ARAPAHOE, NEBRASKA March 21, 2023

The City Council of the City of Arapahoe, Nebraska, met in regular session at the EMCC Council Room at 7:31 P.M. on March 21, 2023, pursuant to notice posted in the city office and published in the Valley Voice. Councilmen present: Middagh, Kreutzer, Monie and Paulsen. Absent: tenBensel & Carpenter. City Staff present: Greg Schievelbein City Superintendent, Dixie Sickels Assistant Clerk.

Mayor Koller presided over the meeting. Visitors present for all or a portion of the meeting were: Bobbi Pettit & Doug Christiansen with 5Rule and via Zoom Jon Thomas. The location of the posted Open Meetings Act was stated. Mayor Koller welcomed all visitors and gave each the opportunity to state their name and the agenda item they wish to speak on.

**Consent Agenda:**

Motion by Councilman Paulsen and second by Councilman Middagh for approval of the following consent agenda:

Minutes: Copy of the Minutes from the March 7, 2023 regular meeting were included in the Council packets.

Building Permit: #2 Elliot & Stefanie Hoefs – new house

Claims: Claims and Payroll for the period March 8, 2023 thru March 21, 2023

|  |  |  |
| --- | --- | --- |
|  | Library |  |
| 100540 | ATC Communications - library phones | 214.27 |
| transfer | Amazon - books | 156.80 |
| 100546 | Camas - meeting notice | 4.41 |
| 100547 | Ingram - books | 957.05 |
| 100548 | Wagner's - supplies | 60.53 |
|  |  | 1,393.06 |
|  | **EXPENSES 3/8/2023 - 3/21/2023** |  |
|  | Payroll March 14, 2023 | 9,734.06 |
|  | EFTPS-Federal Withholding payroll taxes | 2,590.45 |
| 100496-19 | S&W AUTO-supplies | 579.87 |
| 100537 | American Red Cross - swimming lessons | $200.00 |
| 100538 | TVPPD - golf & well power | $1,882.44 |
| 100539 | Verizon - cell phones | 94.16 |
| 100540 | Nebraskaland Distributors - alcohol | 674.33 |
| 100541 | Quality Brands of NP - alcohol | 1,557.15 |
| 100545 | Menards - pothole patch | 754.11 |
| 100549 | American Ag Lab - water testing | 19.50 |
| 100550 | BCBS - employee insurance | 16,374.80 |
| 100551 | Danko Equipment - boots | 362.92 |
| 100552 | L Dettman - amb pay | 122.50 |
| 100553 | E Hoefs - amb pay | 125.00 |
| 100554 | S Hoefs - amb pay | 50.00 |
| 100555 | W Hoefs - amb pay | 205.00 |
| 100556 | M Houser - amb pay | 97.50 |
| 100557 | A Huxoll - amb pay | 50.00 |
| 100558 | F Leising - amb pay | 25.00 |
| 100559 | P Leising - amb pay | 170.00 |
| 100560 | NPPD - O&M Feb | 1,093.56 |
| 100561 | 1 Call Concepts - dig hotline | 3.96 |
| 100562-72 | J Paulsen - amb pay, mileage reimb | 254.82 |
| 100563 | PLIC - employee insurance | 1,245.42 |
| 100565 | B Sisson - amb pay | 10.00 |
| 100566 | B Yeager - amb pay | 35.00 |
| 100568 | Furnas County Court - Robert Duran & Jack Abbott | 66.00 |
| 100569 | L Zodrow - amb pay | 10.00 |
| 100570 | NE Dept Rev - clubhouse sales tax | 25.10 |
| 100571-76 | Debit - supplies & clerk school | 708.13 |
| 100573 | A Schrock - cleaning service | 100.00 |
| 100575 | Arrow Seed - fertilizer & herbicide | 1,821.00 |
| 100577 | NE Dept Roads - service contract | 5,079.10 |
| 100578 | Zoom - meetings | 149.90 |
|  |  | **46,270.78** |

Roll call vote on the consent agenda motion was as follows:

Ayes: Paulsen, Kreutzer, Monie, Middagh

Nays: None

Abstain: Middagh from 100496-19 for $579.87 and Paulsen from 100562-$254.82

Absent and Not Voting: tenBensel & Carpenter.

