

**MINUTE RECORD FOR CITY OF ALMA**  
**REGULAR CITY COUNCIL MEETING**  
**October 19, 2016**

A meeting of the City Council of the City of Alma, Nebraska was held at the Office of the City Clerk in said city on Wednesday, the 19th day of October, 2016 at 5:30 p.m.

Present were Council Members Tom Moulton, Randy Stahlecker, Mike Clements, Jon Davis, and Mayor Haeker. Also present were: Administrator Doug Wilson, Attorney Doug Walker, Superintendent Russ Pfeil, Treasurer Lorri Bantam, and Clerk Lori Tripe. Notification of this meeting was given in advance by posting, a designated method for giving notice. Advance notice of the meeting was given to the Mayor and all members of the City Council. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor and Council. All proceedings hereinafter were taken while the convened meeting was open to the attendance of the public.

Mayor Haeker advised the public of the Open Meetings Act which is posted on the east wall of the meeting room, and then proceeded to call the regular meeting of October 19, 2016, at 5:30 p.m. and the following business was transacted:

Roll Call: Tom Moulton-present, Mayor Haeker-present, Randy Stahlecker-present, Mike Clements-present, and Jon Davis-present. Motion made by Clements seconded by Moulton to determine this meeting as previously publicized, duly convened and in open session. There being no discussion upon the motion made and upon roll call vote, the following voted yes: Clements, Moulton, Stahlecker and Davis. Voting No: None. Motion carried.

Mayor Haeker opened the floor to the October 5, 2016, regular meeting minutes. Motion made by Moulton seconded by Clements to approve the October 5, 2016 regular meeting minutes as presented. There being no discussion and upon roll call vote, the following voted yes: Moulton, Clements, Davis and Stahlecker. Voting No: None. Motion carried.

Mayor Haeker opened the floor to discuss the claims and invoices for the period of October 6, 2016 through October 19, 2016 for a total of \$57,844.22. Treasurer Bantam noted payments for budget preparation, pool related attorney fees of \$4,378.00 and new tires for the sanitation truck. Motion by Stahlecker, seconded by Moulton to approve the October 6, 2016 through October 19, 2016 claims as presented for a total amount of \$57,844.22. There being no further discussion upon the motion made and upon roll call vote, the following voted yes: Stahlecker, Moulton, Clements, and Davis. Voting No: None. Motion carried.

Mayor opened the floor to discuss the treasurer's report. Treasurer Bantam informed the Council the report is the fiscal year end.

Bantam said the auditors will be here tomorrow and should just be here one day.

Bantam told the Council the on-line utility bill can be made to look like the new billing statements for a fee of \$100.

She also wanted to discuss with the Council the transaction fee that is associated with a customer paying their utility bill on-line. Currently the customer is charged 3% of their utility bill plus a \$.35 transaction fee. She checked with Asyst and the fees can be billed to the City. Currently a customer can call the City office with a credit card and customer doesn't pay a transaction fee, it is paid by the City. Bantam would like the Council to consider having the City cover the fee for the on-line payment as well. It would allow customers to pay their bill on-line at their convenience and not have to wait for the office to open. The Clerk will put the item on the agenda for the next Council meeting.

Motion made by Moulton, seconded by Davis to approve the treasurer's report as presented. There being no further discussion upon the motion made and upon roll call vote, the following voted yes: Moulton, Davis, Clements, and Stahlecker. Voting no: None. Motion carried.

Mayor stated the Public Hearing regarding the proposed new subdivision has been postponed until a later date.

Mayor opened the floor to consider and possibly approve Resolution 1-2017, to file a mowing lien against Justin Snyder's property located at 211 Kennedy. As discussed at the 10.5.16 council meeting, Justin Snyder has not responded to any attempt by the City to contact him regarding a weed nuisance at his 211 Kennedy property. The City hired a mowing service to abate the nuisance. An invoice was mailed to Mr. Snyder with mail being returned with no forwarding address. The City would like to file a lien against the property so that if and when the property sells, the City will be paid. Motion made by Moulton, seconded by Clements to approve Resolution 1-2017 as follows:

