ARAPAHOE, NEBRASKA August 15, 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 August 15, 2023, pursuant to notice posted in the city office and published in the Valley Voice. Councilmen present: Middagh, Paulsen, Kreutzer, Monie, and Carpenter. Absent: tenBensel. City Staff present: Greg Schievelbein City Superintendent, Donna Tannahill City Clerk.

 Mayor Koller presided over the meeting. Visitors present for all or a portion of the meeting were: Karen Flanegan for the golf board and via zoom: Bobbie Pettit and Lowell Schroeder with 5Rule, Jon Thomas with Svehla Law, Angela Mitchell with Valley Voice, and Jessica Fisher and with Tri-Valley. 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 Middagh and second by Councilman Paulsen for approval of the following consent agenda:

 Minutes: Copy of the Minutes from the July 26, 2023 regular meeting were included in the Council packets.

 SDL for the Clubhouse – benefit 9-23-23

 Claims: Claims and Payroll for the period July 27, 2023 thru August 15, 2023

|  |  |  |
| --- | --- | --- |
|  | **July Receipts** |  |
|  | General Receipts |  10,375.16  |
|  | Street & Alley Receipts |  26,025.61  |
|  | Golf Receipts |  28,029.13  |
|  | Park Receipts |  2,445.90  |
|  | Fire Department Receipts |  14,354.80  |
|  | Library Receipts |  1,391.52  |
|  | Medical Receipts |  1,450.00  |
|  | Cemetery Receipts |  1,647.05  |
|  | Local Sales Tax |  28,529.75  |
|  | Electric Receipts |  152,028.13  |
|  | Water Receipts |  36,364.25  |
|  | Sewer Receipts |  8,926.34  |
|  |  |  **$ 311,567.64**  |
|  | **Library Expenses** |  |
| 101101 | ATC - phone |  217.11  |
| 101113 | Camas - publications |  4.41  |
| 101114 | Eakes - supplies |  240.03  |
| 101115 | Ingram Library Svc - books |  876.41  |
| 101116 | Penworthy - books |  199.66  |
| 101117 | Wagner's - supplies |  69.80  |
|  | **Total Library Expenses** |  **1,607.42**  |
|  | **EXPENSES 7/20 - 8/9** |  |
|  | Payroll Aug 1 | $22,105.00 |
| 101047 | EFTPS - Federal withholdings | $5,467.17 |
|  | Payroll Aug 15 | $18,501.23 |
| 101107 | EFTPS - Federal withholdings | $4,733.03 |
| 101027 | Ag Valley - fuel |  1,981.97  |
| 101029 | Daniel Morse - credit balance return |  155.01  |
| 101030-41 | Eakes - supplies |  332.08  |
| 101031 | Hawkins - pool chem |  1,012.26  |
| 101032 | Postmaster - UB Postage | $242.55 |
| 101033 | Tri-Valley - additional transportation | $4,254.00  |
| 101034 | Wagner's - supplies |  412.79  |
| 101035 | Water & Light - city utilities |  5,377.29  |
| 101036 | Aramark - mats & mops |  266.26  |
| 101037 | Bryce Bishop - grave oc |  650.00  |
| 101038 | Cash-Wa - supplies |  3,808.43  |
| 101039 | Crawford Repair - cart rentals |  1,592.50  |
| 101040-65-03 | D & N - repairs |  7,961.28  |
| 101042 | Municipal Supply - meter antennas |  588.37  |
| 101043-56 | S & W - repairs |  253.63  |
| 101044-92 | Schaben Sanitation - July & golf Sanitation |  10,466.81  |
| 101045 | Wagner's - supplies |  60.63  |
| 101049 | Landmark - repairs |  314.30  |
| 101091 | Midwest Turf - repairs |  949.85  |
| 101050-51 | NE Dept of Revenue - sales tax w/h |  10,107.25  |
| 101054 | Wal-Mart - supplies |  51.92  |
| 101055 | Camas - publications |  198.05  |
| 101057-93 | Dollar General - clubhouse supplies |  110.62  |
| 101058-95 | Quality Brands of North Platte - clubhouse supplies |  1,399.85  |
| 101059-94 | Nebraskaland - clubhouse supplies |  449.07  |
| 101060-06 | NPPD - July usage - O&M |  81,241.66  |
| 101061 | Hemelstrand's - supplies |  814.42  |
| 101062-87 | ATC - phones |  901.43  |
| 101063 | American Ag Lab - water testing |  21.50  |
| 101064 | Bryce Bishop - grave oc |  650.00  |
| 101066 | L Dettman - amb pay |  100.00  |
| 101067 | Filament Essential Svc - app and web page |  2,100.00  |
| 101068 | Furnas County Treasurer - monthly fee |  5,666.67  |
| 101069 | E Hoefs - amb pay |  37.50  |
| 101070 | S Hoefs - amb pay |  125.00  |
| 101071 | W Hoefs amb pay |  50.00  |
| 101072 | M Houser - amb pay |  37.50  |
| 101073 | A Huxoll amb pay |  50.00  |
| 101074 | League of NE Municipalities - dues |  2,299.00  |
| 101075 | P Leising amb pay |  50.00  |
| 101076 | One Call Concepts diggers hotline |  15.96  |
| 101077 | J Paulsen amb pay |  100.00  |
| 101078 | Platte Valley Communications - repairs |  1,196.99  |
| 101079 | Quadiant Financial - postage |  58.68  |
| 101080 | RayAnn Roskop - reimb pool supplies |  79.12  |
| 101081 | J Schrock - amb pay |  50.00  |
| 101082 | B Sisson - amb pay |  41.00  |
| 101083 | Sunset Pool Supplies - supplies |  710.58  |
| 101084-100 | TVPPD - golf irr - golf & Well water |  5,243.63  |
| 101085 | Utilities Section - dues |  766.00  |
| 101086 | Aflac - insurance |  142.02  |
| 101088 | Century Link - police phone |  43.43  |
| 101089 | Ring - golf cameras |  107.00  |
| 101099-102 | UPS - water testing postage |  77.45  |
| 101096 | Amanda Schrock - service |  100.00  |
| 101097 | Hometown Leasing - copier leases |  228.47  |
| 101098 | Quick Med Claims - monthly fee |  452.46  |
| 101109 | PLIC - insurance |  1,245.42  |
| 101110 | BCBS Insurance |  16,374.79  |
| 101111 | Cline Williams - professional fees |  1,750.00  |
| 101112 | Urbom Law - 2 dog at large |  539.30  |
| 101118 | Sharita Burton - nuisance mileage reimb |  34.72  |
| 101119 | Midwest Turf - bent sand |  160.00  |
|  | **TOTAL EXPENSES** | **$227,464.90**  |

