

**CITY COUNCIL MINUTES
CHAPPELL NEBRASKA**

A regular meeting of the Chappell City Council was held December 2, 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, and CDD Britt Miller. Others present included Dale Fornander.

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 special meeting November 18, 2019, minutes of the regular meeting November 18, 2019, claims list and dept head reports. "Yes" Riley, Carlson, Reichman, Johnson. "No" None. Motion carried.

Bob's Welding - \$15.00 * Bomgaars - \$240.72 * Chappell Municipal Utilities - \$4772.48 * Comfort Inn-Kearney - \$129.95 * Cranmore Pest Control LLC - \$45.00 * Dearborn National Life Insurance Co. - \$10.32 * Deuel County Treasurer - \$7333.34 * Eakes Office Products Center - \$45.98 * Hometown Leasing - \$116.00 * Horizon West, Inc. - \$180.36 * Municipal Supply Inc of Nebraska - \$1680.94 * NDEQ - Fiscal Services - \$58067.07 * Nebraska Public Health Environmental Lab - \$55.00 * NEMSA - \$240.00 * Olsson Associates - \$492.83 * Public Safety Center, Inc. - \$184.95 * Stegeman Services - \$1093.30 * Valley Ambulance Services - \$100.00 * Vistabeam - \$63.95 * Total Payroll - \$32,951.79 *

Unfinished Business:

Olsson and Associates are working on the study for the new electric service for Frenchman Valley Coop. More information will be on a future meeting.

Adam with Wilson and Company sent a letter to the City of Chappell in regards to the letter he received on November 18, dated November 14th from Michael Yarnell from Reichert Construction stating that the project was substantially complete. A walk through of the project was done on November 19th and the project was not classified as substantially complete. Adam gave a list of preliminary items that need fixed. The ramp on the corner of Babcock Ave and 2nd St was one of the items that was listed. Attorney Leef and CDD Miller will discuss with Wilson and Company the punch list to get a plan to move forward. A motion was made by Council member Johnson, second of Council member Riley to have Attorney Leef and CDD Miller discuss the contract and the substantial and final completion portion of it with Adam with Wilson & Company. "Yes" Riley, Carlson, Reichman, Johnson. "No" None. Motion carried.

Preliminary plans were provided to the city from Jess with Olsson and Associates for the community gathering space. Britt talked to Jess in regards to the plans and they will need to revise them to not just include a parking lot.

There were no updates on the city's 40 acres south of the interstate. More discussion will be on a future agenda.

Attorney Leef provided the council with a sample ordinance that can be used to set up the Community Development Agency to have in place for TIF. The ordinance will be on the next agenda.

New Business:

Nominations were opened for council president. Council member Johnson nominated Jim Reichman. A motion was made by Council member Riley, second of Council member Carlson that nominations cease and Reichman be elected council president. "Yes" Riley, Carlson, Johnson. "No" None. "Abstain" Reichman. Motion carried.

Dale Fornander went through the new insurance policy with council members. Discussion was held on the policy changes and premium adjustments. No further changes were made to the insurance policy.

Communications:

Britt will be working on some grants that have just been released to help the town's that were affected by the natural disasters. The grants would be able to help repair some streets. The deadline is February 15th, 2020.

Britt has had some discussion with the Sherriff's department in regards to cameras for the downtown area. They will be asking to be on a future agenda.

The utilities department is working on putting up the Christmas decorations and asked which the council would like to see up first, the light pole décor or the ground lights. Council would like the poles decorated first.

A motion was made by Council member Johnson, second of Council member Carlson to adjourn the meeting at 7:52 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 December 16, 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 Joe Wollenhaupt.

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 Carlson to approve the consent agenda, minutes of the regular meeting December 2, 2019 claims list, treasurer's report and sheriff's report. "Yes" Riley, Carlson, Reichman, Johnson. "No" None. Motion carried.

