professional Fees - \$788.37 \* Our Town Pharmacy - Supplies - \$175.52 \* Panhandle Partnership - Community Improvement - \$100.00 \* Polly Olson - Travel Expense & Per Diem - \$319.60 \* PowerManager - Supplies - \$689.48 \* Ron's Chappell Auto Repair - Repair - \$1894.31 \* Southwestern Equipment Co - Supplies - \$123.73 \* Terry Hinde - Repair - \$100.00 \* Tools Plus Industries - Supplies - \$278.55 \* ULINE - Supplies - \$127.97 \* Valley Tire & Service LLC - Maintenance - \$1857.00 \* Vistabeam - Telephone/Communications - \$159.80 \* WESCO Distribution Inc - Supplies - \$536.43 \* WNCC Business Office - CDL Education - \$2170.00 \* Total Payroll - \$39,982.30 \*

**Unfinished Business:**

Golf Superintendent Rod Hanson received information from Points West Community Bank for financing the golf carts. He has sold all of the current golf carts. Attorney Leef said the city will need to take sealed bids for purchasing new golf carts. A motion was made by Council member Johnson, second of Council member Carlson to request sealed bids for new golf carts and they will be opened at the next council meeting. "Yes" Ortgies, Carlson, Johnson. "Absent" Hahn. "No" None. Motion carried. A resolution to approve the financing of the carts from the local bank will be on the next agenda.

A motion was made by Council member Carlson, second of Council member Johnson to approve the payment of \$5,000.00 back to Tony Bleus for the dredge. "Yes" Ortgies, Carlson, Johnson. "Absent" Hahn. "No" None. Motion carried. CDD Mashek will relist it for sale.

**New Business:**

Zack Ringer was not present for the items he requested to be on the agenda for. No discussion.

Anthony Darnall was not present to speak about the old motel.

Council discussed options for the triangle property. A motion was made by Council member Carlson, second of Council member Johnson to put the triangle property out for bids with stipulations and open the sealed bids at the next council meeting. "Yes" Ortgies, Carlson, Johnson. "Absent" Hahn. "No" None. Motion carried.

Consideration was given to Resolution 2024-06, selling the triangle property. A motion was made by Council member Carlson, second of Council member Johnson to approve Resolution 2024-06 as amended. "Yes" Ortgies, Carlson, Johnson. "Absent" Hahn. "No" None. Motion carried.

**RESOLUTION 2024-06**

**WHEREAS**, the City Council of the City of Chappell, Nebraska has the authority by resolution, to sell real property, and

**WHEREAS**, the City Council of the City of Chappell deems it in the best interest of the City to sell certain real property owned by City of Chappell;

**NOW, THEREFORE**, be it resolved by the City Council of the City of Chappell, Nebraska, herein set forth the as follows:

**NOW, THEREFORE, BE IT RESOLVED:** Pursuant to the provisions of Section 17-503.01, R.R.S. 1943 as amended, the City of Chappell, Nebraska, shall sell and convey unto the selected bidder, all right, title and interest of the City of Chappell, Nebraska, in and to the real estate described below upon the terms and conditions set forth.

The terms of the sale are as follows:

1. **SELLER:** City of Chappell, Nebraska
2. **BUYER:** Bidder to be selected from sealed bids based upon price, proposed commercial development and proposed timeline.
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: No less than Three Thousand Five Hundred Dollars
5. DEED: Warranty Deed.
6. CONTINGENCIES: Must develop for a city-taxable commercial purpose within a limited time period or land will be reconveyed to City.
7. CLOSING: At closing, the Warranty Deed, executed by the Mayor, will be delivered by Seller to Buyer.

Notice of such proposed sale and conveyance and the terms hereof shall be given by posting in three prominent places within the city for a period of not less than seven days prior to the sale of the property. The notice shall give a general description of the property offered for sale and state the terms and conditions of sale.

PASSED AND APPROVED this 4<sup>th</sup> day of March, 2024.

Todd Rust spoke to the council about options for housing dogs the city would have to impound. At this time, Todd will check with local vets to see about contracting for housing of any impounded dogs. More discussion will be held at a future meeting.

