

## CITY COUNCIL MINUTES CHAPPELL NEBRASKA

A regular meeting of the Chappell City Council was held November 4, 2019, 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 and Utilities Worker Todd Rust. Others present included Bo Fisher and Jamie Mays.

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 Reichman, second of Council member Riley to approve the consent agenda, minutes of the regular meeting October 21, 2019, claims list and dept head reports. "Yes" Riley, Carlson, Reichman, Johnson. "No" None. Motion carried.

Border States Industries, Inc - \$1738.60 \* Century Link - \$677.87 \* Chappell Municipal Utilities - \$4431.27 \* Cranmore Pest Control LLC - \$45.00 \* Dearborn National Life Insurance Co. - \$37.84 \* Deuel County 4-H Shooters - \$100.00 \* Deuel County Treasurer - \$7333.34 \* Division of Public Health-Licensure Unit - \$575.00 \* Dutton-Lainson Company - \$2046.74 \* EMC Insurance Companies - \$32274.24 \* Envrio-Care Company - \$690.30 \* Eric Reichert Insulation & Construction - \$163684.35 \* Frenchman Valley Co-op - \$615.83 \* Ingram Book Company - \$356.07 \* Jirdon Agri Chemicals Inc - \$1526.97 \* Kurtzer's - \$51.62 \* Nebraska Library Commission - \$500.00 \* Nebraska Municipal Power Pool - \$1650.00 \* Nebraskaland - \$33.00 \* Olsson Associates - \$3045.18 \* Pitney Bowes - \$56.45 \* Public Safety Center, Inc. - \$388.14 \* Sedgwick County Sales - \$2220.88 \* Sonntag, Goodwin & Leef, P.C. - \$802.50 \* Vistabeam - \$63.95 \* Total Payroll - \$32,438.61 \*

### **Unfinished Business:**

The Utilities department updated the Council in regards to the new electrical service at 1450 Rd 165. They have gone a different route with the installation. Attorney Leef looked into easements near 6<sup>th</sup> and Wheatland at the Court House and there is no record of any.

More discussion was held on the city's 40 acres south of the interstate. A meeting has been scheduled with Mr. Hernandez to discuss the property. He would like to discuss a purchase price. CDD Miller has been in touch with the engineers from Wilson and Company to get updated estimates to get infrastructure to the area. More information will be at the next meeting.

Attorney Leef will be having a phone meeting with Eric with Reichert Construction on November 15<sup>th</sup> to discuss the work that needs done at Matlock and Highway 30. More information will be at the next meeting.

There has been an amendment to the contract the city has with PADD and the contract the city has on the CDBG contract for the DTR Project. The construction management portion had to be put into a different classification according to the CDBG manual. The funds are the same, they will just be paid from a different category.

The downtown benches are finished and ready to be picked up and brought back. Buckley trust awarded the city a grant to fix the benches. They will be paid for at the next council meeting.

On Monday, November 4<sup>th</sup>, Reichert submitted a request to add 15 additional days to the contract due to the additional layers of concrete that were discovered in the latest removals that weren't known about prior. It was too late to be added to this agenda so the item will be placed on the next agenda.

### **New Business:**

Jamie Mays with Maguire Iron presented a maintenance plan to the council in regards to maintaining the City water tower. Maguire Iron is the company who installed the water tower 20 years ago. The tower needs to be repainted. The full-service maintenance plan benefits are as follows: Maguire Iron assumes all the risk and liability of maintaining our water tank. Renovation costs will be spread over a set number of years interest free. Lifetime warranty under the plan. Set annual budget figures. Maintenance expense figures are consistent. Future exterior renovations included. Future interior renovations included. Annual inspections with detailed reports. Cleanout and disinfection inspections with detailed reports. Emergency Service. Yearly renewal contract. Hassle free tank maintenance. A motion was made by Council member Reichman, second of Council member Johnson to enter into an agreement and approve the maintenance plan with Maguire Iron for the water tower. "Yes" Riley, Carlson, Reichman, Johnson. "No" None. Motion carried.

Council reviewed the memo received from Kimball County Commissioners in regards to the public transportation within the City of Chappell. A motion was made by Council member

Johnson, second of Council member Carlson to approve the Memorandum of Understanding. "Yes" Riley, Carlson, Reichman, Johnson. "No" None. Motion carried.

