

**CITY OF CREIGHTON, NEBRASKA
MINUTES OF COUNCIL MEETING
Thursday, March 10, 2016**

A regular meeting of the Mayor and Council of the City of Creighton, Nebraska was held in the meeting room of the Creighton City Offices at 809 Main Street in said City on the 10th day of March, 2016, at 6:30 p.m. Present were: Mayor Chris Patrick and Council members MaryAnne Block, Bob Jensen, Drew Nelson, Mike Nutting; Administrator/City Clerk/Treasurer (ACT) Lisa Parnell-Rowe; Deputy Clerk Ronda York; Economic Development Director Abigail Frank; City Engineer Chris Miller and City Attorney Joe McNally.

Notice of the meeting was given in advance thereof by posting in at least three public places, as shown by the certificate of posting notice attached to these minutes. Notice of the meeting was given to the Mayor and all members of the City Council, and a copy of their acknowledgment of receipt of notice and the agenda is attached to these minutes. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

The meeting was called to order by Mayor Chris Patrick at 6:30 p.m. Mayor Patrick presided, and Deputy Clerk York recorded the proceedings.

The Pledge of Allegiance was recited by those in attendance.

Mayor Patrick publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act was available for review and indicated that a Nebraska Open Meetings Act poster was on display on the west wall of the meeting room.

Mayor Patrick asked if there were any public comments on items not on the agenda. Marlene Stevens advised that her house at 810 Garfield Street sits empty. Due to a leak and someone possibly taking water from her outside faucet in January and February her sewer calculation that was done on her March 2016 bill was inflated. Stevens understands that she must pay for the water used, but would like the sewer rate adjusted. There was a discussion. Stevens had a bill from a plumber. Questions were asked and answered.

Jensen made a motion, seconded by Block, to use average water consumption during the time Marlene Stevens' sewer rate for FY 14-15 were assessed to calculate sewer rates for FY 15-16 and give Stevens credit for the difference in sewer charges already assessed. RCV; Ayes: Block, Jensen, Nelson, Nutting. Nays: None.

Todd Zimmerer advised that he also had a leak in January and February that inflated his sewer calculation that was done on his March 2016 bill. Zimmerer understands that he must pay for the water used, but would like the sewer rate adjusted. There was a discussion. Zimmerer explained that his was a toilet leak that he fixed himself. Questions were asked and answered.

Jensen made a motion, seconded by Nutting, to use average water consumption during the time Todd Zimmerer's sewer rate for FY 14-15 were assessed to calculate sewer rates for FY 15-16 and give Zimmerer credit for the difference in sewer charges already assessed. RCV; Ayes: Block, Jensen, Nelson, Nutting. Nays: None.

Cody Cox advised that he also had a leak in January and February that inflated his Grandmother Lois Cox's sewer calculation that was done on her March 2016 bill. Cox understands that she must pay for the water used, but would like the sewer rate adjusted. There was a discussion. Cox explained that the house is empty and the furnace stopped working which caused waterlines to freeze and break. Cox is fixing the pipes himself. Question were asked and answered.

Nelson made a motion, seconded by Jensen, to use average water consumption during the time Lois Cox's sewer rate for FY 14-15 were assessed to calculate sewer rates for FY 15-16 and give Cox credit for the difference in sewer charges already assessed. RCV; Ayes: Block, Jensen, Nelson, Nutting. Nays: None.

Jeanne Rosen advised that she also had a leak in January and February that inflated her sewer calculation that was done on her March 2016 bill. Rosen understands that she must pay for the water used, but would like the sewer rate adjusted. There was a discussion. Rosen explained that she had a toilet leak that her husband fixed himself. Rosen did bring receipt for parts purchased. Question were asked and answered.

Block made a motion, seconded by Jensen, to use average water consumption during the time Jeanne and Don Rosen's sewer rate for FY 14-15 were assessed to calculate sewer rates for FY 15-16 and give Rosen credit for the difference in sewer charges already assessed. RCV; Ayes: Block, Jensen, Nelson, Nutting. Nays: None.

Mayor Patrick introduced Joe Mathine with the Rural Fire Board. Mathine explained there is a need for a new fire hall. Mathine advised the Rural Fire Board would like the City and Rural Board to share in the expense of a new fire hall. A discussion was held where question were asked and answered. Jim Fuchtman had made a presentation at the Fire Meeting and explained everything in detail. A feasibility study will be looked into, to help decide what is needed and how it can be paid for and Mathine will discuss splitting this cost with the city at his next board meeting. City Council requested Mr. Fuchtman return at the next meeting and give the presentation to the public.

Mayor Patrick advised that Dale Rowe would like to be appointed to the Keep Creighton Beautiful Board. It was explained that Rowe would be filling a vacancy. Rowe was not present. Questions were asked and answered.

