ARAPAHOE, NEBRASKA January 23, 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 January 23, 2024, pursuant to notice posted in the city office and published in the Valley Voice. Councilmen present: Middagh, Kreutzer, Carpenter, tenBensel, and Paulsen. Absent: Monie. City Staff present: Greg Schievelbein City Superintendent, City Clerk/Treasurer Donna Tannahill.

Mayor Koller presided over the meeting. Visitors present for all or a portion of the meeting were: Bobbi Pettit with Five Rule, Spencer Watson and Matt Faw in chambers as well as Jon Thomas with Svehla Law and via Zoom. 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.

Public Comments:

**Consent Agenda:**

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

Minutes: Copy of the Minutes from the January 9, 2024 regular meeting were included in the Council packets.

Claims: Claims and Payroll for the period January 10, 2023 thru January 23, 2024

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| --- | --- | --- |
|  | **Library** |  |
| 101594 | ATC - Library phone | $ 214.02 |
| 101595 | Demco - supplies | $ 211.95 |
| 101596 | Ingram Lbry Svc - books | $ 1,286.27 |
| 101597 | W Bar Fire Extinguishers - annual svc | $ 64.00 |
| 101598 | Wagner's - supplies | $ 76.98 |
| 101599 | Eakes | $ 115.75 |
|  | **Total Library Expense** | **$ 1,968.97** |
|  |  |  |
|  | **Expenses 1/19/24 to 1/23/24** |  |
|  | Payroll January 16, 2024 | $10,315.20 |
| 101592 | PDF Filler - subscription | $144.00 |
| 101593 | NE Municipal Clerk Institute & Academy - training | $443.00 |
| 101601 | EFTPS - Federal withholdings | $2,943.12 |
| 101600 | BCBS - Jan & Feb Employee insurance | $34,850.84 |
| 101603 | Midwest Turf - knife sharpening | $6,234.74 |
| 101605 | Quadiant - machine lease | $200.97 |
| 101606 | American Ag Lab - water testing | $21.50 |
| 101607 | Bound Tree - ambulance supplies | 1,281.94 |
| 101608 | Colby Carpenter - amb pay | $37.20 |
| 101609 | L Dettman - amb pay | 158.00 |
| 101610 | Dutton Lainson - electric meters | 328.78 |
| 101611 | E Hoefs - amb pay | 58.00 |
| 101612 | S Hoefs - amb pay | 183.00 |
| 101613 | W Hoefs - amb pay | 83.00 |
| 101614 | M Houser - amb pay | 50.00 |
| 101615 | F Leising - amb pay | 12.50 |
| 101616 | P Leising - amb pay | 133.00 |
| 101617 | Midwest Connect - ink for postage machine | 223.00 |
| 101618 | T Monie - amb pay | 50.00 |
| 101619 | Nebraska Rural Water - dues | 300.00 |
| 101620 | J Paulsen - amb pay | 100.00 |
| 101621 | Utility Service - 1/4 fee | 3,698.70 |
| 101622 | W & J Repair - fire truck repairs | 470.74 |
| 101623 | TVPPD - golf & Well water | 1,748.12 |
| 101624 | Debit - fuel and food for Omaha trip | 120.12 |
| 101625 | PLIC - employee ins | 1,281.36 |
| 101626 | BCBS - employee insurance January | 17,425.42 |
| 101627 | Five Rule - 2nd 1/4 Economic Development | 7,800.00 |
| 101628 | Hometown Leasing - Jan lease pymt | 137.22 |
| 101629 | NPPD - December O&M | 1,307.94 |
| 101630 | Power Manager - supplies | 89.31 |
| 101631 | Sargent Drilling - Cla Val | 375.00 |
| 101632 | J Schrock - amb pay | 33.00 |
| 101633 | D Sickels - mileage reimb | 93.80 |
| 101634 | Southern Glaziers - champagne for wedding | 283.20 |
| 101635 | Stryker Sales - Monitor (share cost with grant and FD) | 71,840.66 |
| 101636 | BCBS - Employee Insurance February | 17,425.42 |
| 101638 | Black Hills Energy - gas | 1,000.32 |
| 101639 | TVPPD -December Sub-Transmission | 6,962.32 |
| 101640 | A Schrock - cleaning svc | 100.00 |
| 101641 | Lundeen Isaacson - FD Life Insurance | 1,071.84 |
| 101642 | Landmark - mower | 6,855.00 |
|  | **TOTAL EXPENSES** | **$198,438.33** |

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

Ayes: Kreutzer, Carpenter, tenBensel, Middagh, Paulsen

Nays: None

Abstain: Paulsen - #101620 $100, Carpenter - #101622 $470.74

Absent and Not Voting: Monie

The Mayor declared the motion carried.

