A regular meeting of the Chappell City Council was held September 6, 2022, at the Chappell City Hall at 7:00 P.M. The following members were present; Brott, Riley, Carlson, and Johnson. Staff members present were City Administrator/Clerk Ashlea Bauer, CDD Shauna Mashek, Utilities Superintendent Todd Rust, and Street Overseer Jerrold Elms. Others present included Kent Smith and Terry Livengood.

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 Johnson to excuse Council member Hahn. “Yes” Riley, Carlson, Johnson. “Absent” Hahn. “No” None. Motion carried.

Public Comments:
No public comments.

Consent Agenda:
Council member Riley asked about the payment for the US Dept of Education. It is a grant from Buckley Trust for the local dentist, Travis Dickey. The grant money is giving to the city from Buckley and then the city prepares the check. A motion was made by Council member Riley, second of Council member Johnson to approve the consent agenda, minutes of the regular meeting August15, 2022, claims list, dept head reports, and animal control report. “Yes” Riley, Carlson, Johnson. “Absent” Hahn. “No” None. Motion carried.


Unfinished Business:
Discussion was held with the council and Terry Livengood on the dirt pile from the city street project. There is approximately 2,000 yards of dirt on Terry’s property from the project. Livengood will prepare an invoice for rent for placing the dirt on his property and submit it to the council. The invoice will be paid for through the exchange of the material that is being stored on the property over a period of time. Livengood will keep the dirt for payment of the rent.

New Business:
The Planning and Zoning Committee reviewed the request for a variance for a canopy on the garage located at 1346 5th St. They gave their recommendation to the city council. They voted that there was no need for a variance for the canopy because it was not a permanent structure and it will not require a building permit. A motion was made by Council member Riley, second of Council member Carlson to accept the recommendations on the committee. “Yes” Riley, Carlson, Johnson. “Absent” Hahn. “No” None. Motion carried. Clerk Bauer will send a letter to Mr. Chyst.

Mayor Brott spoke with Street Supervisor Jerrold Elms about cleaning up the street shop located on Thompson Avenue. They are in the process of getting the location cleaned up.

The car charging station in the plaza was down after the Internet line was cut in town a few weeks ago. The person trying to charge their car plugged into an outlet since the Internet was down. Utilities Superintendent Rust asked if they should keep the power off when there are no events taking place in the plaza. Council asked to have a sign ordered that posts the city’s number so if there would ever be any problems, the customer would know who to call.

A motion was made by Council member Riley, second of Council member Carlson to approve using the ARPA Covid Funds to purchase a new water meter for Well #3. The approximate cost is $6,300.00. “Yes” Riley, Carlson, Johnson. “Absent” Hahn. “No” None. Motion carried. Utilities Superintendent Rust is working with Sargent Drilling to get the meter replaced.
Two building permits were submitted to council for review. Zoning Administrator Rust gave his recommendation of approving the permit for the fence at 1234 2nd St. Council gave their recommendation for approving the permit at 918 3rd St. A motion was made by Council member Johnson, second of Council member Riley to approve the building permits for a fence at 1234 2nd St and a carport at 918 3rd St. “Yes” Riley, Carlson, Johnson. “Absent” Hahn. “No” None. Motion carried.

A motion was made by Council member Riley, second of Council member Carlson to approve the Lease agreement with Points West Community Bank for the use of the Community Development Office. “Yes” Riley, Carlson, Johnson. “Absent” Hahn. “No” None. Motion carried.

Consideration was given to Resolution 2022-12 Declaring Intent to Incur Indebtedness for Street Improvements. A motion was made by Council member Carlson, second of Council member Johnson to pass Resolution 2022-12 Declaring Intent to Incur Indebtedness for Street Improvements. “Yes” Riley, Carlson, Johnson. “Absent” Hahn. “No” None. Motion carried.

RESOLUTION NO. 2022-12

A RESOLUTION DECLARING INTENT TO INCUR INDEBTEDNESS FOR STREET IMPROVEMENTS.