Jensen made a motion seconded by Block to approve the appointment of Dale Rowe to the Keep Creighton Beautiful Board. RCV; Ayes: Block, Jensen, Nelson, Nutting. Nays: None. Motion Carried.

Mayor Patrick asked if any boards had reports.

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Abigail Frank gave a brief Economic Development Report, announcing the next DTR Meeting would be held on April 7, 2016.

Jane Wilmes gave the Creighton Ambulance Report. Wilmes advised the Van Deveer Foundation has given a \$25,000 grant to the ambulance service. Wilmes advised that Amanda Warriner is a new EMT as she passed her boards. Wilmes requested council give her direction on who would sign the purchase agreement indicating at the last meeting she was given authority to sign the memorandum of understanding with Mission Lifeline Nebraska. Council advised the purchase agreement needs to be signed by ACT Parnell-Rowe. Wilmes also advised the Nebraska DHHS has grant money available for a LUCAS 2 machine that is needed by the ambulance to help with chest compressions.

Jensen made a motion seconded by Nutting to approve Jane Wilmes to sign memorandum of understanding to purchase the LUCAS 2 Machine and ACT Parnell-Rowe will sign the purchase agreement. RCV; Ayes: Block, Jensen, Nelson, Nutting. Nays: None. Motion Carried.

Tammie Schlote gave a library report.

Nutting made a motion seconded by Block to approve the minutes from the February 17, 2016 Special Meeting. RCV; Ayes: Block, Jensen, Nelson, Nutting. Nays: None.

A short discussion was held on legal fees paid reference if the insurance company is paying for all legal fees from the lawsuit. Question were asked and answered.

Block made a motion seconded by Jensen to approve additional bills paid since February 11, 2016. RCV; Ayes: Block, Jensen, Nelson, Nutting. Nays: None.

A discussion was held on the font size of the bills to approve. Parnell-Rowe explained staff has started training on the new Summit software system. Parnell-Rowe explained by next month all reports will have a different look and should be easier to read.

Jensen made a motion seconded by Nutting to approve bills for March 2016. RCV; Ayes: Block, Jensen, Nelson, Nutting. Nays: None.

Block made a motion seconded by Jensen to approve all expenditures for February 2016. RCV; Ayes: Block, Jensen, Nelson, Nutting. Nays: None.

Jensen made a motion seconded by Nelson to approve receipts for February 2016. RCV; Ayes: Block, Jensen, Nelson, Nutting. Nays: None.

A discussion was held on bids received on unfinished rooms in City Hall. ACT Parnell-Rowe explained additional details and pricing that had been obtained since the last council meeting. It was decided work would be completed on the storage room only at this time so we could find out how much of the cost insurance would cover.

Nutting made a motion seconded by Jensen to accept Mark Ripp Construction's bid for finishing work in the unfinished storage room. RCV; Ayes: Block, Jensen, Nelson, Nutting. Nays: None.

Discussion was held reference outstanding Lundberg Memorial accounts payable. ACT Parnell-Rowe advised Magnet Solutions will not contact the outstanding accounts to advise customers they need to start making payments to the City Office. It was decided the City needs to send out a letter to outstanding accounts to advise customers they need to start making payments to the City Office. The City also needs to get bids from other companies to continue collecting outstanding balances. McNally advised the City will continue collecting money until a new collection company can be found. McNally will review letter to customers and the letter to companies to get bids for collections. No other action is needed at this time.

A lengthy discussion was held on the approval of NDEQ Loan Application. Questions were asked and answered. It was decided that water and sewer should pay for themselves.

Jensen made a motion seconded by Nelson to approve the signature of NDEQ Final Loan application. RCV; Ayes: Block, Jensen, Nelson. Nays: Nutting. Motion passes.

Mayor Patrick advised Ordinance 791 would be read and discussed. Patrick turned the meeting over to McNally. McNally read Ordinance 791 out loud.

McNally advised this is the second reading of Ordinance 791 referencing Sewer and Water Rate fees.

A discussion was held in regards to Ordinance 791 and City Council decided to have the third reading at the next meeting.

Nutting made a motion seconded by Block to approve 2nd reading of Ordinance 791. RCV; Ayes: Block, Jensen, Nelson, Nutting. Nays: None.

A discussion was held reference Resolution 2016-2, NDEQ CQSFR Loan for Project No. C317158. . Questions were asked and answered.

Jensen made a motion seconded by Block to approve signature of Resolution 2016-2, NDEQ CQSFR Loan for Project No. C317158. RCV; Ayes: Block, Jensen, Nelson. Nays: Nutting. Motion passes.

