

MINUTE RECORD FOR CITY OF ALMA
REGULAR CITY COUNCIL MEETING
June 20, 2022

A meeting of the City Council of the City of Alma, Nebraska was held at City Hall on Monday, the 20th of June 2022, at 5:30 p.m.

Present were Council Members: Dyann Collins, Chris Tripe, Larry Casper, and Mayor Hal Haeker. Absent: Tom Moulton. Administrator Lorri Bantam, City Treasurer CeeAnn Affolter, City Utility Superintendent Russ Pfeil, and City Attorney Doug Walker were also in attendance. Notification of this meeting and the agenda was given in advance by posting, a designated method for giving notice. Advance notice of the meeting and the agenda was given to the mayor and all members of the City 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 posted on the east wall of the meeting room, and then proceeded to call the regular meeting of June 6, 2022, at 5:36 p.m. and the following business was transacted:

Roll call: Tom Moulton-absent, Dyann Collins-present, Larry Casper-present, Chris Tripe-present, and Mayor Haeker-present. Motion made by Tripe, second by Casper to determine this meeting as previously publicized, duly convened and in open session. There being no further discussion upon the motion made and upon roll call vote, the following voted yes: Casper, Collins, and Tripe. Voting no: None. Motion carried.

Mayor opened the floor to approve the minutes of the June 6, 2022, regular council meeting. Motion made by Collins, second by Tripe to approve the minutes of the June 6, 2022, regular council meeting. There being no further discussion upon the motion made and upon roll call vote, the following voted yes: Collins, Tripe, and Casper. Voting no: None. Motion carried.

Mayor opened the floor to discuss the claims and invoices. Motion by Tripe, second by Collins to approve the claims and invoices from June 7, 2022, through June 20, 2022, for a total of \$115,730.59. There being no further discussion upon the motion made and upon roll call vote, the following voted yes: Collins, Casper, and Tripe. Voting no: None. Motion carried.

Mayor opened the floor to discuss the Treasurer's report. Motion by Collins, second by Casper to accept the Treasurer's report as presented. There being no further discussion upon the motion made and upon roll call vote, the following voted yes: Collins, Casper, and Tripe. Voting no: None. Motion carried.

Mayor opened the Public Hearing at 5:42 to discuss a change to the official Zoning Map of Planning Jurisdiction to rezone property at 905 Kauk from R-2 Residential to C-2 Commercial per recommendation from the Planning Commission. No written or verbal opposition to the change was received. Motion by Collins, second by Casper to close the Public Hearing at 5:45 p.m.

Mayor opened the floor to Ordinance 2022-33. Motion by Collins to introduce Ordinance 2022-33 an Ordinance of the City of Alma, Nebraska, to revise the City Zoning map to change the zoning of the real estate with a street address of 905 Kauk Avenue and which has a legal description of Lots 4, 5, and the North Fifty Feet of Lot 6, Block 3, Kauk Meyer Addition to the City of Alma, Harlan County, Nebraska,; to harmonize with state law; to repeal all Ordinances of parts of Ordinances in conflict with this Ordinance; and to provide for an effective date and moved that the statutory rule requiring reading on three different dates be suspended. Council Member Casper seconded the motion that the statutory rule requiring three different dates be suspended. A roll call vote was then taken on the motion; the following Council Members voted yes: Collins, Casper, and Tripe. 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. This ordinance was then read by title and thereafter Council Member Casper moved for final passage of these ordinances and said motion was seconded by Council Member Collins. The mayor then stated the questions, "Shall Ordinance Number 2022-33 be passed and adopted?" Upon roll call vote, the following Council members voted yes: Collins, Casper, and Tripe. Voting no: None. The passage and adoption of this ordinance has 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

Acting City Clerk attested the passage and approval of the ordinance and affixed her signature thereto and ordered the ordinance to be published as provided by law.