WHEREAS; the City of Alma declared that a nuisance exists on the property located at 211 Kennedy in the City of Alma;  
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Alma, Nebraska on August 2, 2016; and

WHEREAS; the City of Alma sent a Notice to Abate the nuisance to the property owner, Justin Snyder, by United States Mail, and posted Notice on the property on August 2, 2016, as required by Alma Municipal Code Section 130-13. The City further notified the property owner that if he did not comply with the order to abate and remove the nuisance or object to the City's determination that his property was a nuisance by August 9, 2016, that the City would proceed with having the work done to abate the nuisance and levy any cost or expense associated with said abatement work as a special assessment lien against the property; and

WHEREAS; the property owner, Justin Snyder, did not make any improvements to the property so that the nuisance would be abated and did not request an appeal with the City of Alma; and

WHEREAS; the City of Alma hired Sod's Lawn Service to mow the overgrown weeds and grasses in order to abate the nuisance; and

WHEREAS; the City of Alma submitted an Invoice in the amount of \$267.50 to the owner, Justin Snyder, on August 12, 2016 for costs in hiring Sod's Lawn Service and also mailed a letter to the property owner on September 14, 2016 regarding the unpaid Invoice; and

WHEREAS; the legal description for this real property is as follows:

Lots One (1), Two (2), Three (3), and Four (4), and the East Half (E1/2) of Lot Five (5), Block Three (3), First Addition to Alma, Harlan County, Nebraska.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ALMA, NEBRASKA AS FOLLOWS:

1. That the costs of mowing the above referenced property in the amount of \$267.50 should be levied as a Special Assessment against the real estate with a street address of 211 Kennedy and a legal description as follows:  
Lots One (1), Two (2), Three (3), and Four (4), and the East Half (E1/2) of Lot Five (5), Block Three (3), First Addition to Alma, Harlan County, Nebraska.
2. That the Special Assessment shall be sent to the Harlan County Treasurer and the Harlan County Clerk so that a lien will be placed on the above referenced real estate.

There being no further discussion and upon roll call vote the following voted yes: Moulton, Clements, Davis and Stahlecker. Voting no: None. Resolution 1-2017 was approved.

Mayor then opened the floor to consider and possibly approve Ordinance 2017-1 – Naming and Numbering of Streets. Attorney Walker said City Code did not have specific instructions for annexation, so this ordinance would help clarify the naming and numbering of streets for the future.

Council Member Jon Davis introduced Ordinance Number 2017-1 entitled as follows:

**AN ORDINANCE OF THE CITY OF ALMA, NEBRASKA REGARDING THE NAMING AND NUMBERING OF STREETS; REPEALING ALL PRIOR ORDINANCES OR PARTS IN CONFLICT WITH THIS ORDINANCE AND PROVIDING FOR AN EFFECTIVE DATE;**

And moved that the statutory rule requiring reading on three different dates be suspended. Council member Randy Stahlecker seconded the motion to suspend the rules and upon the motion, the following Council Members voted yes: Davis, Stahlecker, Moulton and Clements. The following voted No: None. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule was declared suspended for consideration of this ordinance.

Ordinance 2017-1 was then read by title and thereafter Council Member Randy Stahlecker moved for final passage of the ordinance and said motion was seconded by Council Member Tom Moulton. The Mayor then stated the question, "Shall Ordinance Number 2017-1 be passed and adopted?" Upon roll call vote, the following Council Members voted: Davis-yes, Moulton-yes, Clements-yes and Stahlecker-yes.

The passage and adoption of this ordinance having been concurred in by a majority of all members of the Council Minutes 10.19.16

Council, the Mayor declared the ordinance adopted; and the Mayor in the presence of the City Council signed and approved the ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto and ordered the ordinance to be published in pamphlet form as provided herein. True and complete copy of this ordinance is attached hereto and incorporated by reference.

Mayor then opened the floor to consider and possibly approve Ordinance 2017-2 – Amend the Speed Limit for the New Alma City Limits per Ordinance 70.28. The day after the last Council meeting, the City received word from NDOR that a study had been done for the highways in the city limits and it revealed that indeed the speed limits needed to be changed. NDOR requested the City set the speed limits by Ordinance and then they would make the changes. Ordinance 2017-2 amends the speed limits to match the results of their study. Wilson said this is a step in the right direction. The City will work with NDOR to place a flashing sign that lets incoming traffic know what their speed is and the speed limit (similar to what Cambridge has).