Black Hills Energy - \$1306.58 * Border League - \$1515.75 * Century Link--Long Distance - \$74.53 * Chappell Lumber - \$337.69 * Chappell Register - \$254.51 * Chappell Super Foods - \$16.97 * Cheerful Books, LLC - \$23.96 * Culligan - \$30.00 * Dave Lane - \$275.00 * Derek Broderick - \$275.00 * Dutton-Lainson Company - \$320.18 * Eakes Office Products Center - \$170.46 * EMC Insurance Companies - \$1648.00 * Eric Reichert Insulation & Construction - \$150.00 * Frenchman Valley Co-op - \$65.78 * Hansen's Petroleum - \$681.17 * Hometown Leasing - \$116.00 * Horizon West, Inc. - \$1747.23 * Ideal Linen Supply - \$515.78 * Ingram Book Company - \$419.45 * Jerrod Elms - \$275.00 * Junior Library Guild - \$99.30 * Kacey Huff - \$201.96 * MASA MTS - \$990.00 * Matheson Tri-Gas Inc - \$181.74 * Mike Ward - \$275.00 * Municipal Energy Agency of Nebraska - \$36412.64 * Municipal Supply Inc of Nebraska - \$72.54 * Nebraska Municipal Power Pool - \$2966.00 * NMC Exchange LLC - \$5056.64 * Pitney Bowes - \$56.45 * Points West Community Bank-Chappell - \$35.00 * Premier Auto Parts & Service, LLC - \$762.74 * Public Safety Center, Inc. - \$297.92 * Quick Med Claims - \$337.87 * Sedgwick County Hospital - \$40.00 * Sonntag, Goodwin & Leef, P.C. - \$952.50 * Spic and Span Cleaners - \$772.80 * Steve's Towing & Recovery, LLC - \$2422.60 * UNL Pesticide Education Office - \$270.00 * Valley Tire & Service LLC - \$137.94 * Vistabeam - \$291.85 * Western Resources Group Inc. - \$344.00 * WEX BANK - \$935.16 * Wheat Belt Public Power District - \$42.65 * Total Payroll - \$32,724.26 *

Unfinished Business:

Utilities Superintendent Mike Criss received the cost study from Olsson & Associates for the costs associated with upgrading the power for Frenchman Valley Coop (FVC) at 16515 Road 14. The opinion of costs associated with the project was \$170,700.00. This was a total cost and it did not include a break-down of what FVC's portion would be. All parties felt this cost was higher than expected. Joe with FVC stated he received a quote to get power from Wheatbelt and it was significantly less than what was quoted from Olsson & Associates. Wheatbelt cannot come into the City's territory without a waiver granted from the city. Council member Riley wants to work with FVC and keep their business with the city. He wants to help with finding the simplest and most cost-effective way to make the upgrade happen. Rich with NMPP will be meeting with Mike Criss and Todd Rust on Wednesday to look over the options for supplying the power upgrade to the location. This item was tabled until more information could be given by the City's power supply consultant.

Attorney Leef and Britt spoke with Adam the week prior to this meeting to discuss the project and to have more discussion on the letter received from Reichert that stated the project was substantially completed. Adam along with another engineer from Wilson and Company could come out to inspect the project and annotate the areas that need to be reviewed. A motion was made by Council member Reichman, second of Council member Riley to hire Wilson & Company out and do a formal inspection of the downtown project. "Yes" Riley, Carlson, Reichman, Johnson. "No" None. Motion carried. The cost to the city will be roughly \$3,000.00.

CDD Miller stated she has had some concerns reported to her in regards to the buffer zone in front of Burgie's. Adam with Wilson and Company will review the area when he is in town on Tuesday.

Reichert Construction will be installing the railings on the ramp in front of Britt's office on the corner of 2nd and Babcock. Points West Bank would like a railing on the East side of the building. The council would like Britt to speak with Bob Frerichs Welding about getting a railing made for that corner.

