Cozad City Council Meeting November 16, 2026 at 5:30 p.m.
AGENDA

Pledge of Allegiance and Invocation

Roll Call

Public Hearing

Consent Agenda

1) City Council Minutes – November 2

Approval of Claims

New Business

1) Approve Resolution 2026-18 authorizing the signing of the Year-End Certification of the City Street Superintendent by the Mayor
2) Appointment of 2027 City Engineer – Miller & Associates #E-8775
3) Appointment of 2027 Street Superintendent – Chris Miller – Class A #S-1901
4) Ordinance 1589 – Wastewater Changes
5) Ordinance 1590 – Electric Rates Update
6) Ordinance 1591 –Separation of office for Clerk/Treasurer
7) Appoint City Clerk – Brandi Kloepping
8) Appoint City Treasurer – Misty Bussinger
9) Approve Airport Authority – credit card with Waypoint Bank

City Administrator Report

Citizens Comments (Please step up to the microphone)

Adjournment

Next meeting will be Monday, December 7, 2026.

In accordance with Section 84-1412 sub-section eight (8) of the Reissue Revised Statutes of the State of Nebraska 1943, as amended, one copy of all reproducible written material to be discussed is available to the public at this meeting for examination and copying. The Mayor and Council reserve the right to adjourn into closed session as per Section 84-1410 of the Nebraska Revised Statutes.

REGULAR MEETING

A meeting of the Mayor and City Council of Cozad, Dawson County, Nebraska was convened in an open and public session at 5:30 p.m. on Monday, November 2, 2026, in the Council Chambers of the City Office Building at 215 West 8th Street. A copy of the Open Meetings Act is available in the Council Chambers.

Present for the meeting were: City Attorney Jennifer Rowling, Mayor Marcus Kloepping, City Administrator Mike Morgan, City Clerk Brandi Kloepping, Councilmembers Jordan Curtice, Pat Worthman, David Hernandez, Jennifer Howerter, Misty Bussinger.

Also present: Mel Nutt w/ Cozad Local.

Notice of the meeting was given in advance by publishing in the Cozad Local. Advance notice and a copy of the agenda was given to members of the City Council. All proceedings hereafter shown were taken while the meeting was opened to the attendance of the public.

Mayor Kloepping opened the meeting at 5:30 p.m.

Curtice moved, Worthman seconded, to approve the consent agenda which included:
City Council Minutes – October 19 & 26
Building Permit Report - October
Roll call vote: Yea – Hernandez, Howerter, Worthman, Curtice. No – None.

Worthman moved, Hernandez seconded, to approve claims excluding none: 911 CUSTOM LLC - 1332.00-SU, Apptegy, Inc. - 7408.80-EX, BLACK HILLS ENERGY – EX, BLUE TO GOLD, LLC - 495.00-EX, BOARD OF PUBLIC WORKS – 88279.09-EX, Blue Cross Blue Shield of Nebraska - 82647.13-EX, Sandra Brunick - 940.00-EX, COLONIAL LIFE - 4975.42-EX, COZAD DEVELOPMENT CORPORATION - 24843.84-EX, COZAD SERVICES - 155.33-SU, COZAD TELEPHONE COMPANY - 1661.33-EX, Catr Program - 1500.00-EX, Cozad Local / For the Record, LLC – 557.47-EX, DANKO – 621.00-SU, EAKES OFFICE SOLUTIONS – 262.76-SU, EFTPS -15740.73-EX, Mary Edenburn - 682.50-EX, FONTENELLE FOREST - 50.00-EX, FYR - TEK INC - 82.50-SU, Tommy Fischer - 375.00-EX,Grapevine DCJ - 48530.00-SU, Debra J Herbert - 275.00-EX, ISLAND SUPPLY WELDING CO - 21.08-SU, JACK'S WELDING LLC - 249.76-SU, KSO CPA'S P.C. - 4636.00-EX, LOGAN CONTRACTORS SUPPLY INC - 1506.80-SU, Mike Morgan- Consulting - 5645.00-EX, NEBRASKA CHILD SUPPORT - 198.93-EX, NEBRASKA DEPT REVENUE - 2217.20-EX, PAULSEN INC – 2889.36-SU, SAHLING KENWORTH INC -269.53-EX, SONNY'S SUPER FOODS – 78.92-SU, T A S C - 1480.30-EX, TYE & ROWLING, PC LLO – 3877.78-EX, The Lincoln National Life Insurance Comp - 243.69-EX, Tim Ryan - 360.00-EX, ULINE – 7730.01-SU, VILLAGE UNIFORM – 131.01-SU, VOYA FINANCIAL -9155.80-EX, Verizon Wireless - 60.06-EX, Wilson Public Library - 25.97-EX, LAURIE YOCOM - 394.51-EX, Total -323032.75 Roll call vote: Yea – Curtice, Howerter, Hernandez, Worthman. No – None.

Worthman moved, Howerter seconded, to approve application and certificate for payment No. 3 - $141,634.21 for the 12th Street Watermain Project. Roll call vote: Yea – Hernandez, Curtice, Howerter, Worthman. No – None.