#### MEMORANDUM OF UNDERSTANDING

The County Commissioners of Kimball County and City of Chappell hereby agree to work together to provide public transportation service. In consideration of the following mutual agreements and obligations by and between parties, it is hereby agreed that:

1. Kimball County shall provide on-demand public transportation for the benefit of Chappell citizens, in compliance with applicable rules and regulations of the Nebraska Department of Transportation and Federal Transit Administration (FTA) 5311 Grants, contingent upon the availability of State and Federal transit-related grants, and further contingent upon adequate and qualified staffing and funding to Kimball including, but not limited, to anticipated funding from the Buckley Trust, Deuel County, City of Chappell and other sources sufficient to cover FTA 5311 grant fund share obligations of the public transit service. Said public transit system shall be operated at the discretion and control of the Kimball County Commissioners and Transit Administrator.
2. Kimball County shall apply for FTA 5311 Operating Assistance for the current grant cycle, Fiscal Years 2019 – 2021. Kimball County shall also apply for FTA 5311 Vehicle Funding according the demand for rides and asset management plan.
3. Kimball County shall pay the expenses and receive the grant reimbursements for those expenses. Kimball County shall receive the required matching funds for Deuel County's expenses from both governmental entities and other agencies for each fiscal year.
4. Kimball County shall notify the City of Chappell if it intends to stop having an office and vehicles parked in Chappell, affording the City of Chappell the opportunity to discuss the situation and make recommendations.
5. City of Chappell shall pay \$1000.00 towards the matching funds based on the budget presented each fiscal year.
6. The agreement shall continue in force through June 30, 2021. After that the agreement shall automatically renew each FTA Operating Assistance Grant cycle. Either party may terminate this agreement by giving the other party written notice of the termination. The written notice shall be sent to the appropriate County/City Clerk and shall specify the date of termination. The date of termination shall not be less than thirty days after it is delivered to the County/City Clerk.

There was no information to discuss on the agenda item of the well at the sewer plant, may be discussed at a future meeting.

Consideration was given to Resolution 2019-09 Signing of Year-End Certification of City Street Superintendent. A motion was made by Council member Riley, second of Council member Reichman to pass Resolution 2019-09 Signing of Year-End Certification of City Street Superintendent. "Yes" Riley, Carlson, Reichman, Johnson. "No" None. Motion carried.

#### **RESOLUTION 2019-09**

Signing of the Year-End Certification of City Street Superintendent Form 2019.

Whereas: State of Nebraska Statutes, sections 39-2302, and 39-2511 through 39-2515 details the requirements that must be met in order for a municipality to qualify for an annual Incentive Payment;

Whereas: State of Nebraska Department of Transportation (NDOT) requires that each incorporated municipality must annually certify (by December 31<sup>st</sup> of each year) the appointment of the City Street Superintendent to the NDOT using the Year-End Certification of City Street Superintendent form;

Whereas: The NDOT requires that such certification shall also include a copy of the meeting minutes showing the appointment of the City Street Superintendent by their name as it appears on their License (if applicable), their License Number and Class of License (if applicable), and type of appointment, i.e., employed, contract (consultant, or interlocal agreement with another incorporated municipality and/or county), and the beginning date of the appointment; and

Whereas: The DNOT also requires that such Year-End Certification of City Street Superintendent form shall be signed by the Mayor Village Board Chairperson and shall include a copy of a resolution of the governing body authorizing the signing of the Year-end Certification of City Street Superintendent form by the Mayor or village Board Chairperson.

Be it resolved that the Mayor of the City of Chappell is hereby authorized to sign the attached Year-End Certification of City Street Superintendent Form.

A motion was made by Council member Riley, second of Council member Carlson to approve employee increases per the recommendations. "Yes" Riley, Carlson, Reichman, Johnson. "No" None. Motion carried.

**Communications:**

Applications for the utility worker position have been received. The Utilities department would like to interview three candidates. A special meeting will be held at 6:00 p.m. on Monday, November 18 prior to the regular council meeting to interview the candidates.

A motion was made by Council member Johnson, second of Council member Carlson to adjourn the meeting at 8:05 p.m. "Yes" Riley, Carlson, Reichman, Johnson. "No" None. Motion carried.

\_\_\_\_\_  
Steve Brott, Mayor

ATTEST:

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Ashlea Bauer  
City Administrator/Clerk

**SPECIAL  
CITY COUNCIL MINUTES  
CHAPPELL NEBRASKA**

A special meeting of the Chappell City Council was held on November 18, 2019, at the Chappell City Hall at 6:00 P.M. The following members were present; Brott, Carlson, Reichman, and Johnson. Staff members present were City Administrator/Clerk Ashlea Bauer. Utilities Foreman Mike Criss, Utilities Lineman Todd Rust. Others present included Rich Eymann with Nebraska Municipal Power Pool(NMPP) and Jeff Buttermore with Olsson and Associates.