Mayor Koller declared the motion carried.

C**ITY REPORTS:**

City Superintendent: gave report.

City Clerk/Treasurer gave report.

VPR update: properties with unpaid fees can have liens put on.

ED: RBDG grant from USDA submitted, CCCFF grant for theater submitted.

Nuisance: 1011 7th is not in blighted area. Will do study to expand blight.

Committee Reports

Golf: JP replaced 1 porta, moved 1 and added 1 additional porta

Baseball & Softball has had sign ups.

Finance: wage increases were discussed and changes recommended

Motion by Councilman Kreutzer and second by Councilman Middagh to approve the incremental minimum wage increases as required by the State and those incremental increase will be reflected for others wages for time worked.

Roll Call to Vote was as follows:

Ayes: Monie, Middagh, Paulsen, Kreutzer

Nays: None

Abstain:

Absent and Not Voting: tenBensel & Carpenter.

The Mayor declared the motion carried.

**Unfinished Business:**

Motion by Councilman Kreutzer and second by Councilman Middagh to approve Hein Construction Quote along with the $25,000 for gravel for the project.

Roll Call to Vote was as follows:

Ayes: Middagh, Paulsen, Kreutzer, Monie

Nays: None

Abstain:

Absent and Not Voting: tenBensel & Carpenter.

The Mayor declared the motion carried.

**New Business:**

**RESOLUTION 2023-08**

**RESOLUTION TO FILE NOTICE OF SPECIAL ASSESSMENT AND LIEN AGAINST PROPERTIES FOR VIOLATION OF VACANT PROPERTY REGISTRATION ORDINANCE**

The Mayor and City Council of the City of Arapahoe, Nebraska (collectively “Council”), in regular session assembled at the City Office in Arapahoe, Nebraska, on this 21st day of March, 2023, hereby resolve as follows:

WHEREAS, the Council previously adopted Ordinance No. 2020-03 on the 9th day of June, 2020, enacting provisions relating to the registration of vacant properties within the City consistent with the Vacant Property Registration Act (Neb. Rev. Stat. § 19-5401 *et seq*.);

WHEREAS, the Council previously passed Resolution 2020-10 on the 9th day of June 2020, appointing Five Rule, LLC, a Nebraska Limited Liability Company, as Program Administrator of the City’s Vacant Property Registration Program (“VPR Program”);

WHEREAS, the owner of a vacant property registered with the VPR Program is required to pay an initial registration fee in the amount of $250.00 for a residential property and $1,000.00 for a commercial property, with said fee becoming due 180 days after the property’s initial registration with the VPR Program pursuant to Neb. Rev. Stat. § 19-5406 and Section 152.05(3) of the Municipal Code of Arapahoe, Nebraska;

WHEREAS, unpaid VPR Program registration fees shall become a lien against the applicable property upon the recording of a notice of such lien in the office of the Register of Deeds of Furnas County, Nebraska, pursuant to Neb. Rev. Stat. § 19-5407(2) and Section 170.152.07 of the Municipal Code of Arapahoe, Nebraska;

WHEREAS, the owners of certain vacant properties located within the corporate limits of the City have been registered with the VPR Program for more than 180 days and have failed to pay the initial registration fee. The date of initial registration, property type, and legal description of each vacant property whose owner has failed to pay the initial registration fee is more specifically described in Exhibit “A,” attached hereto and incorporated herein by reference.

NOW, THEREFORE, the Mayor and City Council of the City of Arapahoe, Nebraska, in consideration of the foregoing recitals, hereby adopt the following Resolution:

RESOLVED, that the Program Administrator be and hereby is directed to file a notice of special assessment and lien for unpaid initial registration fees against each residential and commercial property described in Exhibit “A” in the office of the Register of Deeds of Furnas County, Nebraska.

BE IT FURTHER RESOLVED, that the notice of special assessment and lien to be filed by the Program Administrator with the office of the Register of Deeds of Furnas County, Nebraska, shall substantially comply with the Notice of Special Assessment and Lien attached hereto as Exhibit “B” and incorporated herein by reference.