Curtice moved, Worthman seconded, to approve the change order no. 2 – final for Midlands Contracting for the 12th Street Watermain. Roll call vote: Yea – Curtice, Hernandez, Worthman. No – None

Worthman moved, Hernandez seconded, to introduce and waive the 3 reading of Ordinance 1588 Street Intersections – No parking zones. Roll call vote: Yea - Howerter, Hernandez, Worthman, Curtice. No – None.

Howerter moved, Curtice seconded, to approve the certificate of substantial completion with Midlands Contracting for the 12th Street Watermain. Roll call vote: Yea –Worthman, Hernandez, Curtice, Howerter. No – None.

Curtice moved, Worthman seconded, to approve the application and certificate payment no. 3 for $288,486.76 for the WRRF Project. Roll call vote: Yea – Howerter, Hernandez, Worthman, Curtice. No – None.

Worthman moved, Hernandez seconded, to approve new members Kylee Strobl and Joey Maack to the Fire Department. Roll call vote: Yea – Curtice, Howerter, Hernandez, Worthman. No – None.

Curtice moved, Howerter seconded to approve Resolution 2026-17 Personnel Manual Updates. Roll call vote: Yea – Worthman, Hernandez, Howerter, Curtice. No - None.

RESOLUTION NO. 2026-17
OF THE
CITY OF COZAD, NEBRASKA

WHEREAS, the City of Cozad has adopted a Personnel Manual to maintain a cohesive personnel program including standard rules and regulations; and

WHEREAS, the City Administrator has made several revisions and essential changes to the latest version of the Personnel Manual and has recommended the adoption of several policies as part of the Personnel Manual; and

WHEREAS, the City Council, having reviewed the recommended revisions and changes, finds them to be appropriate and necessary for the continued effective performance of duties by employees of the City.

BE IT FURTHER RESOLVED that the proposed changes are hereby adopted and will become effective immediately.

BE IT FURTHER RESOLVED that the City Administrator hereby authorized and directed to implement the policies and provisions of the said Personnel Manual in the fairest and most constructive manner possible.

PASSED AND APPROVED this 2nd day of November, 2026.

_____
MARCUS KLOEPPING, MAYOR

ATTEST:
(SEAL)

_____
BRANDI KLOEPPING, CITY CLERK/TREASURER

Administrator Morgan introduced Misty Bussinger as the City Treasurer. He reported that the parking/concrete repairs in front of City Office are finished, but there will be a new streetlight. He mentioned they are looking at a grant for new streetlights downtown. Chlorination in the water after a big project is not unusual, it was suggested not mandated to add it. Morgan stated the city yard is looking nice, and the tree dump is a process. The rolloff dumpster will be on Wednesday only for the winter. Traffic signals on 9th Street by the Post Office will be replaced with flashing stop lights like the 4-way stop on 8th Street. They are transitioning Bellamy still and adding electric to batting cages and at the building at the Paulsen complex. Electric rates will be brought to the next meeting and lining the dumpsters will extend their life.

Mel Nutt stated she would like to invite everyone to the Veteran's Day program at the school at 10:00 am in the Arena on Wednesday, November 11th.

There being no further business, the meeting adjourned at 5:46 p.m.

ATTEST:

_____
Mayor Marcus Kloepping

_____
City Clerk/Treasurer Brandi Kloepping

Do not recreate or revise this document. Revisions and recreations will not be accepted. **Failure to complete and return the necessary documents per instructions will result in your municipality not receiving an Incentive Payment for Calendar Year 2026.** Documents include the Signing Resolution, Year-End Certification(s), and a copy of documentation of the appointment(s) of the City Street Superintendent(s). These must be received at the NDOT **by December 31, 2026.** **RECORD KEEPING**: NDOT recommends that the municipality keep a copy of everything you send to NDOT *(the forms and meeting minutes)* in a separate file for future reference.

RESOLUTION

SIGNING OF THE YEAR-END CERTIFICATION OF CITY STREET SUPERINTENDENT 2026

Resolution No. 2026-18

Whereas: State of Nebraska Statutes, 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; and

Whereas: The State of Nebraska Department of Transportation (NDOT) requires that each incorporated municipality must annually certify (by December 31st of each year) the appointment(s) of the City Street Superintendent(s) to the NDOT using the Year-End Certification of City Street Superintendent form; and

Whereas: The NDOT requires that each certification shall also include a copy of the documentation of the city street superintendent's appointment, i.e., meeting minutes; showing the appointment of the City Street Superintendent by their name as it appears on their License (if applicable), their License Number (if applicable), and Class of License (if applicable), and type of appointment, i.e., employed, contract (consultant, or interlocal agreement with another incorporated municipality and/or county), and the beginning date of the appointment; and

Whereas: The NDOT also requires that such Year-End Certification of City Street Superintendent form shall be signed by the Mayor or Village Board Chairperson and shall include a copy a resolution of the governing body authorizing the signing of the Year-End Certification of City Street Superintendent form by the Mayor or Village Board Chairperson.

