

**CITY OF CREIGHTON, NEBRASKA
MINUTES OF COUNCIL MEETING
Thursday, December 13, 2018**

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 13th day of December, 2018, at 6:30 p.m. Present were: Council members Bob Jensen, Steve Morrill, Drew Nelson (arrived at 6:52 p.m.), Mike Nutting, Mark Ripp (new council member); Administrator/Clerk/ Treasurer (ACT) Lindsay Nelson; Deputy Clerk Ronda York; City Attorney Joe McNally, Water Commissioner Kevin Sonnichsen, Sewer Commissioner Alan Novacek, Officer Tiffany McLean, City Engineer Chris Miller, and Library Director Lisa Macke. Absent: Mayor Chris Patrick

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 all members of the City Council, and a copy of their acknowledgment of receipt of notice and the agenda is attached to these minutes. Mayor was given notice before the meeting. 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 Council President Steve Morrill at 6:30 p.m. Morrill presided, and Deputy Clerk York recorded the proceedings.

The Pledge of Allegiance was recited by those in attendance.

Morrill 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.

Morrill opened the One- & Six-Year Hearing at 6:32 p.m. Morrill then turned the meeting over to Chris Miller, City Engineer. Miller explained what is on the city's current One-&Six-Year Plan. Questions were asked and answered. The meeting will be left open until later in the meeting.

Morrill asked if there were any public comments on items not on the agenda. No comments were brought up.

Morrill advised agenda items 7 & 8 will be moved to be handled after agenda item 14.

Morrill asked if any boards had reports.

Board reports given.

Jensen made a motion seconded by Morrill to approve the minutes from Regular Meeting November 8, 2018 meeting minutes. RCV; Three Ayes. Nelson Absent.

Nutting made a motion seconded by Jensen to approve additional bills paid since November 9, 2018. RCV; Three Ayes. Nelson Absent.

Jensen made a motion seconded by Morrill to approve December 2018 bills. RCV; Two Ayes. Morrill abstained from Creighton Plumbing bill and aye on all other bills. Nelson Absent.

Nutting made a motion seconded by Jensen to approve all expenditures for November 2018. RCV; Three Ayes. Nelson Absent.

Jensen made a motion seconded by Nutting to approve receipts for November 2018. RCV; Three Ayes. Nelson Absent.

Nelson arrived at 6:52 p.m.

McNally reappointed Councilman Morrill and appointed new Councilman Mark Ripp. Morrill and Ripp read their oath of office.

Nutting stepped down for council table at 6:55 p.m. and Ripp took his spot at the table.

Morrill advised it was time to elect a City Council President. He asked for nominations. Jensen nominated Morrill seconded by Nelson. There were no more nominations.

Jensen made a motion seconded by Nelson to retain Morrill as Council President. RCV; All Ayes.

McNally read the Mayor's following appointments: Lindsay Nelson as City Administrator/Clerk/Treasurer; Joe McNally as City Attorney; Dr. Douglas Laflan as City Physician; Mark Duncan as City Police Chief; Midwest Bank as City Depository; Chris Miller of Miller & Associates as City Street Superintendent; and Chris Miller of Miller & Associates as City Engineer. A short discussion was held.

Nelson made a motion, seconded by Morrill, to approve the Mayor's appointments as read. RCV; All Ayes.

ACT Nelson and York explained Resolution 2018-5 to apply unpaid utility bills to owner's property taxes. McNally read Resolution 2018-5 aloud. Questions were asked and answered.

Jensen made a motion seconded by Ripp to approve Resolution 2018-5 to apply unpaid utility bills to owner's property taxes. RCV; All Ayes.

McNally read Resolution 2018-6 declaring 1993 Topkick GMC Truck as Surplus Property. Question were asked and answered.

Morrill made a motion seconded by Jensen to approve Resolution 2018-6 declaring 1993 Topkick

GMC Truck as Surplus Property. RCV; All Ayes.