PASSED AND APPROVED this 21st day of March, 2023.

CITY OF ARAPAHOE, NEBRASKA

By:

John E Koller, Mayor

Attest:

Donna Tannahill, City Clerk

**Exhibit “A”**

|  |  |  |
| --- | --- | --- |
| LEGAL DESCRIPTION | TYPE | REGISTRATION DATE |
| Lot One (1) and the North Half of Lot Two (2), Block Fourteen (14), Colvin’s First Addition to Arapahoe Furnas County, Nebraska | Residential | November 24, 2020 |
| Lots Ten (10), Eleven (11), and Twelve (12), Block Seventy-seven (77), Original Town of Arapahoe, Furnas County, Nebraska | Residential | October 18, 2020 |
| Lot 12, Block 14, Colvin’s First Addition to Arapahoe, Furnas County, Nebraska | Residential | September 20, 2021 |
| LOT FOUR (4), BLOCK THIRTY-THREE (33), ORIGINAL TOWN ARAPAHOE, FURNAS COUNTY NE | Residential | March 9, 2022 |
| Lots Ten (10), Eleven (11) and Twelve (12), Block Ten (10), Colvin’s First Addition to the City of Arapahoe, Furnas County, Nebraska | Residential | March 23, 2022 |

**Exhibit “B”**

Return to: Kent E.Rauert, NSBA #21068

408 N. Platte, Ste. A

York, Nebraska 68467

**NOTICE OF SPECIAL ASSESSMENT AND LIEN**

Under the authority of Section 152.07 of the Municipal Code of Arapahoe, Nebraska, the City claims a special assessment and lien on the below-described real estate for an unpaid Vacant Property Registration Fee of $3,750.00. This amount is a special assessment and lien against the real estate until it is paid, with interest as set by the applicable statutes of the State of Nebraska, until discharged of record. The real estate referred to and upon which the special assessment and lien is claimed is that certain parcel of land situated within the City of Arapahoe, County of Furnas, State of Nebraska, and more particularly described as follows:

Owner: Stanley and Leatrice Sexton

Legal Description: Lot One (1) and the North Half of Lot Two (2), Block Fourteen (14), Colvin’s First Addition to Arapahoe Furnas County, Nebraska

Itemization of expenses: $250.00

$500.00

$1,000.00

$2,000.00

**$3,750.00 Total**

Dated this 21st day of March, 2023

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Owner: Stephen Jeffcoat

Legal Description: Lots Ten (10), Eleven (11), and Twelve (12), Block Seventy-seven (77), Original Town of Arapahoe, Furnas County, Nebraska

Itemization of expenses: $500.00

$1,000.00

$2,000.00

**$3,500.00 Total**

Dated this 21st day of March, 2023

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Owner: Casey and Andrea Heinen

Legal Description: Lot 12, Block 14, Colvin’s First Addition to Arapahoe, Furnas County, Nebraska

Itemization of expenses: $250.00

$500.00

**$750.00 Total**

Dated this 21st day of March, 2023

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Owner: Christeen Rightnar

Legal Description: LOT FOUR (4), BLOCK THIRTY-THREE (33), ORIGINAL TOWN ARAPAHOE, FURNAS COUNTY NE

Itemization of expenses: $250.00

$500.00

**$750.00 Total**

Dated this 21st day of March, 2023.

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Owner: Rickie and Janice Stagemeyer

Legal Description: Lots Ten (10), Eleven (11) and Twelve (12), Block Ten (10), Colvin’s First Addition to the City of Arapahoe, Furnas County, Nebraska

Itemization of expenses: $250.00

$500.00

**$750.00 Total**

Dated this 21st day of March, 2023

CITY OF ARAPAHOE, NEBRASKA

John E Koller, Mayor

Motion by Councilman Kreutzer and second by Councilman Paulsen to approve Resolution 2023-08

Roll Call to Vote was as follows.

Ayes: Paulsen, Kreutzer, Monie, Middagh

Nays: None

Abstain:

Absent and Not Voting: tenBensel & Carpenter.

The Mayor declared the motion carried.