The Nebraska Department of Transportation submitted an agreement to the city for the relocation of the city electric for the Highway 30 East project. Attorney Leef reviewed the agreement. A motion was made by Council member Carlson, second of Council member Johnson to approve the agreement. "Yes" Ortgies, Carlson, Johnson. "Absent" Hahn. "No" None. Motion carried.

Todd gave the council a brief update on the MEAN Schedule M. There will be a transition to the modernized Service Schedule M agreement with MEAN. The ordinance and agreement will be on the next agenda.

A motion was made by Council member Carlson, second of Council member Johnson to list the city's 1991 Chevrolet 3500 with a minimum bid of \$1,000.00. "Yes" Ortgies, Carlson, Johnson. "Absent" Hahn. "No" None. Motion carried. Shaunna will list the pickup on public surplus site.

Consideration was given to Resolution 2024-05 Facsimile Signature. A motion was made by Council member Johnson, second of Council member Carlson to approve Resolution 2024-05. "Yes" Ortgies, Carlson, Johnson. "Absent" Hahn. "No" None. Motion carried.

**RESOLUTION 2024-05**

**BE IT RESOLVED**, that the Points West Community Bank of Chappell, Nebraska, and the Adams Bank and Trust of Chappell, Nebraska, as designated depositories of this municipality, as well as any and all other businesses who have contracted to provide goods and services to the City of Chappell, Nebraska are hereby requested, authorized, and directed to honor contracts, authorizations, checks, drafts or other orders for the payment of money drawn in the City's name, including those payable to the individual order of any person or persons whose name or names appear thereon as signers thereof, when bearing or purporting to bear two authorized signatures, including the facsimile signature of the following person:

<u>NAME</u>	<u>TITLE</u>	<u>FACSIMILE SIGNATURE</u>
Dan Riley	Mayor	

**BE IT FURTHER RESOLVED** that the Banks shall be entitled to honor and to charge the City for such checks, drafts, or other orders, regardless of by whom or by what means the actual purported facsimile signature or signatures thereon may have been affixed thereto, if such signature or signatures resemble the facsimile specimens duly certified to the Bank by the Clerk of this City herein or in any similar, subsequent certificate delivered by the Clerk to the Banks.

**BE IT FURTHER RESOLVED** that the City shall deliver to the Banks documents containing copies of the facsimile signatures certified above, and that the powers and authorities set forth herein and on such documents shall continue in full force and effect until written notice to the contrary has been delivered to the Banks.

Passed and approved this 4<sup>th</sup> day of March, 2024.

City Council reviewed the Voluntary Compliance Agreement (VCA) with the Federal Highway Administration for the complaints received from the downtown project. A motion was made by Council member Johnson, second of Council member Carlson to approve the VCA with the highway administration. "Yes" Ortgies, Carlson, Johnson. "Absent" Hahn. "No" None. Motion carried. The city will be in contact with the engineers of the project for the next steps.

**Communications:**

Clerk Bauer spoke with the son of Curtiss Routh and they love the idea of having the mural repainted of his father's art work. Shaunna will get a quote from Lauren Olson for a future council meeting. Shaunna is also getting a quote from Lauren to repaint the part of the mural on the east side of the gathering space that has fallen down.

Attorney Leef will be working on a few more nuisance properties.

A motion was made by Council member Johnson, second of Council member Carlson to adjourn the meeting at 8:04 p.m. "Yes" Ortgies, Carlson, Johnson. "Absent" Hahn. "No" None. Motion carried.

ATTEST:

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Ashlea Bauer  
City Administrator/Clerk

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Dan Riley, Mayor

A regular meeting of the Chappell City Council was held March 18, 2024, at the Chappell City Hall at 7:00 P.M. The following members were present; Riley, Ortgies, Carlson, Hahn, Johnson. Staff members present were City Attorney J. Leef, City Administrator/Clerk Ashlea Bauer, City Treasurer Geralyn Konruff, Golf Superintendent Rod Hason and Street Supervisor Jerrod Elms. Others present included Jim McCormick, Deuel County Deputy Hunter, Adam Kampbell, Debby Cuccio, Anthony Darnall, Marge Freeman, Dianne Nordyke, Cindy Williams, Anna Speirs, Ella Whiting, James Rice, and Aaron & Sarah Stegeman.