Mayor opened the floor to Ordinance 2022-34. Motion by Casper to introduce Ordinance 2022-34 an Ordinance of the City of Alma, Nebraska, amending Section 411.09 of the City Zoning Regulations to establish the maximum height of structures in the R-1 Residential District at a maximum of 35 feet; to harmonize with state law; to repeal all Ordinances of parts of Ordinances in conflict with this Ordinance; and to provide for an effective date and moved that the statutory rule requiring reading on three different dates be suspended. Council Member Tripe seconded the motion that the statutory rule requiring three different dates be suspended. A roll call vote was then taken on the motion; the following Council Members voted yes: Collins, Casper, and Tripe. 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. This ordinance was then read by title and thereafter Council Member Collins moved for final passage of these ordinances and said motion was seconded by Council Member Tripe. The mayor then stated the questions, "Shall Ordinance Number 2022-33 be passed and adopted?" Upon roll call vote, the following Council members voted yes: Collins, Casper, and Tripe. Voting no: None. The passage and adoption of this ordinance has 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 Acting City Clerk attested the passage and approval of the ordinance and affixed her signature thereto and ordered the ordinance to be published as provided by law.

Mayor opened the floor to Ordinance 2022-35. Motion by Tripe to introduce Ordinance 2022-35 an Ordinance of the City of Alma, Nebraska, to creating the definition of a shop/house otherwise known as a shouse or Barndominium; to harmonize with state law; to repeal all Ordinances of parts of Ordinances in conflict with this Ordinance; and to provide for an effective date and moved that the statutory rule requiring reading on three different dates be suspended. Council Member Casper seconded the motion that the statutory rule requiring three different dates be suspended. A roll call vote was then taken on the motion; the following Council Members voted yes: Collins, Casper, and Tripe. 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. This ordinance was then read by title and thereafter Council Member Casper moved for final passage of these ordinances and said motion was seconded by Council Member Tripe. The mayor then stated the questions, "Shall Ordinance Number 2022-33 be passed and adopted?" Upon roll call vote, the following Council members voted yes: Collins, Casper, and Tripe. Voting no: None. The passage and adoption of this ordinance has 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 Acting City Clerk attested the passage and approval of the ordinance and affixed her signature thereto and ordered the ordinance to be published as provided by law.

Mayor opened the floor to discuss/approve the appointment of Denise Wickham to the Housing Authority Board. Councilman Tripe thought this was a good appointment as Denise served at the administrator of the Housing Authority for numerous years. Motion by Tripe, second by Casper to approve the appointment of Denise Wickham to the Housing Authority Board. There being no further discussion upon the motion made and upon roll call vote, the following voted yes: Collins, Casper, and Tripe. Voting no: None. Motion carried. Mayor opened the floor to approve Ordinances 2022-36 thru 2022-45 to update the Municipal Code Book due to State Law changes for 2019 thru 2022. Council Member Chris Tripe introduced Ordinances Number 2022-36 through 2022-45 entitled as follows: **ORDINANCE NO. 2022-36** AN ORDINANCE OF THE CITY OF ALMA, NEBRASKA RELATING TO REQUIREMENTS FOR POLL WATCHERS; TO HARMONIZE WITH STATE LAW; TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; AND TO PROVIDE FOR AN EFFECTIVE DATE. **ORDINANCE NO. 2022-37** AN ORDINANCE OF THE CITY OF ALMA, NEBRASKA RELATING TO SPECIAL ELECTIONS; TO HARMONIZE WITH STATE LAW; TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; AND TO PROVIDE FOR AN EFFECTIVE DATE. **ORDINANCE NO. 2022-38** AN ORDINANCE OF THE CITY OF ALMA, NEBRASKA RELATING TO SALE OF TOBACCO AND CIGARETTES; CHANGING LEGAL AGE TO BUY; TO HARMONIZE WITH STATE