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CHAPPELL, IN THE STATE OF NEBRASKA:

Section 1. The Mayor and Council hereby find and determine that it is necessary and appropriate to declare an official intent to issue general obligation various purpose bonds or other tax-exempt bonds or notes of the City and, in addition, to declare the City’s reasonable expectation to reimburse certain expenditures with the proceeds of such bonds or notes issued by the City in connection with the construction of street and related infrastructure improvements in Street Improvement District No. 2022-1, 2022-2, 2022-3, and 2022-4 of the City, together with engineering, legal, financing and other related project costs.

Section 2. This resolution is a statement of the official intent of the City under Treasury Regulation § 1.150-2 and for such purpose the following information is hereby stated:

(a) The project for which expenditures may be made is street and related infrastructure improvements, and including engineering, legal, financing and other related project costs.

(b) The principal amount of the bonds expected to be issued by the City for the project as authorized by Sections 17-516, 17-520, 17-534, and 17-913 to 17-925, Reissue Revised Statutes of Nebraska 2012, is estimated to be $2,000,000.

(c) The City has issued its Street Improvement Bond Anticipation Notes, Series 2022, in the original principal amount of $1,520,000 to fund a portion of the improvements but may use available funds of the City to complete construction, provided that all or a portion of such expenditures may be reimbursed to the City upon issuance by the City of general obligation various purpose bonds or other bonds.

PASSED AND APPROVED this 6th day of September, 2022.

Council reviewed the upcoming Class C liquor license renewals for Burgie’s Bowling, Kristy Enterprises-Chappell Super Foods, Toots’ Bar & Grill and Rockin’ 5T LLC-Rusty Bucket Pub & Grub. The licenses will automatically renew on November 1st. A motion was made by Council member Riley, second of Council member Johnson to approve the automatic renewals of Burgie’s Bowling, Kristy Enterprises-Chappell Super Foods, Toots’ Bar & Grill and Rockin’ 5T LLC-Rusty Bucket Pub & Grub liquor licenses. “Yes” Riley, Carlson, Johnson. “Absent” Hahn. “No” None. Motion carried.

Communications:
Clerk Bauer informed the council that there was vandalism on the golf course and Rod is working with Law Enforcement. Ashlea also spoke with the representative from doxo who the city will be using to add the online bill option on the city website. The city will receive the funds within 1-3 business days after a customer submits their payment. There are no fees to the city.

Utilities Superintendent Rust stated that there may be a need for more help in his department. He is going to look into contracting some of the bigger projects out if the costs are feasible.

A motion was made by Council member Johnson, second of Council member Carlson to adjourn the meeting at 7:37 p.m. “Yes” Riley, Carlson, Johnson. “Absent” Hahn. “No” None. Motion carried.

ATTEST:
Ashlea Bauer
City Administrator/Clerk

Steve Brott, Mayor

CITY COUNCIL MINUTES
CHAPPELL NEBRASKA

The 2022-2023 Fiscal Year Budget Hearing was held at 7:00 p.m. on September 19, 2022. The following members were present; Riley, Carlson, Hahn and Johnson. Staff members present were City Attorney J Leef, City Administrator/Clerk Ashlea Bauer and City Treasurer Geralyn Konruff. Others present were Bob Meyer, Brad Slaughter, Kent Smith, Dale Fornander, Andrew Plummer, Scott DeCoste, Jim and Tracy McCormick.
Council President Riley opened the 2022-2023 Budget Hearing at 7:00 P.M.

Council President Riley opened the floor for public comments. No public comments were made on the budget hearing.

City auditor Bob Meyer was present to answer any questions on the 2022-2023 Budget. No public comments were made on the budget.

A motion was made by Council member Johnson, second of Council member Carlson to close the budget hearing at 7:11 p.m. “Yes” Riley, Carlson, Hahn and Johnson. “No” None. Motion carried.