Notice of the meeting was posted as required by law. The Pledge of Allegiance was recited by those present. Mayor Riley 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 Hahn, second of Council member Johnson to approve the consent agenda, minutes of the regular meeting March 4, 2024 and Treasurer's Report. "Yes" Ortgies, Carlson, Hahn, Johnson. "No" None. Motion carried.

5 Star Land Restoration & Development - Lake Dredging/ARPA Funds - \$25,000.00 \* Acushnet Company/Titleist - Merchandise - \$329.88 \* Adopt-A-Dog Animal Rescue - Animal Control - \$90.00 \* Bomgaars - Supplies - \$134.95 \* Chappell Lumber - Chappell Lake Exp - \$21.99 \* Chappell Lumber - Supplies - \$287.75 \* Chappell Register - Ads, Forms & Printing - \$905.80 \* Comfort Inn-Kearney - Travel Expense & Per Diem - \$479.80 \* Contractors Materials - Supplies - \$39.00 \* Dutton-Lainson Company - Supplies - \$3139.08 \* Enviro Service Inc - Lab Testing - \$50.00 \* Fairfield by Marriott - Travel Expense & Per Diem - \$239.90 \* FERNO-WASHINGTON, INC - Supplies - \$882.63 \* Floyd's Truck Center - Repair - \$201.74 \* Frenchman Valley Co-op - Chemicals & Fertilizer - \$400.00 \* Frenchman Valley Co-op - Fuel - \$418.21 \* Hansen's Petroleum - Fuel - \$2926.05 \* Hometown Leasing - Leases - \$108.67 \* Ideal Linen Supply - Supplies - \$857.12 \* Lamar Diesel & Irrigation - Chappell Lake Exp - \$615.00 \* Matheson Tri-Gas Inc - Oxygen - \$117.36 \* Mick Sisco - Repair - \$58.00 \* Municipal Energy Agency of Nebraska - WAPA & MEAN - \$46,174.36 \* Municipal Supply Inc of Nebraska - Supplies - \$451.03 \* One Billing Solutions, LLC - Collections Expense - \$862.99 \* Our Town Pharmacy - Postage - \$148.76 \* Petty Cash - Postage - \$65.10 \* Pitney Bowes, - Licenses, fees and permits - \$176.19 \* Premier Auto Parts & Service, LLC - Equipment - \$226.98 \* Maintenance - \$166.51 \* - Repair - \$42.99 \* Supplies - \$1893.23 \* Tools - \$91.05 \* Rod Hanson - Fuel - \$75.00 \* RST Enterprises Inc - Chemicals & Fertilizer - \$1220.00 \* RVW, Inc - Licenses, fees and permits - \$16.00 \* RVW, Inc - Professional Fees - \$2902.32 \* Sedgwick County Sales - Trash Hauling/Recycling - \$2571.20 \* Simon East Region NE - Chappell Lake Exp - \$437.50 \* Simon East Region NE - Supplies - \$437.50 \* Slabach Enterprises, Inc - Equipment - \$10,700.00 \* The L L Johnson Distributing CO - Repair - \$2431.27 \* Verizon Wireless - Telephone/Communications - \$101.84 \* Vistabeam - Telephone/Communications - \$369.65 \* Western Resources Group Inc. - Trash Hauling/Recycling - \$279.50 \* WEX BANK - Fuel - \$871.89 \* Wheat Belt Public Power District - Utilities - \$59.23 \* Total Payroll - \$39,516.88 \*

**Unfinished Business:**

Anthony Darnall addressed the council about the property at 1501 2<sup>nd</sup> St. He has a purchase agreement with the current owners and is trying to get it into his name. He is trying to fix up the property. He wasn't aware of what the conditions really were when he began the buying process. He says there is a lot of work that has to be done to make the home part livable. One of the first things that needs done is a new roof. The council advised that the weeds in the summer need to be made a priority also. The council instructed Mr. Darnall to get the motel portion secure so the doors aren't open, falling down, etc. Mr. Darnall will get them closed and secured. The property needs to be made safe. A motion was made by Council member Hahn, second of Council member Carlson to allow Mr. Darnall to continue to work on both the inside and outside of the house with the Zoning Administrator doing a monthly inspection. If no progress has been made in a thirty-day timeframe, Attorney Leef will proceed with the courts. "Yes" Ortgies, Carlson, Hahn, Johnson. "No" None. Motion carried.