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

Ayes: Kreutzer, Carpenter, Monie, Middagh, Paulsen

Nays: None

Abstain: Middagh from 101043-56 for $253.63 and Paulsen from 101077 for $100

Absent and Not Voting: tenBensel.

The Mayor declared the motion carried.

C**ITY REPORTS:**

City Superintendent: Gave Report

 City Clerk-Treasurer gave report.

ED: Workforce housing committee: Ward, Dan and John

Motion by Councilman Carpenter and second by Councilman Kreutzer to approve the Grand Administration invoice for $1,750 and the Construction Administration invoice for $2,300.

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

Ayes: Paulsen, Middagh, Monie, Carpenter, Kreutzer

Nays: None

Abstain:

Absent and Not Voting: tenBensel.

The Mayor declared the motion carried.

**Committee Reports:**

Committee: Table for year and see where at.

**Unfinished Business:**

**New Business:**

**Resolution 2023-16**

**Signing of the Municipal Annual Certification of Program Compliance Form**

**Whereas:** State of Nebraska Statues, sections 39-2302, and 39-2511 through 39-2515 details the requirements that must be met in order for a municipality to qualify for an annual Incentive payment for incorporated municipalities, requires an annual certification of program compliance to the Nebraska Board of Public Roads Classifications and Standards, and

**Whereas:** State of Nebraska Statute, section 39-2120 also requires that the annual certification program compliance by each municipality shall be signed by the mayor and shall include a copy of a resolution of the governing body of the municipality authorizing the signing of the certification form.

**Be it resolved** that the Mayor of the City of Arapahoe is hereby authorized to sign the attached Municipal Annual Certification of Program Compliance Form.

