

All alderman were sworn in by Mayor Leslie King before the council meeting.  
Orville Lippe, Michael Roberts, Lorene Roberts, Laura King and William Atchison

City of Omaha  
Council Meeting  
January 26, 2021

The regular monthly meeting was postponed due to covid exposure. The meeting was called to order by Mayor Leslie King. Roll call: Laura King, Lorene Roberts, Mike Roberts, William Atchison and Orville Lippe. Also present: Troy Burlison/Police Chief, Chris Jamison/Police Sergeant, Bill Melbourne/Police Officer, Dalton Larson/Water Supervisor and Steven Grady/Attorney for the City.

The minutes from the previous meeting were distributed and discussed. Laura mentioned that there was a correction on paragraph five and that is supposed to say Dalton said not Laura. Lorene mentioned that there is a correction on street update and that it is supposed to Lorene not Leslie. Gina mentioned that the corrections will be made. A motion was made by William, seconded by Mike to accept the minutes with the corrections. All in favor. Motion carried. 5/Ayes

The financial reports for the city and water dept. were distributed and discussed. A motion was made by Mike, seconded by William to accept the financial reports for both the city and the water dept. All in favor. Motion carried. 5/Ayes

Police Update:

Troy mentioned that he had started training Bill Melbourne. Mike mentioned that he has not taken the radar class. Troy mentioned that they are not able to get a class. Chris mentioned that there were four tickets written one for no insurance and three for running the red on the school bus and that it is happening across from Home Town Market and that they are running on both stops to pick up and drop off kids. Troy mentioned the ordinance and that he had spoke to allot of people and they said Omaha is 99% better than what it was. Lorene mentioned that Charles needs to move the trailer. Troy mentioned that he thinks it will cause negative results and that does not think that the city should keep after them. Lorene mentioned that mowing season was coming and that the city can ask nicely and that it does not get mowed. Laura mentioned that Peachy and Johnny's place has not had anything done. Gina mentioned that she had talked to Mary and that its been hard to get help with the Covid and now with the cold weather. Laura mentioned pointing fingers because Charles has spent more. Steven mentioned keep moving along to keep it right and that the tickets are the last resort. Troy mentioned that he made calls and that the issue was taken care and that that the lots are so small with no place to have to do business or have a business because there is no room, there is also no room for new business. Troy mentioned that its not perfect by any means.

Troy mentioned that there is a new law House Bill 1197 that will change law enforcement officers in small towns to be full time and the reason is because of towns writing 80 tickets a month and there might be a waiver issued since he mentioned to her that we have RSO and police hours at five hours per week, car had been purchased by him and that he paid for uniforms and also stop to help people that have flat tires and broke down and that its not certified if they write allot of tickets could take them all out of business. Lorene mentioned who was her. Troy mentioned Director Cook. Troy mentioned verbal, written warning and that a ticket is the last resort or jail. Troy also mentioned that Rep. Fortner as him to go speak at small towns to show them how Omaha does it and the commissioner will ask for

a waiver but they need to know how many tickets are written, how many calls, how many the county comes to and community policing here in our community. Troy mentioned that he would need to write up a model policy for small towns. Troy also mentioned that Ron McNair and Mr Fortner said to do what ever needed to be done. Lorene mentioned the certification. Troy mentioned that they 24 certified training hours. Troy also mentioned that Chris Grady is going to start having a monthly chief meeting starting February 2, to help each other and coordinate rural agreement between all the small towns, with a few hours here and there as needed. Troy mentioned that the house bill would require all police chiefs to be elected but there is no one qualified in a small town but the bill is not supposed to pass; everyone would have to be certified. Troy also mentioned that the Police Chief of Harrison to get the DWI classes and then the radar school is the next for training.