**New Business:**

A motion was made by Council member Carlson, second of Council member Hahn to open the public hearing at 7:18 PM for a new liquor license class D application for Hansen's Petroleum, LLC. "Yes" Ortgies, Carlson, Hahn, Johnson. "No" None. Motion carried.

There were no public comments on the liquor license application.

A motion was made by Council member Hahn, second of Council member Johnson to close the public hearing at 7:19 PM for a new liquor license class D application for Hansen's Petroleum, LLC. "Yes" Ortgies, Carlson, Hahn, Johnson. "No" None. Motion carried.

A motion was made by Council member Hahn, second of Council member Carlson to approve the liquor license class D application for Hansen's Petroleum, LLC. "Yes" Ortgies, Carlson, Hahn, Johnson. "No" None. Motion carried.

Debby Cuccio presented Council with images and complaints about her neighbor's property. Although the Council understood her concerns, they stated it was a civil matter and there are no city ordinances that would pertain to the complaints.

Two sealed bids were received for the city triangle property. Mayor Riley opened the bids and the council reviewed the information received. A motion was made by Council member Hahn, second of Council member Johnson to accept the bid for \$5,000.00 from James Rice for the property to build a car wash. "Yes" Carlson, Hahn, Johnson. "No" Ortgies. Motion carried. Attorney Leef will draft a purchase agreement for council to review and approve at the next council meeting.

One sealed bid was received for purchasing 2024 golf carts. Mayor Riley opened the bid and the council reviewed the information. A motion was made by Council member Hahn, second of Council member Ortgies to accept the bid in the amount of \$142,780.00 for twenty, 2024 Yamaha QuietTech Gas Golf Carts from Masek Golf Car Company. "Yes" Ortgies, Carlson, Hahn, Johnson. "No" None. Motion carried. A check will be made to Masek Golf Car Company in the amount of \$142,780.00 paid by the following funds, \$15,000.00 from the Buckley Trust Grant, \$52,500 from the sale of the old golf carts, and \$75,280.00 through a Points West Loan.

Consideration was given to Resolution 2024-07 Direct Financing. A motion was made by Council member Hahn, second of Council member Carlson to approve Resolution 2024-07 Direct Financing. "Yes" Ortgies, Carlson, Hahn, Johnson. "No" None. Motion carried.

## **RESOLUTION 2024-07**

**WHEREAS**, pursuant to 18-201 of the Nebraska Revised Statutes, a City of the Second Class is authorized to borrow directly from a financial institution for the purchase of real or personal property, construction of improvements, or refinancing of existing indebtedness upon certification in an ordinance or resolution authorizing the direct borrowing that:

- (a) Financing the purchase of property, construction of improvements, or refinancing of existing indebtedness through traditional bond financing would be impractical; and
- (b) The total amount being financed is less than ten percent of the City of Chappell's total budget; and

**WHEREAS**, The City of Chappell, Nebraska is purchasing personal property, to wit: golf carts under the following terms:

1. Brand-2024 Yamaha QuieTech Model EFI Gas Golf Carts
2. Quantity: 20

**NOW, THEREFORE, BE IT RESOLVED:**

1. The financing of the above property through traditional bond financing would be impractical, and the total amount financed will be less than ten percent of the City of Chappell's total budget; and
2. The above-described property shall be purchased through direct financing with Points West Bank in the amount of \$75,280.00, said note to have a five (5) year term, bearing interest in the amount of 5.87 percent.

Passed and approved this 18<sup>th</sup> day of March, 2024.

Multiple sealed bids were received for the 1995 Ford F150. Mayor Riley opened the bids and the council reviewed the information received. A motion was made by Council member Hahn, second of Council member Johnson to accept the bid in the amount of \$3,200.75 for the 1995 Ford F150. "Yes" Ortgies, Carlson, Hahn, Johnson. "No" None. Motion carried.