CDD Miller stated there have been some items on the latest pay application submitted by Reichert that don't compare to the quantities the city has documented. Adam will also be looking into this when he is here to inspect the downtown project.

Reichert Construction submitted a letter to the council requesting additional days for the project. Mayor Brott asked for a motion on the request. The action item dies for a lack of a motion.

New Business:

Ordinance 534 was presented to the council in regards to creating a community development agency and provide for the powers and authority of such agency.

A motion was made by Council member Johnson, second of Council member Carlson to waive the three readings of Ordinance 534-To Create a community development agency and provide for the powers and authority of such agency. "Yes" Riley, Carlson, Reichman, Johnson. "No" None. Motion carried.

A motion was made by Council member Reichman, second of Council member Johnson to pass Ordinance 534-To Create a community development agency and provide for the powers and authority of such agency. "Yes" Riley, Carlson, Reichman, Johnson. "No" None. Motion carried.

A motion was made by Council member Johnson, second of Council member Reichman to publish Ordinance 534-To Create a community development agency and provide for the powers and authority of such agency. "Yes" Riley, Carlson, Reichman, Johnson. "No" None. Motion carried.

Clerk Bauer read the title of Ordinance 534 as follows;

ORDINANCE NO 534

AN ORDINANCE OF THE CITY OF CHAPPELL, NEBRASKA, PROVIDING FOR THE CREATION OF A COMMUNITY DEVELOPMENT AGENCY; PROVIDING THAT THE MAYOR AND COUNCIL OF THE CITY OF

CHAPPELL, NEBRASKA, SHALL ACT AS SAID AGENCY; PROVIDING FOR THE POWERS AND AUTHORITY OF SUCH AGENCY; AMENDING CHAPTER 32 DEPARTMENTS, BOARDS, AND COMMISSIONS OF THE CODIFIED ORDINANCES OF THE CITY OF CHAPPELL TO CREATE 32.10 COMMUNITY DEVELOPMENT AGENCY; ESTABLISHMENT, MEMBERSHIP; 32:11 COMMUNITY DEVELOPMENT AGENCY; PURPOSES; INTENT; 32.12 COMMUNITY DEVELOPMENT AGENCY; AUTHORITY; AND 32.13 COMMUNITY DEVELOPMENT AGENCY; CONFLICTS OF INTEREST; REPEALING ANY OTHER ORDINANCE OR PART OF ORDINANCE IN CONFLICT WITH THE ABOVE PROVISIONS THEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

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

SECTION 1

That Chapter 32 Departments, Boards, and Commissions of the Codified Ordinances is amended to include Section 32.10 COMMUNITY DEVELOPMENT AGENCY; ESTABLISHMENT, MEMBERSHIP, to read as follows: 32.10 COMMUNITY DEVELOPMENT AGENCY; ESTABLISHMENT, MEMBERSHIP.

(a) There is hereby established a community development agency, which agency shall be known as the City of Chappell Community Development Agency.

(b) Such Agency shall consist of the Mayor and Council of the City of Chappell, Nebraska.

SECTION 2

That Chapter 32 Departments, Boards, and Commissions of the Codified Ordinances is amended to include Section 32.11 COMMUNITY DEVELOPMENT AGENCY; PURPOSES; INTENT, to read as follows:

32.11 COMMUNITY DEVELOPMENT AGENCY; PURPOSES; INTENT.

(a) The purposes of the Community Development Agency, established in Section 32.10(a), will be to formulate for the City a workable program for utilizing appropriate private and public resources so as to eliminate or prevent the development or spread of urban blight, to encourage needed urban rehabilitation, to provide for the redevelopment of substandard and blighted areas, or to undertake such of the aforesaid activities or other feasible Municipal activities as may be suitably employed to achieve the objectives of such workable program.