Adopted this 15th day of August, 2023 at Arapahoe, Nebraska

**Council Members**:

Chris Middagh Dan Kreutzer John Paulsen

Todd Monie Troy tenBensel Ward Carpenter

Motion by Council Member Paulsen moved the adoption of said resolution. Council Member Monie seconded the Motion. Roll Call to vote was as follows:

Ayes: Monie, Kreutzer, Carpenter, Paulsen, Middagh

Nays:

Abstained:

Absent: tenBensel

Mayor Koller declared Resolution 2023-16 adopted, signed and billed as adopted.

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

 John E Koller, Mayor

Attest:

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

Donna Tannahill, City Clerk

Councilman Middagh introduced the following resolution and moved its adoption.

**RESOLUTION 2023-17**

**SPECIAL EVENT CLOSING OF HIGHWAY 283 FOR HALLOWEEN PARADE**

The City of Arapahoe Council and Mayor assembled in regular session in the Council Room of the Ella Missing Community Center on this 15th day of August, 2023 and hereby resolve as follows:

**WHEREAS,** the City of Arapahoe will assume control of Highway 283 between Milepost 20 and Milepost 21.1 on October 31, 2023 from 4:00 pm to 4:30 pm.

**WHEREAS,** the City of Arapahoe acknowledges the acceptance of the duties set out in LB589 subsection (2) and is in agreement to indemnify, defend, and hold harmless the state from all claims, demands, actions, damages and liability, including reasonable attorney’s fees, which may arise as a result of the special event.

**NOW THEREFORE BE IT RESOLVED,** that the City of Arapahoe will assume control of Highway 283 between Milepost 20 and Milepost 21.1 beginning at 4:00 pm on October 31, 2023.

**NOW THEREFORE BE IT FURTHER RESOLVED,** that the City of Arapahoe will return possession back to the State of Nebraska Department of Roads Division (NDOR) at 4:30 pm on October 31, 2023.

**INTRODUCED AND PASSED THIS 15th DAY OF August, 2023.**

Councilman Carpenter seconded the foregoing motion.

Roll call vote on said Resolution 2023-17 was as follows:

 Ayes: Paulsen, Carpenter, Middagh, Kreutzer, Monie

 Nays:

 Absent and Not Voting:

 The Mayor declared Resolution 2023-17 duly approved.

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

 John E Koller, Mayor

**ATTEST**:

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

Donna Tannahill, City Clerk

Motion by Councilman Kreutzer and second by Councilman Middagh to approve the building incentive program for Northern Estates. This incentive will be given to the first 3 to build at Northern Estates at a rate of $15,000 each.

Roll call vote on said motion was as follows:

 Ayes: Carpenter, Monie, Middagh, Paulsen, Kreutzer

 Nays: none

 Abstain:

 Absent and Not Voting: tenBensel

The Mayor declared the motion carried.

**RESOLUTION 2023-18**

A RESOLUTION TO ALLOW EXPEDITED REVIEWS OF REDEVELOPMENT PLANS, ALSO KNOWN AS MICRO-TIF

WHEREAS, Section 11 of LB 1021, passed by the Nebraska Legislature in 2020 and codified at Neb. Rev. Stat. § 18-2155, permits a governing body of a city to elect by resolution to allow expedited reviews of redevelopment plans;

WHEREAS, redevelopment plans eligible for expedited review under Neb. Rev. Stat. § 18-2155 are exempt from the requirements of Neb. Rev. Stat. §§ 18-2111 to 18-2115 and 18-2116;

WHEREAS, a redevelopment plan is eligible for expedited review under Neb. Rev. Stat. § 18-2155 if:

1. The redevelopment plan includes only one redevelopment project;
2. The redevelopment project involves the repair, rehabilitation, or replacement of an existing structure located within a substandard and blighted area;
3. The redevelopment project is located in a county with a population of less than one hundred thousand inhabitants;
4. The existing structure is at least sixty years old; and
5. The assessed value of the property within the redevelopment project area when the project is complete is estimated to be no more than:
6. Three hundred fifty thousand dollars for a redevelopment project involving a single-family residential structure;
7. One million dollars for a redevelopment project involving a multi-family residential structure or commercial structure; or
8. Ten million dollars for a redevelopment project involving the revitalization of a structure included in the National Register of Historic Places;

WHEREAS, a redeveloper submitting a redevelopment plan for expedited review shall use a standard form developed by the Nebraska Department of Economic Development, which is currently available at <https://opportunity.nebraska.gov/micro-tif/>;