Lauren Olson gave two estimates for the murals in town, one estimate was for the repainting the mural on the east side of the plaza and another estimate for a mural out by the lake. This item was tabled until a future meeting.

Ordinance 559 was introduced to the council relating to the cemetery board. A motion was made by Council member Hahn, second of Council member Carlson to designate Ordinance 559. "Yes" Ortgies, Carlson, Hahn, Johnson. "No" None. Motion carried.

Clerk Bauer read the title of Ordinance 559 as follows;

**Ordinance 559:** AN ORDINANCE TO MODIFY TITLE VII "ADMINISTRATION", CHAPTER 31 "DEPARTMENTS, BOARDS AND COMMISSIONS"; SECTION 32.06 "CEMETERY BOARD" OF THE CITY OF CHAPPELL CODE OF ORDINANCES TO ESTABLISH A CEMETERY BOARD OF THREE PERSONS; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; TO PROVIDE AN EFFECTIVE DATE.

A motion was made by Council member Johnson, second of Council member Hahn to waive the three readings of Ordinance 559. "Yes" Ortgies, Carlson, Hahn, Johnson. "No" None. Motion carried.

A motion was made by Council member Hahn, second of Council member Carlson to pass Ordinance 559-Cemetery Board. "Yes" Ortgies, Carlson, Hahn, Johnson. "No" None. Motion carried.

A motion was made by Council member Hahn, second of Council member Carlson to publish Ordinance 559-Cemetery Board. "Yes" Ortgies, Carlson, Hahn, Johnson. "No" None. Motion carried.

A motion was made by Council member Johnson, second of Council member Hahn to appoint Floyd Stegeman, Marge Freeman and Dianne Nordyke to the Cemetery Board. "Yes" Ortgies, Carlson, Hahn, Johnson. "No" None. Motion carried.

Ordinance 560 was introduced to the council relating to MEAN Schedule M. A motion was made by Council member Hahn, second of Council member Johnson to designate Ordinance 560. "Yes" Ortgies, Carlson, Hahn, Johnson. "No" None. Motion carried.

Clerk Bauer read the title of Ordinance 560 as follows;

**Ordinance 560:** AN ORDINANCE AUTHORIZING AND DIRECTING EXECUTION OF THE AMENDED AND RESTATED TOTAL POWER REQUIREMENTS POWER PURCHASE AGREEMENT BY THE CITY OF CHAPPELL, NEBRASKA, WITH THE MUNICIPAL ENERGY AGENCY OF NEBRASKA; TO ACKNOWLEDGE AND PROVIDE FOR LIMITATIONS ON USE OF THE ELECTRICITY; TO PRESCRIBE THE TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

A motion was made by Council member Hahn, second of Council member Carlson to waive the three readings of Ordinance 560. "Yes" Ortgies, Carlson, Hahn, Johnson. "No" None. Motion carried.

A motion was made by Council member Carlson, second of Council member Hahn to pass Ordinance 560-MEAN Schedule M. "Yes" Ortgies, Carlson, Hahn, Johnson. "No" None. Motion carried.

A motion was made by Council member Hahn, second of Council member Carlson to publish Ordinance 560-MEAN Schedule M. "Yes" Ortgies, Carlson, Hahn, Johnson. "No" None. Motion carried.

A motion was made by Council member Johnson, second of Council member Hahn to approve the following building permits; a shed at 601 Court Ave and a fence at 1182 3<sup>rd</sup> St. "Yes" Ortgies, Carlson, Hahn, Johnson. "No" None. Motion carried.

**Communications:**

Jerrod Elms said his department would be installing the signs and money box for the camping envelopes at the lake this week. The lake is currently being dredged. Tucker Graeff passed his CDL training and testing and is now licensed.

Clerk Bauer informed council that they Ambulance department received their grant from DHHS for the defibrillator they had purchased.

Attorney Leef said that she had a noticed served, she received a response, she is proceeding with the next steps.

A motion was made by Council member Hahn, second of Council member Johnson to adjourn the meeting at 8:24 p.m. "Yes" Ortgies, Carlson, Hahn, Johnson. "No" None. Motion carried.

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Dan Riley, Mayor

ATTEST:

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Ashlea Bauer  
City Administrator/Clerk