A discussion was held on the signing of sewer system project contract with Miller & Associates. Chris Miller explained that there is an \$11,000.00 savings as workers were already in Creighton surveying another project, which allowed them to take some of the readings in advance.

Nutting made a motion seconded by Jensen to approve signature of Miller & Associates contract for the sewer system project. RCV; Ayes: Block, Jensen, Nelson, Nutting. Nays: None.

Miller explained that The Wigen Company has been out cleaning the water plant filters. Wigen's has suggested putting calibration meter on the filters to be sure the correct anti-scalent is being

used. This will cost approximately \$100. After a short discussion it was decided we should do this and no motion was needed this expense is part of keeping the system running properly, and served as an updated only for city council.

Discussion was held on hiring The Wigen Company to do a semi-annual cleaning of the water plant filters on a regular reoccurring basis that will be documented in a contract. If we sign an agreement they will supply part of the chemical at a discount. Questions were asked and answered. Council asked ASCT to gather more details of this contract with The Wigen Company for cleaning and to put it on next month's regular Council Meeting Agenda.

ACT Parnell-Rowe explained the need for specifying dugouts, bleachers, the field archway and scoreboard in the EMC Property Insurance. They are currently covered in open air coverage. Parnell-Rowe will get an estimate and double check that these items are not already covered with Baseball Association. This estimated increase will be shared with council by email prior to implementation. No action is needed at this time.

A recommendation was made by the Board of Park Commissioners to consider free admissions for June 19th during BerryPepper Days and July 8th during Relay of Life. Food, games, and prizes are to be provided by the event coordinators. A discussion was held and questions were asked and answered.

Nelson made a motion seconded by Nutting to approve the recommendation as presented by the Board of Park Commissioners above. RCV; Ayes: Block, Jensen, Nelson, Nutting. Nays: None.

A recommendation was made the Board of Park Commissioners for rates for the swimming pool in 2016. ACT Parnell-Rowe distributed a letter to city council regarding the proposed fee for class coordinators from Ashley Brookhouser. Questions were asked and answered.

Nelson made a motion seconded by Nutting to waive the \$40.00 class fee as recommended by Board of Park Commissioners and have the instructor pay a \$3 entry fee and for any manager and lifeguards needed. RCV; Ayes: Block, Jensen, Nelson, Nutting. Nays: None.

Nutting made a motion seconded by Jensen to approve swimming pool fees 1-4 as recommended by the Board of Park Commissioner. RCV; Ayes: Block, Jensen, Nelson, Nutting. Nays: None.

Mayor Patrick read aloud the Board of Park Commissioners recommended wages for the 2016 Pool and Park Employees. There was a lengthy discussion where questions were asked and answered.

Jensen made a motion seconded by Nelson to approve the Board of Park Commissioners recommended wages for 2016 Pool and Park employees. RCV; Ayes: Block, Jensen, Nelson, Nutting. Nays: None.

Council will be sending how the concessions are to be handled back to the Board of Park Commissioners for review and discussion.

Discussion was held on payment of NENEDD. This administrative fee payment is covered by the DTR Grant.

Block made a motion seconded by Jensen to approve signature of request of funds for NENEDD Payment. RCV; Ayes: Block, Jensen, Nelson, Nutting. Nays: None.

Chief Mark Duncan gave a Creighton Police Report in writing as he was unable to attend the meeting.

ACT Parnell-Rowe gave the Administrator Report.

Council Member MaryAnne Block explained that the letter she added to the water bills had a typo in it. Block further explained that utility bills need to be paid by the 30th of the month they go out per ordinance and that there is no payment plans. Block advised she was sorry for the mistake and misunderstanding.

Mayor Patrick advised he did not have a Mayor Report.

Mayor Patrick advised council needed to go into executive session to discuss pending litigation.

Nelson made a motion seconded by Jensen to go into executive session reference pending litigation. RCV; Ayes: Block, Jensen, Nelson, Nutting. Nays: None.

At 8:50 p.m. council went into executive session. Council Member Nutting was asked to leave with public due to conflict of interest in the pending litigation.

Council came out of executive session at 9:01 p.m. The public was allowed back into council chambers. Council Member Nutting had left City Hall.

All business complete, Block made a motion to adjourn. Jensen seconded the motion. Block, Jensen, and Nelson were in favor. Nutting was absent. Council adjourned at 9:02 p.m. Meeting of this date held pursuant to published notice in The Creighton News, Creighton, Nebraska. The next regular meeting of the Mayor and Council will be held on Thursday, April 14, 2016 in the meeting room of the Creighton City Offices at 809 Main Street, Creighton, Nebraska at 6:30 p.m.


MAYOR

ATTEST

CITY CLERK
(SEAL)

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