Troy mentioned he has a head light out in police car and that he had to drive his own personal car. Troy also mentioned that he has to be in court tomorrow morning because some guy was abusing his girlfriend in the car called and got help. Lorene mentioned affidavit for the trash. Troy mentioned that he has to receive the complaints, a civilian has to come forward. Lorene mentioned that Orville has two complaints to turn in. Troy mentioned that he has to see or someone has to swear to it. Lorene mentioned no trash or couches or they will just keep doing it and that there is two bags of trash and a sofa on the right of way. Mike mentioned protocol. Lorene mentioned that it is on another persons property. William mentioned that the property owner would need to file the complaint. Orville mentioned that its on MacDonald and the city property. Mike mentioned it is the city right of way. Steven mentioned that the City of Omaha can do something if it violates city laws and that the property owner can file a criminal complaint. Mike and Orville both mentioned that there is a 60' right of way. Lorene mentioned that Troy needs to talk to them. Steven mentioned that protocol has be followed that it needs to be done in a city council meeting, not do it out in public on your own. Steven also mentioned that the city immunity with ordinances in place and can not be sued but a council member can if they go out on their own. Steven mentioned that it opens yourself up to liability if done on their own. Steven can not direct the chief on who to prosecute because then he would be liable, the chief and Mayor can decide to ticket someone or can make an ordinance. Troy mentioned that Orville needs to hand it to him. Orville mentioned talking to them. Lorene mentioned to Orville to hand the papers to Troy. Laura mentioned that if no help comes from the person who dumped it then call the property owner. Lorene mentioned that the couch is in the right of way. Troy mentioned not to be singling people out. Lorene mentioned that Orville can talk to them. Troy mentioned for Orville to talk to them but only as a neighbor. Steven mentioned that the council should not talk to them because it could be contiguous, do not put yourself out there where they can do something crazy, send them letters. Lorene mentioned that they knew they weren't suppose to. Steven mentioned the junk trailers at Bergman and how bad they are and that it has to be fair. Laura mentioned double edge sword and that its not a perfect place. Steven mentioned that if there is trash in the yard everyone gets a letter for trash, there were campers and fifteen people did not get letters. Laura mentioned that there are a lot of categories, grass, vehicles, houses that are abandoned they needed categorized. Mike mentioned that everyone got a letter. Troy mentioned that there was 250 people that needed to clean up their grass and that it was a bad situation. Steven mentioned that sending second letter and that the council members better have a nice yard, before this is done, clean it up. Laura mentioned that there was thirteen, ten are done and three did not do it. Troy mentioned that it better than its ever been. Laura mentioned that its confusing. Troy mentioned it being expensive. Laura mentioned making it fair, not just to be fair or just use common sense. Steven mentioned also to be fair. Laura mentioned then what do we do? Steven mentioned Bergman exhausted every avenue then tickets were issued to prod the lady in the right direct with \$11,000.00 in fines. Laura mentioned that no one tries. Steven mentioned that the fines were going to be waived if she would just clean up. Lorene mentioned that they do not have a mess in Alpena. Leslie mentioned that they don't on main street. Laura mentioned that its a gray area. Troy

mentioned if they have tried. Laura mentioned that maybe she is over thinking everything. Steven mentioned \$300.00 for a ticket was it worth it. Troy mentioned having to write the ticket if they do not do it. Troy also mentioned that the only person who can tell him to do that is the Mayor. Lorene mentioned that the city made an ordinance and nothing is being done. Troy mentioned that older people need help , the we will mow their grass or if they need help. Laura mentioned people would be angry. Troy mentioned humanity. Lorene mentioned that property looks nice and one does not. Troy mentioned that he has mowed peoples grass. Mike and Lorene mentioned that they have too. Troy mentioned getting permission. Troy also mentioned that he had been with lots of cities and that this one is good. Lorene mentioned that it has gotten better. Laura thanked Troy for talking to people. Steven mentioned that prosecuting things strictly and at the end of the month \$6,000.00 was spent was it the grass worth it. Mike mentioned leaving affidavit with Gina so Orville can talk to them.

Chris mentioned that everything was great. William and Leslie thanked them.

#### Old Business:

Lorene mentioned talking to Sam, Inland will take the bags and to call them. Leslie mentioned getting the chairs for the shelter, chairs with a cart. Leslie also mentioned that Alpena had wanted the old ones but not any more. Mike mentioned that it would not be over \$1,000.00 with the cart, plastic chairs and 28 chair rack. Mike also mentioned that he wanted to look at it. A motion was made by Mike, seconded by Lorene to get the chairs and cart for the shelter. All in favor. Motion carried. 5/Ayes Mike mentioned looking them over first at Lowes and Menards. Mike also mentioned that after every use of the shelter that the chairs needed to be counted and have name put on the back. Lorene mentioned that the tree and decorations are in the old office. Laura mentioned what to do with them. Gina mentioned that they could be donated. Troy mentioned that they would have to be 501c and that Steve has a list of who can be donated to.

