ARAPAHOE, NEBRASKA April 16, 2024

 The City Council of the City of Arapahoe, Nebraska, met in regular session at the EMCC Council Room at 7:30 P.M. on April 16, 2024, pursuant to notice posted in the city office and published in the Valley Voice. Councilmen present: Middagh, Kreutzer, Paulsen, Carpenter, tenBensel, Polston. Absent: City Staff present: Greg Schievelbein City Superintendent, Assistant Clerk/Treasurer Dixie Sickels

 Mayor Koller presided over the meeting. Visitors present for all or a portion of the meeting were: Joe Stump in chambers and Bobbi Pettit with 5 Rule, Jess Hulbert, Angela Mitchell with Valley Voice all via Zoom. The location of the posted Open Meetings Act was stated. The Mayor welcomed all visitors and gave each the opportunity to state their name and the agenda item they wish to speak on.

Public Hearing for downtown revitalization open at: 7:31

Public Hearing closed at: 7:32

**Consent Agenda:**

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

 Minutes: Copy of the Minutes from the April 2, 2024 regular meeting were included in the Council packets.

 Building Permits: **#**1 Rox’s Garden Delight – Greenhouse

#2 Cakin Care of Business – 40x 64 building for business

#5 Williamson Storage – Building 128x 80 Office, storage and RV storage

#6 Rox’s Garden Delight – 10’x16’ building for office

#7 Adams Construction – 70’x 50’ storage building.

#8 Nelson Hector – fence in back yard 907 9th St

#9 James Maaske – 712 Pine 6’ picket fence in back yard

#10 Dollar General – new pole sign

 Claims: Claims and Payroll for the period April 3, 2024 thru April 16, 2024

|  |  |  |
| --- | --- | --- |
|  | Library |  |
| Transfer | Amazon books and supplies |  |
| 101883 | ATC Library phone |  213.21  |
| 101884 | CAMAS - notices |  5.85  |
| 101885 | Kearney Public Library - mailing fee |  10.00  |
| 101886 | People - subscription |  125.32  |
| 101887 | Jill Snyder - mileage reimb |  53.60  |
| 101888 | Wagner's -supplies |  75.64  |
| 101910 | Ingram - books |  821.26  |
|  |  |  1,304.88  |
|  | **EXPENSES 5/6/2022 - 5/19/2022** |  |
|  | Payroll April 9, 2023 | 10,735.11 |
| 100653 | EFTPS - Federal withholdings | $3,020.68 |
| 101877-929 | Dollar General - clubhouse supplies | $309.00 |
| 101878 | NE Unemployment | $280.19 |
| 101879 | Walmart - supplies | $101.92 |
| 101880 | Square Services - POS system | $60.00 |
| 101881 | Amazon - minute paper | $97.69 |
| 101889 | AMGL - audit |  11,050.00  |
| 101890 | American Ag Lab - testing | $27.56  |
| 101891 | BCBS - insurance |  16,438.70  |
| 101893 | Cakin' Care of Business - final portion of USDA loan |  70,000.00  |
| 101894 | C Carpenter - amb pay |  75.00  |
| 101895 | D & N - repairs |  209.92  |
| 101896 | L Dettman - amb pay |  183.00  |
| 101897 | eBay - covers for pool drains |  375.58  |
| 101898 | Hemelstrand's - supplies |  380.38  |
| 101899 | E Hoefs ambulance pay |  33.00  |
| 101900 | S Hoefs ambulance pay | $191.00 |
| 101901 | W Hoefs ambulance pay |  100.00  |
| 101902 | F Leising - amb pay |  25.00  |
| 101903 | P Leising - ambulance pay |  183.00  |
| 101904 | Midwest Turf - nozzles |  3,798.09  |
| 101905 | J Paulsen - amb pay |  200.00  |
| 101907 | J Schrock - amb pay |  108.00  |
| 101908 | Utility Svc Group - Water tower maint |  3,698.70  |
| 101909 | B Yeager - ambulance pay |  25.00  |
| 101911 | Quality Brands - alcohol |  1,182.00  |
| 101912 | Nebraskaland Distributing - alcohol |  599.60  |
| 101913 | Cambridge Supermarket - ace open house |  24.99  |
| 101914 | Quadiant Leasing - postage machine lease |  200.97  |
| 101915 | Quick Med Claims - ambulance fees |  452.17  |
| 101916 | TVPPD - wells and golf power |  1,581.62  |
| 101917 | CAMAS - notices |  455.51  |
| 101918 | H & L Asphalt - down payment to secure price |  1,000.00  |
| 101919 | Leage of Associated Risk Management – skid steer |  169.03  |
| 101920 | NMC – skid steer annual lease |  8,401.67  |
| 101922 | Johnson Bros. - alcohol |  801.00  |
| 101923 | Republic National - alcohol |  150.10  |
| 101924 | Southern Glazer's - alcohol |  184.44  |
| 101925 | American Red Cross - CPR class |  228.00  |
| 101926 | Atlas Automation - well maint |  850.00  |
| 101927 | Carmen Gutierrez - cleaning svc |  180.00  |
| 101928 | NPPD - O&M |  3,362.45  |
|  | **TOTAL EXPENSES** | **$130,794.96** |

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

 Ayes: Carpenter, Polston, Middagh, Kreutzer, tenBensel, Paulsen

 Nays: None

 Abstain: Paulsen abstain from #101905 for $200

 The Mayor declared the motion carried.