WHEREAS, for any approved redevelopment project that is financed in whole or in part through tax increment financing, the authority shall incur indebtedness in the form of a promissory note issued to the owner of record of the property on which the structure identified in the redevelopment plan is located;

WHEREAS, the tax increment financing permitted for redevelopment plans receiving expedited review is only 10 years, while traditional redevelopment plans can receive the same for 15 years;

WHEREAS, the expedited review process for redevelopment plans is referred to as “Micro-TIF”; and

WHEREAS, Micro-TIF provides a means to repair, rehabilitate, and replace old structures within the jurisdiction of communities in less populated counties.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ARAPAHOE, NEBRASKA:

**Section 1.** Expedited reviews of redevelopment plans that meet the requirements of Neb. Rev. Stat. § 18-2155(2) are hereby authorized and allowed in the City of Arapahoe.

**Section 2.** The expedited reviews authorized in Section 1 above shall consist of the following steps:

* 1. A redeveloper shall prepare the redevelopment plan using a standard form developed by the Department of Economic Development;
	2. The redeveloper shall submit the redevelopment plan to the individual identified in Section 3 below, along with any building permit or other permits necessary to complete the redevelopment project and an application fee of fifty dollars; and
	3. If the submitted redevelopment plan meets the requirements of Neb. Rev. Stat. § 18-2155(2), the redevelopment plan shall be approved within thirty days after submission of the plan.

**Section 3.** The City Clerk is hereby selected as the appropriate employee to conduct expedited reviews pursuant to Neb. Rev. Stat. § 18-2155.

**Section 4.** That all resolutions or parts of resolutions in conflict herewith are hereby repealed.

RESOLUTION PASSED AND ADOPTED THIS 15th day of August, 2023.

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

 John E Koller, Mayor

ATTEST:

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

Donna Tannahill, City Clerk

Motion by Councilman Monie and seconded by Councilman Middagh to approve Resolution 2023-18 allowing for Micro TIF also known as Expedited Reviews of Redevelopment Plans

Roll call vote on the motion was as follows:

 Ayes: Middagh, Kreutzer, Paulsen, Monie, Carpenter

 Nays: none

 Abstain:

 Absent and Not Voting: tenBensel

The Mayor declared the motion carried.

**Resolution No. 2023-19**

Resolution to increase the Sewer minimum charge and sewer rates for the City of Arapahoe

***Whereas,*** the City of Arapahoe proposes a minimum charge increase to $16.50 and a sewer rate increase to .41 for the City of Arapahoe.

***Whereas,*** the governing body of the City of Arapahoe has voted for this rate increase to .41 per 1,000 gallons of water and a minimum charge increase to $16.50.

***Whereas,*** said rate increase would become effective November 1, 2023

***Now, Therefore, Be It Resolved*** by the Mayor and City Council agree to said rate increase.

Dated this 15th day of August, 2023

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

 John E Koller, Mayor

Attest:

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

Donna Tannahill, City Clerk/Treasurer

**Resolution No. 2023-20**

Resolution to increase the water meter rate and water rates for the City of Arapahoe

***Whereas,*** the City of Arapahoe proposes a minimum charge increase to $32.00 and a sewer rate increase to 1.79 for the City of Arapahoe.

***Whereas,*** the governing body of the City of Arapahoe has voted for this rate increase to 1.79 per 1,000 gallons of water and a minimum charge increase to $32.00.

***Whereas,*** said rate increase would become effective November 1, 2023

***Now, Therefore, Be It Resolved*** by the Mayor and City Council agree to said rate increase.

Dated this 15th day of August, 2023

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

 John E Koller, Mayor

Attest:

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

Donna Tannahill, City Clerk/Treasurer

**Resolution No. 2023-21**

Resolution to increase the water rates for the Village of Holbrook

***Whereas,*** the City of Arapahoe proposes a water rate increase to the Village of Holbrook for water that is transferred to them.

***Whereas,*** the governing body of the City of Arapahoe has voted for this rate increase to .95 per 1,000 gallons of water.

***Whereas,*** said rate increase would become effective November 1, 2023

***Now, Therefore, Be It Resolved*** by the Mayor and City Council agree to said rate increase.

Dated this 15th day of August, 2023

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

 John E Koller, Mayor

Attest:

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

Donna Tannahill, City Clerk/Treasurer

**Resolution No. 2023-22**

Resolution to increase the electric meter rate and electric rates for the City of Arapahoe

***Whereas,*** the City of Arapahoe proposes a meter charge increase and an electric rate increase for the City of Arapahoe according to the following rate schedule.