Morrill asked if there were any more questions reference the One- & Six-Year Plan. There were non. Morrill closed the One- & Six-Year Hearing at 7:02 p.m.

Jensen made a motion seconded by Ripp to approve Resolution 2018-7 to adopt the 2019 One- and Six-Year Street Improvement Program as presented. RCV; All Ayes.

Discussion was held reference city owned property at 706 Main. ACT Nelson advised the city paid \$150 for the property. Questions were asked and answered.

Morrill made a motion seconded by Jensen to get bids to demolish, remove derby, and fill in the hole of building at 706 Main. RCV; All Ayes.

Discussion was held ref parking at Creighton Housing Authority (CHA). Jon Wagner explained what CHA is thinking to handle a residence oversized handicap vehicle. Questions were asked and answered.

Morrill made a motion seconded by Jensen to have city staff and Jon Wagner handle resizing a parking spot to handle a residence oversized handicap vehicle. RCV; All Ayes.

ACT Nelson explained two SDL's from St Ludgers Church. Questions were asked and answered.

Ripp made a motion seconded by Jensen approve a request for Special SDL St. Ludger Church/ School at St Ludger Social Hall for March 2, 2019 & March 3, 2019. RCV; All Ayes.

Ripp made a motion seconded by Morrill a request for Special SDL St. Ludger Church/ School at St Ludger Social Hall for June 21, 2019 & June 22, 2019. RCV; All Ayes.

ACT Nelson read invoices included in CDBG 15-DTR-106 drawdown #19 for project activity in the amount of \$ 3,551.25 and explained at this time there are no fees due for general administration. Questions were asked and answered.

Jensen made a motion seconded by Nelson to approve payment of invoices included in CDBG 15-DTR-106 drawdown #19 for project activity in the amount of \$ 3,551.25. RCV; Three Ayes. Ripp abstained.

McNally asked if Council wanted to go into executive session prior to discussing authorization of funds to settle claim of Rosemary Davis.

Ripp made a motion seconded by Nelson to go into executive session reference litigation. RCV; All Ayes.

Council went into executive session with all council at 7:24 p.m.

As council was leaving the room Nutting said he thinks it is a conflict of interest to bail out someone's ass and Jensen should not be allowed in the executive session.

After council was in executive session Nutting requested ACT Nelson take a paper to McNally in the executive session that Nutting felt McNally needed. ACT Nelson took paper, knocked on executive door and gave paper to McNally.

Council came out of executive session at 7:30 p.m.

McNally read and explanation of funds to settle claim of Rosemary Davis that has been received from the insurance company. McNally advised the city will have to pay \$25,000 out of city funds and the insurance company will be paying \$105,000 making the total settlement \$130,000. Questions were asked and answered.

Morrill made a motion seconded by Ripp to approve for payment of \$25,000 to Rosemary Davis in settlement of her claim as set forth in the federal court lawsuit filed against the city, which combined with a payment agreed to by the cities' insurance carrier in the amount of \$130,000 will settle the claim in full an result in a release of the city and dismissal of the suit. RCV; Three Ayes. Jensen abstained.

Officer McLean gave a Creighton Police Report.

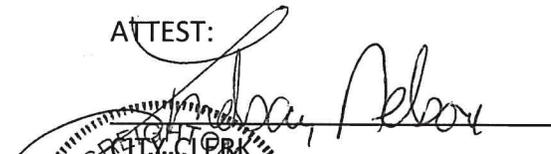
ACT Nelson gave an Administrator Report.

Jensen gave a Council members Report.

All business complete, Ripp made a motion to adjourn, Morrill seconded the motion. All present in favor. Council adjourned at 7:40 p.m. Meeting of this date was 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, January 10, 2019 in the meeting room of the Creighton City Offices at 809 Main Street, Creighton, Nebraska at 6:30 p.m.


COUNCIL PRESIDENT

ATTEST:



CITY OF CREIGHTON
(SEAL)
KNOX COUNTY
NEBRASKA