A regular meeting of the Chappell City Council was held September 19, 2022, at the Chappell City Hall immediately after the Budget Hearing for the 2022-2023 Fiscal Year.

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.

Public Comments:
No public comments.

Consent Agenda:

A motion was made by Council member Johnson, second of Council member Carlson to approve the consent agenda, minutes of the regular meeting September 6, 2022, claims list, treasurer’s report, and sheriff’s report. “Yes” Riley, Carlson, Hahn, Johnson. “No” None. Motion carried.

No unfinished business.

New Business:
Council President Riley opened the Hearing for the Final Tax Request at 7:11 P.M. A motion was made by Council member Carlson, second of Council member Hahn to accept the final tax request and approve Resolution 2022-13 Setting the Property Tax Request. “Yes” Riley, Carlson, Hahn and Johnson. “No” None. Motion carried.

RESOLUTION 2022-13 SETTING THE PROPERTY TAX REQUEST

WHEREAS, Nebraska Revised Statute 77-1632 and 77-1633 provides that the Governing Body of the City of Chappell passes by a majority vote a resolution or ordinance setting the tax request; and WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request; NOW, THEREFORE, the Governing Body of the City of Chappell, resolves that:

1. The 2022-2023 property tax request be set at $139,019.43.
2. The total assessed value of property differs from last year's total assessed value by 1.58 percent.
3. The new tax rate which would levy the same amount of property taxes last year, when multiplied by the new total assessed value of property, would be 0.356537 per $100 of assessed value.
4. The City of Chappell proposes to adopt a property tax request that will cause its tax rate to be 0.362176 per $100 of assessed value.
5. Based on the proposed property tax request and changes in other revenue, the total operating budget of The City of Chappell will increase or decrease last year’s budget by 9.4 percent.
6. A copy of this resolution will be certified and forwarded to the County Clerk on or before October 15, 2022.

A motion was made by Council member Riley, second of Council member Johnson to close the final tax request hearing at 7:12 p.m. “Yes” Riley, Carlson, Hahn and Johnson. “No” None. Motion carried.
Total tax requirement for the 2022-2023 budget is $139,019.43. A motion was made by Council member Riley, second of Council member Hahn to adopt the 2022-23 budget with additional 1% increase in restricted funds. “Yes” Riley, Carlson, Hahn and Johnson. “No” None. Motion carried.

A motion was made by Council member Hahn, second of Council member Carlson to approve Resolution 2022-14, Calling for payment of the Series 2022 BANs. “Yes” Riley, Carlson, Hahn and Johnson. “No” None. Motion carried.

RESOLUTION NO. 2022-14

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

Section 1. That the following notes 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):

Street Improvement Bond Anticipation Notes, Series 2022, dated June 16, 2022, in the outstanding principal amount of $1,520,000, 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:

<table>
<thead>
<tr>
<th>Principal Amount</th>
<th>Maturity Date</th>
<th>CUSIP No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>$1,520,000</td>
<td>June 15, 2023</td>
<td>15956P DN3</td>
</tr>
</tbody>
</table>

Section 2. Said notes are payable at the office of the Treasurer of the City of Chappell, Nebraska, 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 notes 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 of the City. The Call Date shall be set for any time on or the date of this Resolution, provided, however, that on and after March 31, 2023, 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 Treasurer of the City of Chappell, Nebraska, as Paying Agent and Registrar and said Paying Agent and Registrar is hereby instructed to give notice of redemption in the manner provided for in the ordinance authorizing said notes and in accordance with the Designation of Call Date.

PASSED AND APPROVED this 19th day of September, 2022.

Ordinance 548 was introduced to the council issuing GO Various Purpose Bonds, Series 2022 in an amount not to exceed $1,950,000.00. A motion was made by Council member Hahn, second of Council member Carlson to designate Ordinance 548. “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 three readings of Ordinance 548- issuing GO Various Purpose Bonds, Series 2022 in an amount not to exceed $1,950,000.00. “Yes” Riley, Carlson, Hahn, Johnson. “No” None. Motion carried.