Council Member Mike Clements introduced Ordinance Number 2017-2 entitled as follows:

**AN ORDINANCE OF THE CITY OF ALMA, NEBRASKA ESTABLISHING SPEED LIMITS FOR U.S. HIGHWAY 136 AND U.S. HIGHWAY 183 WITHIN THE CITY OF ALMA, NEBRASKA; REPEALING ALL PRIOR ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE AND PROVIDING FOR AN EFFECTIVE DATE;**

And moved that the statutory rule requiring reading on three different dates be suspended. Council Member Randy Stahlecker seconded the motion to suspend the rules and upon the motion, the following Council Members voted yes: Clements, Stahlecker, Davis, and Moulton. The following voted No: None. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule was declared suspended for consideration of this ordinance.

Ordinance 2017-2 was then read by title and thereafter Council Member Tom Moulton moved for final passage of the ordinance and said motion was seconded by Council Member Mike Clements. The Mayor then stated the question, "Shall Ordinance Number 2017-2 be passed and adopted?" Upon roll call vote, the following Council Members voted: Tom Moulton-yes, Mike Clements-yes, Randy Stahlecker-yes and Jon Davis-yes.

The passage and adoption of this ordinance having been concurred in by a majority of all members of the Council, the Mayor declared the ordinance adopted; and the Mayor in the presence of the City Council signed and approved the ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto and ordered the ordinance to be published in pamphlet form as provided herein. True and complete copy of this ordinance is attached hereto and incorporated by reference.

The Mayor opened the floor to declare the month of October "Domestic Violence Awareness Month" and said he had signed a proclamation on October 5<sup>th</sup>, 2016 as he does every year. The City has approved the proclamation many different ways, by motion and by stating it at a City Council meeting. The Council could choose how they wanted to handle it. Motion made by Davis, seconded by Clements to declare October Domestic Violence Awareness Month. There being no further discussion, the following voted yes: Davis, Clements, Stahlecker and Moulton. Voting no: None. Motion carried.

The Mayor opened the floor for administrator comments. Wilson reviewed sanitation department numbers with the Council again. He said the numbers show income has increased over the past 3 years and the expenses have decreased for the same period. The loan that was taken out to start the new trash service will be paid off on January 28, 2018. The current payments are around \$6500 a month or around \$78,000 annually. 60% of that payment is for the truck and curb-tender. So in a little over a year, when the loan is paid in full, the City could expect to show approximately \$30,000 less in expenses (about 40% of the annual loan payment). At that time, the City could put the other 60% of the annual loan payment or \$48,000 towards the purchase of another truck and/or trade in the existing truck or keep the truck and purchase a new curb-tender. He and Russ Pfeil are looking at the different options and hope to have numbers and a recommendation for the Council well before that decision needs to be made. It was also mentioned that when the City started the new trash service, the City kept the rate the same as what South Central Sanitation was charging minus the fuel surcharge and they haven't changed it yet. At any rate, Administrator Wilson does not feel the City needs to increase trash rates at this time.

Wilson said the City heard from the Corp of Engineers regarding the force main project and they have Council Minutes 10.19.16



requested a few more details. He has passed that information on to Miller & Associates.

In regards to the airport terminal building project, Wilson is waiting to hear back from Hackel Construction concerning some finishing touches. There was also an issue with the door locks and a bad window. Pella has been here to inspect the window today and are planning on replacing it. Wilson also checked the locks while he was at the airport today and believes the door lock issue has been resolved.

On November 1<sup>st</sup> at about 1:30, Alma's Code Red will run a test on our database in an effort to clean out old phone numbers and update the database.

Mayor opened the floor for open comments.

Councilman Moulton said he has had several people talk to him about Division Street on the north of the railroad tracks. The road is in very bad shape. Wilson said he would talk with Tim Burgeson who is with Harlan County Department of Roads to see what can be done.

Clerk Tripe said the pool slide donation ad was printed in the paper on October 6, 2016 and to date no additional donations have been made.