(b) Such workable program shall include, without limitation, provisions for the prevention of the spread of blight into areas of the Municipality which are free from blight through the diligent enforcement of housing, zoning and occupancy controls and standards; the rehabilitation or conservation of substandard or blighted areas or portions thereof by replanning, removing congestion or providing parks, playgrounds and other public improvements; by encouraging voluntary rehabilitation and compelling the repair and rehabilitation of deteriorated or deteriorating structures; and by the clearance and redevelopment of substandard and blighted areas or portions thereof.

SECTION 3

That Chapter 32 Departments, Boards, and Commissions of the Codified Ordinances is amended to include Section 32.12 COMMUNITY DEVELOPMENT AGENCY; AUTHORITY, to read as follows:

32.12 COMMUNITY DEVELOPMENT AGENCY; AUTHORITY.

The Community Development Agency shall function in a manner prescribed in this Chapter, and may exercise all of the power and authority granted to a community development authority pursuant to Sections 18-2101 to 18-2144 and Sections 18-2147 to 18-2154 of the statutes of the State of Nebraska.

SECTION 4

That Chapter 32 Departments, Boards, and Commissions of the Codified Ordinances is amended to include Section 32.13 COMMUNITY DEVELOPMENT AGENCY; CONFLICTS OF INTEREST, to read as follows:

32.13 COMMUNITY DEVELOPMENT AGENCY; CONFLICTS OF INTEREST.

No member or employee of the Community Development Agency shall voluntarily acquire any interest, direct or indirect, in any redevelopment project or in any property included in, or planned by the Agency to be included in, any project or in any contract or proposed contract in connection with any such project. Where the acquisition of such interest is not voluntary, such member or employee shall immediately disclose such interest in writing to the Agency and such disclosure shall be entered into the minutes of the Agency. If any member or employee of the Agency presently owns or controls, or has owned or controlled within the preceding two years, an interest, direct or indirect, in any property included in or planned by the Agency to be included in any redevelopment project, such member or employee shall immediately disclose such interest in writing to the Agency and such disclosure shall be entered into the minutes of the Agency. Upon such disclosure, such member or employee of the Agency shall not participate in any action by the Agency affecting such property.

SECTION 4 – CONFLICTING ORDINANCES/RESOLUTIONS RESCINDED

All previously adopted Resolutions and Ordinances or parts of law in conflict herewith are hereby repealed, and should any part or section(s) of this Ordinance be declared void and unenforceable, such declaration shall not render any other part void or unenforceable.

SECTION 5 -- AUTHORIZATION

This Ordinance shall be in full force and effect from and after its passage and publication as provided by law. PASSED AND APPROVED this 16th day of December, 2019.

Mayor Brott recommended approving Jeff Palk with Olsson & Associates for the street superintendent for 2020. A motion was made by Council member Riley, second of Council member Reichman to appoint Jeff Palik from Olsson Associates as the City Street Superintendent for year 2020, from January 1, 2020 through December 31, 2020. "Yes" Riley, Carlson, Reichman, Johnson. "No" None. Motion carried.

A motion was made by Council member Johnson, second of Council member Carlson to approve the demolition of the garage at 880 5th St. "Yes" Riley, Carlson, Reichman, Johnson. "No" None. Motion carried.

Communications:

Todd Rust has spoke with the Joe Kupper with the Creek Valley Schools in regards to the lineman program that is offered through NMPP. In the new year he will be speaking with a few students who are interested in staying in Chappell after graduation and may have interest in becoming a lineman.

Attorney Leef mentioned that the city has code in place that clearly states who is responsible for certain costs when putting in a new electric service. Any persons wanting a new service would have to pay for the costs and get the power from the city. It would be in the best interest of the city to not allow other power companies into their territory.

A motion was made by Council member Johnson, second of Council member Carlson to adjourn the meeting at 8:19 p.m. "Yes" Riley, Carlson, Reichman, Johnson. "No" None. Motion carried.

Steve Brott, Mayor

ATTEST:

Ashlea Bauer
City Administrator/Clerk