ARAPAHOE, NEBRASKA October 17, 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 October 17, 2023, pursuant to notice posted in the city office and published in the Valley Voice. Councilmen present: Middagh, Paulsen, Monie, Carpenter, and tenBensel. Absent: Kreutzer. City Staff present: Greg Schievelbein City Superintendent, Dixie Sickels Assistant City Clerk.

Mayor Koller presided over the meeting. Visitors present for all or a portion of the meeting were: Matt Faw and Levi Watson and via zoom Bobbi Pettit with 5 Rule, Angela Mitchell with Valley Voice, and Jessica Fisher and with Tri-Valley. 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.

**Consent Agenda:**

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

Minutes: Copy of the Minutes from the October 3, 2023 regular meeting were included in the Council packets.

Claims: Claims and Payroll for the period October 4, 2023 thru October 17, 2023

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| --- | --- | --- |
|  | **Library** |  |
| 101301 | ATC Communications - library phones | 212.09 |
| 101302 | Camas - meeting notification | 13.23 |
| 101303 | Ingram - books | 961.70 |
| 101304 | NE Library Commission - annual fee | 500.00 |
| 101305 | Penworthy - books | 216.78 |
| 101306 | Taste of Home - subscription | 18.00 |
| 101307 | The Pioneer Woman - subscription | $20.00 |
| 101308 | Wagner’s - library supplies | $154.47 |
| 101329 | Jill Snyder - mileage reimbursement | $52.40 |
|  |  | 2,148.67 |
|  |  |  |
|  | **EXPENSES 10/5/22-10/18/22** |  |
|  | Payroll October 10-10 | 11,732.88 |
| 100035 | EFTPS - Federal withholdings | 3,263.57 |
| 101297-11 | TVPPD - Golf Irr - well power and golf power | 3,892.03 |
| 101298-35 | NPPD - September electric - O&M | 92,039.39 |
| 101299 | Quick Med Claims - monthly fee | 201.52 |
| 101300 | Camas - publishing | 579.67 |
| 101312 | C Carpenter - ambulance pay | 25.00 |
| 101313 | Cline Williams - legal documents for loan | 520.00 |
| 101314 | L Dettman - ambulance pay | 70.50 |
| 101315 | Furnas County Clerk - Joint Public Hearing | 289.25 |
| 101316 | E Hoefs - ambulance pay | 8.00 |
| 101317 | S Hoefs - ambulance pay | 70.50 |
| 101318 | W Hoefs - ambulance pay | $108.00 |
| 101319 | M Houser - ambulance pay | $33.00 |
| 101320 | A Huxoll ambulance pay | $50.00 |
| 101321 | T Monie - ambulance pay | $25.00 |
| 101322 | Municipal Chemical - degreaser | $660.00 |
| 101323 | A Schrock - cleaning svc | $100.00 |
| 101324 | J Schrock - ambulance pay | $8.00 |
| 101325 | B Sisson - ambulance pay | $33.00 |
| 101326 | Stryker Sales - svc contract | $356.00 |
| 101327 | Utility Service Company - contract | $3,698.70 |
| 101328 | B Yeager ambulance pay | $25.00 |
| 101330-3 | Nebraskaland - alcohol | $237.80 |
| 101331 | Quality - alcohol | $516.70 |
| 101334 | Gary Schievelbein - inurnments | $300.00 |
| 101336 | BCBS - insurance | $16,374.70 |
| 101337 | Lemmer Fencing - fence at wellfield | $3,406.74 |
| 101338 | Paulsen Inc white rock | $120.00 |
| 101339 | NE Dept of Labor - unemployment | $158.44 |
| 101340 | PLIC - insurance | $1,245.42 |
| 101341 | Sharita Burton - mileage reimbursement | $36.03 |
| 101342 | NDEE - license renewal | $150.00 |
| 101343 | Debit - ambulance tires and balance | $372.55 |
| 101344 | First State Insurance - Surety Bond | $40.00 |
|  | **TOTAL EXPENSES** | **140,747.39** |

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

Ayes: Middagh, tenBensel, Carpenter, Paulsen, Monie

Nays:

Abstain: Monie from Claim #101321 for $25.

Absent and Not Voting: Kreutzer

The Mayor declared the motion carried.

Kreutzer entered meeting 7:36

C**ITY REPORTS:**

City Superintendent: Gave Report.

City Clerk-Treasurer gave the report.

**Committee Reports:**

**Unfinished Business:**

**New Business:**

Motion by Councilman Monie and second by Councilman Carpenter to approve Resolution 2023-30 to file liens on certain vacant properties.

**RESOLUTION NO. 2023-30**

**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 17th day of October, 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 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;

WHEREAS, supplemental registration fees shall be double the previous fee amount, with a maximum supplemental registration fee of ten times the initial registration fee amount pursuant to Neb. Rev. Stat. § 19-5406(2)(a) and § 152.05 of the 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 residential properties located within the corporate limits of the City have been registered with the VPR Program for more six months and whose owners have failed to pay supplemental registration fees. The legal description, registration date, and amount of unpaid fees currently eligible to become a lien on the applicable 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 cause a notice of special assessment and lien in the amount and against each residential property described in EXHIBIT “A” to be filed in the office of the Register of Deeds of Furnas County, Nebraska.

BE IT FURTHER RESOLVED that the notice of special assessment and lien the Program Administrator is to cause to be filed 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 17th day of October, 2023.

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

John Koller, Mayor

WITNESS:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Donna Tannahill, City Clerk/Treasurer

**EXHIBIT “A”**

LEGAL DESCRIPTION INITIAL REGISTRATION CURRENT LIEN AMOUNT

DATE

Lot 12, Block 14, Colvin's First Addition to September 20, 2021 $ 2,000

Arapahoe, Furnas County, Nebraska

And

Lot Four (4), Block Thirty-three (33), March 9, 2022 $ 1,000

Original Town Arapahoe, Furnas County,

Nebraska

And

Lot Ten (10), Eleven (11) and Twelve (12), March 23, 2022 $ 1,000

Block Ten (10), Colvin's First Addition to

the City of Arapahoe, Furnas County,

Nebraska

Roll call vote on the Resolution 2023-30 was as follows:

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

Nays: None

Abstain:

Absent and Not Voting:

The Mayor declared the motion carried.

**ELECTED OFFICIAL COMMENTS.**

There being no further business, the meeting was adjourned by unanimous consent at 8:37 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 October 17, 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