Tripe also asked the Council to look over a sample print of what the City's newsletter could look like if printed by the Harlan County Journal. The print quality is not as good as the one the City prints but it has a lot more print area than what the current newsletter requires. A decision to go ahead and try the Harlan County Journal was made and if the Council isn't happy with it, we can always try another route.

Councilman Clements said he noticed the Doug Macke Drive sign is gone. Russ Pfeil said he would check into it.

At 6:22 pm Councilman Davis made a motion to go into executive session to discuss concerns about RV Park personnel, seconded by Clements. There being no further discussion and upon roll call vote the following voted yes: Davis, Clements, Moulton and Stahlecker. Voting no: None. Motion to go into executive session was approved.

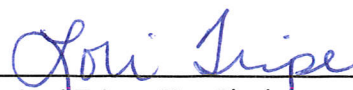
Motion made by Clements, seconded by Stahlecker to reconvene regular meeting at 6:50 pm. There being no further discussion and upon roll call vote the following voted yes: Clements, Stahlecker, Moulton and Davis. Voting no: None. Motion to reconvene was approved.

Motion made by Stahlecker seconded by Clements to adjourn. There being no discussion upon the motion made and upon roll call vote, the following voted yes: Stahlecker, Clements, Moulton, and Davis. Voting No: None. Motion carried. Meeting adjourned at 6:51 pm.

  
Hal Haeker, Mayor

I the undersigned Clerk hereby certify that the forgoing is a true and correct copy of the proceedings had and done by the Mayor and Council; that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the office of the Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advanced notification of the time place and of said meeting and the subjects to be discussed at said meeting.



  
Lori Tripe, City Clerk

**ORDINANCE NO. 2017-2**

**AN ORDINANCE OF THE CITY OF ALMA, NEBRASKA ESTABLISHING SPEED LIMITS FOR U.S. HIGHWAY 136 AND U.S. HIGHWAY 183 WITHIN THE CITY OF ALMA, NEBRASKA; REPEALING ALL PRIOR ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE AND PROVIDING FOR AN EFFECTIVE DATE.**

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

**SECTION 1. U.S. HIGHWAY 136 / U.S. HIGHWAY 183.** Fifty (50) miles per hour from 850' north of the NKCR railroad tracks to 750' north of Meyer Street and Thirty-Five (35) miles per hour from 750' north of Meyer Street to Meyer Street.

**SECTION 2. U.S. HIGHWAY 136.** Thirty-Five (35) miles per hour from US-183 to Division Street and Twenty (20) miles per hour during the school year from Division Street to Lincoln Street during the following times:

Monday-Friday	8:00AM to 8:30AM
Monday-Friday	11:00AM to 1:00PM
Monday-Friday	2:30PM to 4:00PM

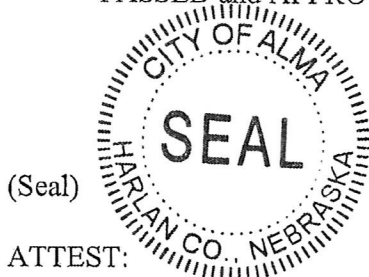
Thirty-Five (35) miles per hour at all other times; Thirty-Five (35) miles per hour from Lincoln Street to Cumberland Street and Fifty (50) miles per hour from Cumberland Street to County Road O.

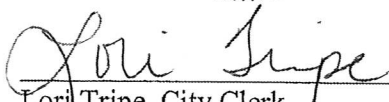
**SECTION 3. U.S. HIGHWAY 183.** Thirty-Five (35) miles per hour from Meyer Street to South Street.

**SECTION 4. REPEAL OF CONFLICTING ORDINANCES.** That all Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

**SECTION 5. EFFECTIVE DATE.** That this Ordinance shall become effective and be in full force from and after its passage, approval, and publication as required by law.

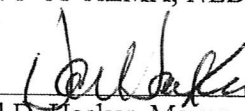
PASSED and APPROVED this 19<sup>th</sup> day of October, 2016.



  
Lori Tripe, City Clerk

CITY OF ALMA, NEBRASKA

By:

  
Hal D. Haeker, Mayor