**ELECTED OFFICIAL COMMENTS.**

Motion by Councilman Monie and second by Councilman Middagh to recommend new CRA member Kreutzer to replace Tangeman.

Roll Call to Vote was as follows: P Mi Mo

Ayes: Paulsen, Middagh, Monie

Nays: None

Abstain: Kreutzer

Absent and Not Voting: tenBensel & Carpenter.

The Mayor declared the motion carried.

There being no further business, the meeting was adjourned by unanimous consent 8:52 p.m.

I, the undersigned, Assistant City Clerk, of the City of Arapahoe, Nebraska, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Council on March 21, 2023 that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the office of the City Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that such agenda items were sufficiently descriptive to give the public reasonable notice of the matters to be considered at the 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 from which the foregoing proceedings have been extracted 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 advance notification of the time and place of said meeting and the subjects to be discussed at said meeting and that a current copy of the Nebraska Open Meetings Act was available and accessible to members of the public, posted during such meeting in the room in which such meeting was held.

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Dixie Sickels, Assistant City Clerk

ARAPAHOE, NEBRASKA March 21, 2023

The Community Redevelopment Authority of the City of Arapahoe, Nebraska, met in regular session at the EMCC Council Room at 8:52 P.M. on March 21, 2023, pursuant to notice posted in the city office and published in the Valley Voice. Committee Members present: Middagh, Monie & Kreutzer. Absent: Carpenter, & tenBensel. City Staff present: Greg Schievelbein City Superintendent, Assistant Clerk Dixie Sickels.

Chairman Middagh presided over the meeting. The location of the posted Open Meetings Act was stated.

New Business:

**COMMUNITY REDEVELOPMENT AUTHORITY OF THE**

**CITY OF ARAPAHOE, NEBRASKA**

**RESOLUTION NO. 2023-07**

(Sale of Certain Real Property)

**A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AUTHORITY OF THE CITY OF ARAPAHOE, NEBRASKA, AUTHORIZING AND APPROVING THE SALE OF CERTAIN REAL PROPERTY.**

RECITALS

1. The Community Redevelopment Authority of the City of Arapahoe, Nebraska (“CRA”) owns certain real estate (as defined in Neb. Rev. Stat. § 76-201) legally described as:

Lot 2, Block 1, Anderson Addition, Arapahoe, Furnas County, Nebraska (the “Property”).

1. The CRA desires to enter into a Real Estate Purchase Agreement, substantially in the form attached hereto as Exhibit “A” (the “Purchase Agreement”), pursuant to which the CRA intends to sell the Property to Williamson Storage, LLC (the “Buyer”).

NOW THEREFORE, BE IT RESOLVED, the CRA hereby approves the sale of the Property to the Buyer and the form of the Purchase Agreement and authorizes the Chairperson and Secretary of the CRA to execute and enter into the Purchase Agreement, execute the Warranty Deed and to take any further actions necessary to effectuate the sale of the Property to the Buyer.

Dated this 21st day of March, 2023.

COMMUNITY REDEVELOPMENT AUTHORITY OF THE CITY OF ARAPAHOE, NEBRASKA

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Chris Middagh, Chairperson

ATTEST:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Donna Tannahill, Clerk

Motion by CRA member Monie and second by CRA member Kreutzer for approval of the following consent agenda:

Roll call vote on Resolution 2023-07 was as follows:

Ayes: Monie, Middagh, Kreutzer

Nays: None

Abstain:

Absent and Not Voting:

Chairman Middagh declared the motion carried.

There being no further business, the meeting adjourned by unanimous consent 8:54 p.m.

I, the undersigned, Assistant City Clerk, of the City of Arapahoe, Nebraska, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Council on March 21, 2023 that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the office of the City Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that such agenda items were sufficiently descriptive to give the public reasonable notice of the matters to be considered at the 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 from which the foregoing proceedings have been extracted 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 advance notification of the time and place of said meeting and the subjects to be discussed at said meeting and that a current copy of the Nebraska Open Meetings Act was available and accessible to members of the public, posted during such meeting in the room in which such meeting was held.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Dixie Sickels, Assistant City Clerk