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LAW; TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; AND TO PROVIDE FOR AN EFFECTIVE DATE. **ORDINANCE NO. 2022-39** AN ORDINANCE OF THE CITY OF ALMA, NEBRASKA RELATING TO USE OF TOBACCO AND CIGARETTES; CHANGING LEGAL AGE TO USE; TO HARMONIZE WITH STATE LAW; TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; AND TO PROVIDE FOR AN EFFECTIVE DATE. **ORDINANCE NO. 2022-40** AN ORDINANCE OF THE CITY OF ALMA, NEBRASKA RELATING TO INSPECTIONS OF RETAIL LICENSEES AND BOTTLE CLUB LICENSES; ADDING PROVISIONS ALLOWING INSPECTIONS OF CHARTER BUSES; TO HARMONIZE WITH STATE LAW; TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; AND TO PROVIDE FOR AN EFFECTIVE DATE. **ORDINANCE NO. 2022-41** AN ORDINANCE OF THE CITY OF ALMA, NEBRASKA RELATING TO THE READING AND PASSAGE OF ORDINANCES, RESOLUTIONS, ORDERS, AND BYLAWS; TO HARMONIZE WITH STATE LAW; TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; AND TO PROVIDE FOR AN EFFECTIVE DATE. **ORDINANCE NO. 2022-42** AN ORDINANCE OF THE CITY OF ALMA, NEBRASKA RELATING TO PUBLIC PARTICIPATION AT MEETINGS OF PUBLIC BODIES; TO HARMONIZE WITH STATE LAW; TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; AND TO PROVIDE FOR AN EFFECTIVE DATE. **ORDINANCE NO. 2022-43** AN ORDINANCE OF THE CITY OF ALMA, NEBRASKA RELATING TO THE CITY CLERK; TO HARMONIZE WITH STATE LAW; TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; AND TO PROVIDE FOR AN EFFECTIVE DATE. **ORDINANCE NO. 2022-44** AN ORDINANCE OF THE CITY OF ALMA, NEBRASKA RELATING TO CONFLICTS OF INTEREST INVOLVING CONTRACTS; TO HARMONIZE WITH STATE LAW; TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; AND TO PROVIDE FOR AN EFFECTIVE DATE. **ORDINANCE NO. 2022-45** AN ORDINANCE OF THE CITY OF ALMA, NEBRASKA RELATING TO CANDIDATE FILING FORMS AND FILING DEADLINES; TO HARMONIZE WITH STATE LAW; TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; AND TO PROVIDE FOR AN EFFECTIVE DATE; and moved that the statutory rule requiring reading on three different dates be suspended. Council Member Casper seconded the motion that the statutory rule requiring three different dates be suspended. A roll call vote was then taken on the motion; the following Council Members voted yes: Collins, Casper, and Tripe. 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 these ordinances. These ordinances were then read by title and thereafter Council Member Casper moved for final passage of these ordinances and said motion was seconded by Council Member Collins. The mayor then stated the questions, "Shall Ordinances Numbers 2022-36 thru 2022-45 be passed and adopted?" Upon roll call vote, the following Council members voted yes: Collins, Casper, and Tripe. Voting no: None.

The passage and adoption of these ordinances having been concurred in by a majority of all members of the Council, the Mayor declared the ordinances adopted; and the mayor in the presence of the City Council signed and approved the ordinances and the Acting City Clerk attested the passage and approval of the ordinances and affixed her signature thereto and ordered the ordinances to be published as provided by law.

Mayor Haeker opened the floor for the administrator's report. Administrator Bantam informed the Council of the hail damage on April 29th to various city property rooftops. EMC has issued a check for \$43,024.87 and will pay remaining replacement cost when the roofs are repaired. The city auditorium roof was not considered damaged, but the gutter and fascia were. Councilman Tripe recommended that a roofing company look at the roof also to determine damages. She then advised the Council of the increase in diesel for the Sanitation truck and was looking into the budget and whether a fuel surcharge would be advisable. This will be watched in the next few months. She then mentioned the first meeting in July will fall on the 4th and the Council agreed to move the meeting to Tuesday, July 5th. Administrator Bantam did not have any further updates for the Litigation. City Attorney Walker explained that the Courts may look at the case if there has not been any activity for some time to see if it should be dismissed.

Motion to adjourn the meeting made by Tripe, second by Collins. There being no further discussion on the Council Meeting Minutes 6.20.2022.docx

motion made and upon roll call vote, the following voted yes: Casper, Collins, and Mayor Haeker. Voting no: None. Meeting was adjourned at 6:19 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.



Lorri Bantam, Acting City Clerk