C**ITY REPORTS:**

City Superintendent: Gave Report.

City Treasurer: Gave Report.

Economic Development: RVGYF – discussion of Housing

DTR – green team committee – discussing options for planter beds.

Update Rural revolving Loan Grant. USDA. They are still working on.

VPR properties – 811 8th St up for Lien but Attorney came and asked please give 60 days to get sold.

**RESOLUTION NO. 2024-01**

**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 23rd day of January, 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 23rd day of January, 2024.

CITY OF ARAPAHOE,

NEBRASKA

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

Mayor

Attest:

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

Donna Tannahill, City Clerk/Treasurer

**EXHIBIT “A”**

|  |  |  |  |
| --- | --- | --- | --- |
| LEGAL DESCRIPTION | INITIAL REGISTRATION DATE | CURRENT AMOUNT | BALANCE OF UNPAID FEES |
| Lot One (1), Block Seven (7), Colvins First Addition, Arapahoe, Furnas County, Nebraska. | April 11, 2023 | $250 | $250 |

**EXHIBIT “B”**

**NOTICE OF SPECIAL ASSESSMENT AND LIEN**

Under the authority of § 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 Supplemental Registration Fee of $\_\_\_\_\_\_\_\_\_\_\_. 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 Arapahoe, State of Nebraska, and more particularly described as follows:

Owner:

Legal Description:

Itemization of expenses: $\_\_\_\_\_\_\_\_\_\_\_\_\_ (itemized current lien amount(s))

$\_\_\_\_\_\_\_\_\_\_\_\_\_ (prior lien amounts with

reference to filed notice(s))

$\_\_\_\_\_\_\_\_\_\_\_\_\_ **Total Lien**

Motion by Councilman Middagh and second by Councilman Paulsen to move for the passage of Resolution 2024-01 Filing a Lien against 811 8th St and 1011 7th St for non-payment of VPR fees.

Roll Call to Vote was as follows:

Ayes: Paulsen, Middagh, tenBensel, Carpenter, Kreutzer

Nays: None

Absent: Monie

The Mayor declared motion passed.

212 7th St acquired. CRA working with housing committee. Will pay the cost of demolition then new building in 1 year. Right to TIF this. Sell to business owner 1000. TIF up front.

**Mayor Comments:** situation with possible property lines and fence

Motion by Councilman Middagh and second by Councilman Kreutzer to enter into closed session to protect the financial position of the City at 8:18 pm.

Roll Call to Vote on the above motion was as follows:

Ayes: tenBensel, Kreutzer, Carpenter, Paulsen, Middagh

Nays: None

Absent: Monie

The Mayor declared motion passed.

Motion by Councilman Middagh and second by Councilman Kreutzer to come out of closed session to protect the financial position of the City at 8:30 pm.

Roll Call to Vote on the above motion was as follows:

Ayes: tenBensel, Paulsen, Carpenter, Middagh, Kreutzer

Nays: None

Absent: Monie

The Mayor declared motion passed.

If any disputes may need to provide survey to prove property lines. Work with adjacent property owners. Trying to avoid future problems.

**COMMITTEE REPORTS**:

**BUSINESS**

**Unfinished Business:**

**New Business:**

Heidi Thomas & Cathy Bowers inquiring about office space that the City may own. Checking on free office space.

Motion by Councilman Paulsen and second by Councilman Kreutzer to approve the recommendation of Terry Polston to replace Todd Monie on the Council

Roll Call to Vote was as follows:

Ayes: Carpenter, Middagh, Paulsen, tenBensel, Kreutzer

Nays: None

Absent: Monie

The Mayor declared motion passed.

* Motion by Councilman and second by Councilman to approve the quote from Leising, Inc for $12,000 to demo the house at 212 7th St. contact to do inspection and table until another bid.

**ELECTED OFFICIAL COMMENTS.** Vacant lots available for green house. In town. Gave some ideas. Vegetable plants taxable so not a big tax maker.

There being no further business, the meeting adjourned by unanimous consent 9:05p.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 January 23, 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.

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Donna Tannahill, City Clerk