A motion was made by Council member Carlson, second of Council member Hahn to pass Ordinance 548- issuing GO Various Purpose Bonds, Series 2022 in an amount not to exceed $1,950,000.00. “Yes” Riley, Carlson, Hahn, Johnson. “No” None. Motion carried.

A motion was made by Council member Johnson, second of Council member Riley to publish Ordinance 548- issuing GO Various Purpose Bonds, Series 2022 in an amount not to exceed $1,950,000.00. “Yes” Riley, Carlson, Hahn, Johnson. “No” None. Motion carried.

Clerk Bauer read the title of Ordinance 548 as follows;

AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION VARIOUS PURPOSE BONDS, SERIES 2022, OF THE CITY OF CHAPPELL, NEBRASKA, IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED ONE MILLION NINE HUNDRED FIFTY THOUSAND DOLLARS ($1,950,000) TO PAY THE COST OF CONSTRUCTING PAVING AND RELATED IMPROVEMENTS IN CERTAIN STREET IMPROVEMENT DISTRICTS 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; 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.

Dale Fornander with EMC Insurance introduced the city to their new insurance representative Andrew Plummer with Plummer Insurance. Mr. Plummer went through the insurance policy renewal with council members. Discussion was held on the policy changes and premium adjustments. There is a reduction in the premium of 6%. The deductible for wind and hail damaged has changed for the policy. No further changes were made to the insurance policy.

Deputy McCormick spoke with the Council about the vandalism and trespassing that occurred at the Chappell Golf Course and Chappell Lake. The city has sent an invoice to the party responsible. The sheriff’s department would like to issue tickets for trespassing, criminal mischief, disorderly contact if issues arise in the future. Attorney Leef reviewed the city ordinances and the sheriff’s department can issue citations.

A motion was made by Council member Hahn, second of Council member Carlson to approve Resolution 2022-15 Selling the lake dredge through sealed bids. “Yes” Riley, Carlson, Hahn, Johnson. “No” None. Motion carried.

RESOLUTION 2022-15
WHEREAS, pursuant to 17-503.02 of the Nebraska Revised Statutes, a City of the Second Class is authorized to sell personal property by resolution; and

WHEREAS, The City of Chappell, Nebraska is interested in the sale of the following personal property, under the following terms, to wit:

Piranha Remote Controlled Dredge 80lb thrust trolling motor, 24v battery pack and charger, floating discharge piping, floating discharge hose, trailer for dredge.

NOW, THEREFORE, BE IT RESOLVED:

1. The above-described property shall be offered for sale.
2. There shall be a minimum bid of twenty-five thousand dollars ($25,000.00) and the City of Chappell reserves the right to reject any and all bids.
3. Any sale shall be by sealed bid to be received on or before 4:00PM on Thursday, October 13, 2022, at the Chappell City Office; payment due in full by cashier’s check or certified funds within 15 days of acceptance of bid; lake dredge to be delivered at buyer’s expense after payment received.

Passed and approved this 19th day of September, 2022.

One building permit was submitted to council for review. Zoning Administrator Rust gave his recommendation of approving the permit. A motion was made by Council member Johnson, second of Council member Hahn to approve the building permit for a bedroom addition onto the house at 1218 2nd St. “Yes” Riley, Carlson, Hahn, Johnson. “No” None. Motion carried.

Communications:
CDD Mashek applied for a grant through Black Hills Energy and was notified that the city would be getting $10,000 from Black Hills. The funds will be used to replace the picnic tables at the shelters at the swimming pool park.

The glo ball tournament was a success at the golf course and Ashlea and Shaunna will plan to put on the tournament annually.

A motion was made by Council member Riley, second of Council member Hahn to adjourn the meeting at 7:51 p.m. “Yes” Riley, Carlson, Hahn, Johnson. “No” None. Motion carried.

ATTEST:

____________________________________
Council President, Dan Riley

_______________________________
Ashlea Bauer
City Administrator/Clerk