 Residential Winter Summer

 Customer Charge per month-first 50kWh $18.00 $18.00

 Next 450kWh Winter/600kWh Summer .1591 .1652

 Over 450kWh Winter/600kWh Summer .1459 .1520

 Residential All Electric Winter Summer

 Customer Charge per month-first 50kWh $18.00 $18.00

 Next 650kWh Winter/600kWh Summer .1591 .1652

 Over 650kWh Winter/600kWh Summer .0928 .1520

 Commercial Winter Summer

 Customer Charge per month-first 100kWh $31.00 $31.00

 Next 600kWh .1749 .1765

 Next 1000kWh .1749 .1765

 Over 1700kWh .1476 .1542

 Commercial All Electric Winter Summer

 Customer Charge per month-first 100kWh $31.00 $31.00

 Next 600kWh .1749 .1765

 Next 1000kWh .0928 .1765

 Over 1700kWh .0928 .1418

 Sunshine Village Meter #1 1,800 Winter Summer

 Customer Charge per month-first 100kWh $31.00 $31.00

 Next 600kWh .1937 .2009

 Next 1000kWh .1783 .1796

 Over 1700kWh .0858 .1562

 Sunshine Village Meter #2 4,800 Winter Summer

 Customer Charge per month-first 100kWh $31.00 $31.00

 Next 600kWh .1937 .2009

 Next 1000kWh .1783 .1796

 Over 3100kWh Winter/1700kWh Summer .1452 .1562

 Over 4800kWh .0858

 Irrigation Winter Summer

 $ per horsepower $49.00 $49.00

 All kWh’s .1515 .1515

 Commercial Power Winter Summer

 Meter Charge $15.00 $15.00

 First 1000kWh .1360 .1360

 Next 10000kWh .1105 .1105

 Over 11000 .0866 .0866

 Demand Charge $8.67 $21.17

 Municipal Winter Summer

 All kWh’s .0732 .0732

 Municipal Heat Winter Summer

 All kWh’s .0732 .0732

***Whereas,*** the City of Arapahoe by this Resolution will set electric rates and electric meter rates until otherwise amended by the City of Arapahoe

***Whereas,*** said rate increases would become effective November 1, 2023

***Now, Therefore, Be It Resolved*** by the Mayor and City Council agree to said rate increases.

Dated this 15th day of August, 2023

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

 John E Koller, Mayor

Attest:

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

Donna Tannahill, City Clerk/Treasurer

Motion by Councilman Carpenter and seconded by Councilman Kreutzer to approve Resolution 2023-19, Resolution 2023-20, Resolution 2023-21, Resolution 2023-22 increase in Sewer, Water, Holbrook Water and Electric Rates effective November 1, 2023

Roll call vote on the motion was as follows:

 Ayes: Kreutzer, Paulsen, Carpenter, Middagh, Monie

 Nays: none

 Abstain:

 Absent and Not Voting: tenBensel

The Mayor declared the motion carried.

Motion by Councilman Paulsen and second Councilman Kreutzer to approve the 5 Year contract with Tri-Valley Health Systems for the Clinic

 Ayes: Paulsen, Kreutzer, Middagh, Carpenter, Monike

 Nays: none

 Abstain:

 Absent and Not Voting: tenBensel

The Mayor declared the motion carried.

Motion by Councilman Middagh and second Councilman Monie to approve the Annual transfersFrom Electric 297,000 to Sewer 59,0000, Golf 50,000, Park 95,000, Library 93,000

Roll call vote on the motion was as follows:

 Ayes: Monie, Middagh, Paulsen, Kreutzer, Carpenter

 Nays: none

 Abstain:

 Absent and Not Voting: tenBensel

The Mayor declared the motion carried.

**RESOLUTION NO. 2023-23**

**RESOLUTION TO ENGAGE WITH PROFESSIONAL SERVICES**

**TO COLLECT SPECIAL ASSESSMENT**

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 15th day of August, 2023, hereby resolve as follows:

WHEREAS, the Council 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 No. 2020-11 on the 9th day of June, 2020, appointing Five Rule, LLC, as the Program Administrator of the City’s Vacant Property Registration Program (“VPR Program”);

WHEREAS, the property located at 507 4th Street, Arapahoe, Nebraska 68922 was registered with the City’s VPR Program on March 9, 2022. Said property is legally described as follows:

Lot Four (4), Block Thirty-Three (33), Original Town Arapahoe, Furnas County, NE.