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 back wall of Council room.

The purpose of the meeting was to interview applicants for the City Utilities Worker opening. Three candidates were interviewed by the mayor, council members, City utilities department, Rich Eymann and Jeff Buttermore for the position.

At this time the council would like to run the ad in more locations. They would like to see more applicants with electrical lineman experience.

A motion was made by Council member Johnson and seconded by Council member Vogt to adjourn the meeting at 6:59 p.m. "Yes" Carlson, Reichman and Johnson. "Absent" Riley. "No" None. Motion carried.

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Steve Brott, Mayor

ATTEST:

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Ashlea Bauer  
City Administrator/Clerk

**CITY COUNCIL MINUTES  
CHAPPELL NEBRASKA**

A regular meeting of the Chappell City Council was held on November 18, 2019, at the Chappell City Hall at 7:00 P.M. The following members were present; Brott, 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 and Utilities Worker Todd Rust. Others present included Rich Eymann, Jeff Buttermore, Chad Svobada, Joe Wollenhaupt and Jon Bender.

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.

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

**Public Comments:**  
No public comments.

**Consent Agenda:**  
Council member Johnson inquired about bay lights. A motion was made by Council member Johnson, second of Council member Carlson to approve the consent agenda, minutes of the

regular meeting November 4, 2019 claims list, treasurer's report and sheriff's report. "Yes" Carlson, Reichman, Johnson. "Absent" Riley. "No" None. Motion carried.

Allwayz Manufacturing Co. - \$4050.00 \* Black Hills Energy - \$581.53 \* Border States Industries, Inc - \$142.55 \* Buckley Trust - \$450.00 \* Chappell Lumber - \$875.12 \* Chappell Register - \$333.35 \* Chappell Super Foods - \$116.66 \* Contractors Materials - \$689.50 \* Croell Concrete - \$1283.63 \* Dutton-Lainson Company - \$660.52 \* Eakes Office Products Center - \$128.03 \* Eichners Sales & Service - \$585.00 \* EMS Billing Services Inc - \$417.06 \* Enviro Service Inc - \$20.00 \* Fidele Home Improvements - \$1100.00 \* Hansen's Petroleum - \$628.15 \* Hometown Leasing - \$116.00 \* Horizon West, Inc. - \$2000.00 \* Hotsy Equipment Co - \$278.08 \* Ideal Linen Supply - \$705.89 \* Ingram Book Company - \$41.23 \* Kurtzer's - \$49.75 \* Livengood Backhoe Service - \$457.60 \* Matheson Tri-Gas Inc - \$108.24 \* Municipal Automation & Control - \$9809.37 \* Municipal Energy Agency of Nebraska - \$32,358.37 \* Municipal Supply Inc of Nebraska - \$1847.14 \* Our Town Pharmacy - \$2.13 \* Polly Olson - \$121.80 \* Premier Auto Parts & Service, LLC - \$835.48 \* Public Safety Center, Inc. - \$307.78 \* Sidney Regional Medical Center - \$90.00 \* Steve's Towing & Recovery, LLC - \$1555.95 \* Todd Rust - \$45.00 \* Verizon Wireless - \$165.09 \* Vistabeam - \$355.80 \* Wahoo Heritage Inn - \$133.90 \* Western Resources Group Inc. - \$344.00 \* Total Payroll - \$31,739.88 \*

#### **Unfinished Business:**

CDD Miller received the substantial completion letter from Eric Reichert for the DTR project. She forwarded it on to Adam with Wilson and Co and he will be in town, Tuesday, November 19<sup>th</sup> to review the project.

Attorney Leef had a phone conversation with Mr. Reichert and Adam in regards to the negotiations of the sidewalk at Matlock Avenue and Highway 30. They have agreed to split the cost 50/50 on the Matlock portion and the city will be pay for the new sidewalk being poured at the community gathering space area. A change order has been submitted for the Mayor to sign. A motion was made by Council member Reichman, second of Council member Johnson so proceed with the change order to make the sidewalks compliant with ADA Standards. "Yes" Carlson, Reichman, Johnson. "Absent" Riley. "No" None. Motion carried.