Lorene mentioned that the sink in the woman's bathroom will not run. Dalton mentioned unscrewing the screen.

Lorene mentioned that the dumpster was out in the road by Judy's. Leslie mentioned that it is gone. Lorene mentioned the mattress corner of Hwy 14 and Hwy 65. Lorene also mentioned putting the couch in the dump truck, show that we are helping them out.

Leslie mentioned doing the speed bumps. Mike mentioned get the speed bumps up.

#### New Business:

Leslie mentioned that all the propane leaked out of the fire dept. it was checked and they do not have a leak. Orville mentioned why. Leslie mentioned the gas pipe between the fire station and Peeweess leaking in one of the tees. Orville mentioned doing away with it.

William mentioned ORFA and that Ruben Foreman was the new board member because Rogger Keith went to Kansas.

#### Water Dept. Update:

Dalton mentioned that the tank was done and that the meters are working real good. Mike mentioned new meter for the Methodist Church. Dalton mentioned that he filled it in. Leslie mentioned that it

was filled in. Troy mentioned that it was rough. William mentioned that ORFA wanted map of fire hydrants. Leslie mentioned that he had a hand done one and that he would get it to them. Lorene mentioned the water theft. Leslie mentioned it going to court August 16. Steven mentioned good luck getting a jury trial. Leslie mentioned what would happen. Steven mentioned that it will be continued until they can get a jury trial. Troy mentioned not taking people to jail they don't want them. Steven mentioned that there has been no jury trials since March of 2020 and that there is a years worth of them.

Laura mentioned a customer, that they had a water leak and have not paid. Dalton mentioned that his helper turned it on to activate it. Dalton mentioned that it is theft of water. Mike mentioned that might have to bite the bullet. Steven mentioned not theft of water would have to prove it in court of law. Lorene mentioned just eating the water bill. Steven mentioned that in general it is not theft, did they assume the responsibility for the service, water being used is different. Dalton mentioned that there will be no more use of the backhoe. Laura mentioned wanting customers and billing sheet. Dalton mentioned that the guy knew what he was doing and that it could have been turned on by someone else, pull and marking them is quite a deal. Dalton mentioned 35 shut offs to be pulled and everyone else is being billed. Lorene mentioned not getting water again if its not paid. Lorene also mentioned school water leak being fixed. Laura mentioned water leak. Chris mentioned that it was a septic issue.

Lorene mentioned Robins house across from Orville's. Troy mentioned that he tacked up the paperwork. Lorene mentioned what the next step is. Troy mentioned that he does not know where he is. Lorene mentioned that it is unlivable and uninhabitable and lawn being mowed. Steven mentioned having it mowed, the having it condemned and proving it. Lorene mentioned if Troy was qualified to condemn it. Troy mentioned that if he had an order from the judge and the city would be out of pocket. Steven mentioned small tract. Mike mentioned that is was 100 square feet. Steven mentioned that it would cost \$7,500.00 to clean up and that the City of Harrison spent \$10,500.00 a piece. Gina mentioned all the trash behind it. Lorene mentioned the cost to clean it up and remove the trash. Leslie mentioned that the trash behind Emmett's hotel took three hours and that he could get a bid. Mike mentioned that he is responsible. Lorene mentioned that if we can not get a hold of him then what do we do. Steven mentioned having to find him and get the cost to tear it down and go from there. Troy mentioned that there are services for this situation. Steven mentioned having to put a lien on the property, it can also so be forfeited to the state. Troy mentioned that no one will ever buy it and it can never be used again. Lorene mentioned that the lot would have to sell before the city gets their money back. Troy mentioned Robin will stop paying taxes on it. Troy also mentioned checking the property taxes. Steven mentioned him signing the property over to the town. Lorene mentioned that him not cleaning it up would cause him to get fined. Steven mentioned get deed to the city for \$10.00, \$4,000.00 for deed and \$1,000.00 fees.

Leslie mentioned that the next meeting be the third week on the 15<sup>th</sup> of next month, March will be the 2<sup>nd</sup> week for that meeting and the April will be regular meeting on Monday.

No further business before the council. A motion was made by Lorene, seconded by Laura to adjourn the meeting. All in favor. Meeting adjourned. 5/Ayes

Leslie King/Mayor

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Gina Dunn/Sec./Treas.