The above-described property is a residential property located within the corporate limits of the City of Arapahoe, Furnas County, Nebraska;

WHEREAS, the City is authorized to impose VPR Program registration fees on owners of vacant properties registered with the VPR Program pursuant to Neb. Rev. Stat. § 19-5406 and Section 152.05 of the Municipal Code of Arapahoe, Nebraska;

WHEREAS, a specific itemization of the VPR Program registration fees imposed on the owner of the above-described property since its registry with the City’s VPR Program are as follows:

Initial Registration Fee $250.00

Supplemental Registration Fee $500.00

 **Total $750.00**

 WHEREAS, the owner of the above-described property has failed to pay any VPR Program registration fees since the above-described property was registered with the City’s VPR Program;

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 Council previously passed Resolution No. 2023-08 on March 21, 2023, directing the Program Administrator to record a notice of special assessment and lien in the amount of $750.00 against the above-described property;

WHEREAS, any unpaid VPR Program registration fees became a lien against the above-described property upon the recording of a notice of special assessment and lien in the office of the Register of Deeds of Furnas County, Nebraska, at Book B24, Page 396 – 398;

WHEREAS, the City is authorized to collect special assessments which it levies and to perform all other necessary functions related thereto pursuant to Section 37.24 of the Municipal Code of Arapahoe, Nebraska;

WHEREAS, the office of the Register of Deeds of Furnas County, Nebraska, lists the recorded owner of the above-described property as Christeen Rightnar, deceased;

WHEREAS, the Council requires the services of an attorney to collect the unpaid VPR Program registration fees assessed against the above-described property and perform all other necessary functions related thereto, including the commencement of proceedings under the Nebraska Probate Code;

WHEREAS, Svehla Law Offices, P.C., L.L.O., is experienced in collecting special assessments levied by municipalities as well as the commencement of proceedings under the Nebraska Probate Code;

WHEREAS, the Council requires the professional fiduciary services of a reputable Trust Department to oversee the administration of any proceeding commenced under the Nebraska Probate Code in connection with the City’s collection of unpaid VPR Program registration fees levied against the Property;

WHEREAS, Cornerstone Bank, located in York, Nebraska, has a reputable Trust Department and is experienced in providing professional fiduciary services during the administration of proceedings commenced under the Nebraska Probate Code;

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 Council appoints Svehla Law Offices, P.C. as counsel to aid in collecting the unpaid VPR Program registration fees assessed against the above-described property and to perform all other necessary functions related thereto;

BE IT FURTHER RESOLVED, that the Council appoints the Trust Department of Cornerstone Bank, located in York, Nebraska, as professional fiduciary to oversee the administration of any proceeding commenced under the Nebraska Probate Code in connection with the City’s collection of unpaid VPR Program registration fees levied against the above-described property.

 INTRODUCED AND PASSED THIS 15th DAY OF August, 2023.

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
 John E. Koller, Mayor

ATTESTED TO:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
Donna Tannahill, City Clerk

Motion by Councilman Paulsen and seconded by Councilman Kreutzer to approve Resolution 2023-23 naming Cornerstone Bank as trustee for 507 4th St.

Roll call vote on the motion was as follows:

 Ayes: Monie, Paulsen, Kreutzer, Carpenter, Middagh

 Nays: none

 Abstain:

 Absent and Not Voting: tenBensel

The Mayor declared the motion carried.

Motion by Councilman Carpenter second by Councilman Kreutzer to approve a DTR Business Rehab Grant with $10,000 paid up front and $10,000 upon completion of the project.

Roll call vote on the motion was as follows:

 Ayes: Carpenter, Kreutzer, Monie Middagh, Paulsen

 Nays: none

 Abstain:

 Absent and Not Voting: tenBensel

The Mayor declared the motion carried.

**ELECTED OFFICIAL COMMENTS.**

 There being no further business, the meeting was adjourned by unanimous consent at 9:00 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 August 15, 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.

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

 Donna Tannahill, City Clerk