A motion was made by Council member Carlson, second of Council member Reichman to approve the contract extension request for an additional 2 days for the removal of the tank. "Yes" Carlson, Reichman, Johnson. "Absent" Riley. "No" None. Motion carried.

A motion was made by Council member Carlson, second of Council member Reichman to approve the contract extension request for an additional 15 days for the removal of double and triple layers of sidewalk throughout the project that was not known about during the design phase of the project. "Yes" Carlson, Reichman, Johnson. "Absent" Riley. "No" None. Motion carried.

Points West Bank employees approached Britt about getting a railing installed at the corner of their building at Babcock Avenue and Highway 30. They feel there is a liability there without having a railing. The quote that Britt received to put in a railing was for \$7,200.00. Council member Reichman will look into some different options with the railing. The item was tabled.

More discussion was held on the city's land south of the interstate. Mayor Brott, Administrator Bauer, CDD Miller and Attorney Leef met with Mr. Hernandez to discuss the price for the city's land. Britt was able to get updated estimated costs to provide infrastructure to the property. It was approximately 11% higher than what was estimated a year ago. The group reviewed the comparable data that was provided by Mr. Hernandez of locations along the interstate. The city provided a price to Mr. Hernandez at \$1.30 per square foot, with the total asking price for the land at \$2,608,285.00. Mr. Hernandez will take the information back to his group of investors and will be in touch for negotiations.

Utilities Superintendent Mike Criss, Utilities Worker Todd Rust along with Rich Eymann with NMPP and Jeff Buttermore with Olsson and Associates met with Joe Wollenhaupt and Jon Bender from Frenchman Valley Coop to discuss the plans for the new property of FVC. There was discussion on what the future plans are for the elevator and what they are wanting for a new electrical service. Rich with NMPP and Jeff the City's Electrical Engineer reviewed the current electrical system. It was recommended that Jeff provide a cost study of the project. A motion was made by Council member Johnson, second of Council member Carlson to authorize the engineer to move forward with a cost study of the project. "Yes" Carlson, Reichman, Johnson. "Absent" Riley. "No" None. Motion carried.

#### **New Business:**

The City's Health Insurance Agent Chad Svoboda provided the council with upcoming rate changes to the City's Blue Cross Blue Shield Plan. There is an approximate rate increase of 10% for the city and for the employees. A motion was made by Council member Johnson, second of Council member Carlson to approve the health insurance renewal plan. "Yes" Carlson, Reichman, Johnson. "Absent" Riley. "No" None. Motion carried.

The City Insurance review was tabled until the next meeting.

Consideration was given to Resolution 2019-10 Restricted Vehicle Route. A motion was made by Council member Reichman, second of Council member Carlson to approve Resolution 2019-10 Restricted Vehicle Route. "Yes" Carlson, Reichman, Johnson. "Absent" Riley. "No" None. Motion carried.

RESOLUTION NO 2019-10

**WHEREAS**, the City Council of the City of Chappell, Nebraska has the authority under City Ordinances to regulate or prohibit traffic by placing of signs on any street or alley under the municipality's jurisdiction; and

**WHEREAS**, regulating the weight and length of vehicles that may travel on certain streets protects the structural integrity of those streets and promotes the orderly flow of traffic in the City of Chappell;

**NOW, THEREFORE**, be it resolved by the City Council of the City of Chappell, Nebraska, that the following shall be designated as "no truck traffic" streets in the City of Chappell; upon which all vehicles of more than 14,000 lbs. and/or larger than 30 feet in length shall be prohibited:

- **Vincent Avenue** from 1<sup>st</sup> Street to 3<sup>rd</sup> Street.

Pursuant to 71.06 of the Codified Ordinances of the City of Chappell, Nebraska, no person operating a vehicle exceeding such prescribed weight and/or size shall travel upon the streets designated by this resolution.

The City Clerk shall cause signs to be erected indicating the streets so designated as no truck traffic streets.

Attorney Leef stated there is a program of Tax Increment Financing (TIF) that the city can implement to help with potential commercial growth. There are ordinances that will need to be drafted and put in place to have TIF. J and Britt will work together to move forward with this.

**Communications:**

Council member Carlson mentioned that there had been someone walk through the construction zone and into the freshly poured concrete in front of Burgie's.

A motion was made by Council member Carlson, second of Council member Reichman to adjourn the meeting at 8:14 p.m. "Yes" Carlson, Reichman, Johnson. "Absent" Riley. "No" None. Motion carried.

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Steve Brott,  
Mayor

ATTEST:

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Ashlea Bauer  
City Administrator/Clerk