C**ITY REPORTS:**

City Engineer: Jess Hulbert - gave report on design of drain and waiting for Price.

 City Superintendent: gave report.

 City Treasurer: gave report.

**COMMITTEE REPORTS**:

 **Unfinished Business:**

 **New Business:**

City Auditor Joe Stump presented 2022-2023 Audited Financials.

**RESOLUTION NO. 2024-09**

**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 16th day of April,

2024, 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 Vacant Property Registration Act (Neb. Rev. Stat. § 19-5401 *et seq*);

WHEREAS, the Council previously passed Resolution No. 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 City is authorized to collect an initial registration fee of $250.00 for

residential properties registered with the VPR Program and $1,000.00 for commercial properties registered with the VPR Program, with said fee due within 180 days after initial registration pursuant to Neb. Rev. Stat. § 19-5406 and § 152.05 of the Municipal Code of Arapahoe, Nebraska (“Municipal Code”);

WHEREAS, once a property is registered with the VPR Program, the property owner shall be required to pay supplemental registration fees at intervals every six months for as long as the property remains registered with the VPR Program pursuant to Neb. Rev. Stat. § 19-5406(2)(a) and § 152.05 of the Municipal Code (“Municipal Code”);

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 § 152.07 of the Municipal Code;

WHEREAS, certain properties located within the corporate limits of the City have been registered with the VPR Program for more than 180 days and whose owners have failed to pay the initial registration fee. The legal description, initial date of registration, current unpaid VPR registration fee amount, and total unpaid VPR registration fee amount of each residential property is attached hereto as EXHIBIT “A” and is 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 property included in EXHIBIT “A”, in the respective amounts provided, 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 16th day of April, 2024.

CITY OF ARAPAHOE, NEBRASKA

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

John Koller, Mayor

Attest:

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

Donna Tannahill, City Clerk/Treasurer

**RESOLUTION NO. 2024-10**

**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 16th day of April, 2024, 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 Vacant Property Registration Act (Neb. Rev. Stat. § 19-5401 *et seq*);

WHEREAS, the Council previously passed Resolution No. 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 City is authorized to collect an initial registration fee of $250.00 for residential properties registered with the VPR Program and $1,000.00 for commercial properties registered with the VPR Program, with said fee due within 180 days after initial registration pursuant to Neb. Rev. Stat. § 19-5406 and § 152.05 of the Municipal Code of Arapahoe, Nebraska (“Municipal Code”);

WHEREAS, once a property is registered with the VPR Program, the property owner shall be required to pay supplemental registration fees at intervals every six months for as long as the property remains registered with the VPR Program pursuant to Neb. Rev. Stat. § 19-5406(2)(a) and § 152.05 of the Municipal Code (“Municipal Code”);

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 § 152.07 of the Municipal Code;

WHEREAS, certain properties located within the corporate limits of the City have been registered with the VPR Program for more than 180 days and whose owners have failed to pay the initial registration fee. The legal description, initial date of registration, current unpaid VPR registration fee amount, and total unpaid VPR registration fee amount of each residential property is attached hereto as EXHIBIT “A” and is 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 property included in EXHIBIT “A”, in the respective amounts provided, 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 16th day of April, 2024.

CITY OF ARAPAHOE, NEBRASKA

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

John Koller, Mayor

Attest:

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

Donna Tannahill, City Clerk/Treasurer

Motion by Councilman Middagh and second by Councilman Carpenter to move for the passage of Resolutions 2024-09 & 2024-10 imposing liens on properties with unpaid Vacant Property Registry Fees

Roll Call to Vote was as follows:

 Ayes: Paulsen, Carpenter, Polston, Middagh, Kreutzer, tenBensel

 Nays: None

 Absent:

 The Mayor declared motion passed.

Motion by Councilman Middagh and second by Councilman Paulsen to approve adding Pat Osiecki to the Cemetery Board

Roll Call to Vote was as follows:

 Ayes: tenBensel, Paulsen, Carpenter, Polston, Middagh, Kreutzer

 Nays: None

 Absent:

 The Mayor declared motion passed.

Motion by Councilman tenBensel and second by Councilman Kreutzer to approve adding Terry Polston as Golf Course Representative along with Paulsen.

Roll Call to Vote was as follows:

 Ayes: Kreutzer, tenBensel, Paulsen, Carpenter, Polston, Middagh

 Nays: None

 Absent:

 The Mayor declared motion passed.

Motion by Councilman Middagh and second by Councilman Polston to approve the Façade Improvement Grant to Rox’s Garden Delight for $336.50 Claim #101906

Roll Call to Vote was as follows:

 Ayes: Middagh, Kreutzer, tenBensel, Paulsen, Carpenter, Polston

 Nays: None

 Absent:

 The Mayor declared motion passed.

Motion by Councilman Carpenter and second by Councilman tenBensel to approve the House Rehab Grant for Glenda Schutz for $20,000 Claim #101921

Roll Call to Vote was as follows:

 Ayes: Polston, Middagh, Kreutzer, tenbensel, Paulsen, Carpenter

 Nays: None

 Absent:

 The Mayor declared motion passed.

**ELECTED OFFICIAL COMMENTS.**

 There being no further business, the meeting is adjourned by unanimous consent 8:45p.m.

 I, the undersigned, 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 April 16, 2024 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