Be it resolved that the Mayor ☐ Village Board Chairperson ☐ of _____
(Check one box) (Print Name of Municipality)
is hereby authorized to sign the attached Year-End Certification of City Street Superintendent completed form(s).

Adopted this _____ day of _____ , 20____ at _____ , Nebraska.
(Date) (Month)

City Council/Village Board Members

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

City Council/Village Board Member _____
Moved the adoption of said resolution
Member _____ Seconded the Motion
Roll Call _____ Yes _____ No _____ Abstained _____ Absent
Resolution adopted, signed, and billed as adopted.

Attest:

_____
(Signature of Clerk)

Do not recreate or revise this document. Revisions and recreations will not be accepted. **Copying this form is acceptable; see (3) below**. **Failure to complete and return the necessary documents per instructions will result in your municipality not receiving an Incentive Payment for Calendar Year 2026**. Documents include the Signing Resolution, Year-End Certification(s), and a copy of documentation of the appointment(s) of the City Street Superintendent(s). These must be received at the NDOT **by December 31, 2026**. **RECORD KEEPING**: NDOT recommends that the municipality keep a copy of everything you send to NDOT *(the forms and meeting minutes)* in a separate file for future reference.

Year-End Certification of City Street Superintendent
For Determining Incentive Payment in Calendar Year 2026

Separate forms may be needed to account for the entire year, see (3) below

This Form Covers the Following Period: _____ (Month) ____ (Day), 2026 to _____ (Month) ____ (Day), 2026

(1)(a)** The municipality of _____ (Print name of City or Village) certifies that: _____ (Print name of Superintendent as it appears on license card if applicable) was the appointed City Street Superintendent during the above period. ***IF A NAME IS NOT ENTERED ABOVE (NO APPOINTED CITY STREET SUPERINTENDENT FOR THIS PERIOD), SKIP TO (2) BELOW.

(b) the superintending services of the above listed individual were provided by: *(Check one box)*

☐ Employment with this Municipality

☐ Contract (consultant) with this Municipality

☐ Contract (interlocal agreement) between this Municipality and the following listed Municipality(ies) and/or County(ies)
_____
_____ ,

(c) and the above listed individual **assisted** in the following: *Reference Neb. Rev. Stat. §39-2512*

1. Developing and annually updating a long-range plan based on needs and coordinated with adjacent local governmental units,
2. Developing an annual program for design, construction, and maintenance,
3. Developing an annual budget based on programmed projects and activities,
4. Submitting such plans, programs, and budgets to the local governing body for approval; and
5. Implementing the capital improvements and maintenance activities provided in the approved plans, programs, and budgets,

(d) the above listed individual also served as *(Check all boxes that apply)* *city engineer* ☐ *village engineer* ☐ *public works director* ☐ *city manager* ☐ *city administrator* ☐ *street commissioner* ☐

(e) If the above listed individual is a Licensed City Street Superintendent, enter their Superintendent's License Number S- _____ and Class of License _____ (A or B), and/or

(f) If the above listed individual is a Licensed Engineer in Nebraska, enter their Engineer's License Number E- _____

(2) _____
Signature of Mayor ☐ ***Village Board Chairperson*** ☐ *(Check one box)*

***(3)** If during the calendar year your municipality **(a)** did not have an appointed City Street Superintendent for any portion(s) of the year; or **(b)** had one or more appointed City Street Superintendent(s) that were not licensed for any portion(s) of the year; or **(c)** had one or more appointed licensed City Street Superintendent(s) for any portion(s) of the year, please complete a separate Year-End Certification form for each period. **Copy this form as needed to account for these separate periods.**

(4) The payment amount will be computed based on **(a)** your most recent Federal Census as certified by the Tax Commissioner; **(b)** the number of full calendar months served by the appointed City Street Superintendent who is licensed or exempted from licensure under the Superintendents Act; **(c)** class of license, A or B if applicable; and **(d)** if the appointed City Street Superintendent assisted with the required duties in **(1)(c)** above. *Reference Neb. Rev. Stat. §§39-2302 and 39-2511 through 39-2515.*

(5) Failure to return by December 31, 2026, the Year-End Certification(s), Signing Resolution, and a copy of documentation of the appointment(s) of the superintendent(s) per the instructions will result in your municipality not receiving an Incentive Payment.

Return the completed signing resolution and certification(s), and a copy of the documentation of appointment(s) by December 31, 2026 to:

Highway Local Liaison Coordinator
Boards-Liaison Services Section
Local Assistance Division
Nebraska Department of Transportation
PO Box 94759
Lincoln NE 68509-4759
or email to ndot.blsHelp@nebraska.gov

CITY OF COZAD 100TH MERIDIAN NEBRASKA

TROY FRANZEN
WATER / SEWER COMMISSIONER

215 West 8th / P.O. Box 309
Cozad, Nebraska 69130-0309
Office (308) 784-3907
Cell (308) 529-1938
E-mail troy@cozadbpw.com
www.cozadne.net

Wastewater Ordinance Changes

Council Summary

Prepared by: Troy Franzen, Water/Wastewater Commissioner
Department: Wastewater Department
Date: September 2026

Purpose

- Add daily loading limits in addition to the existing concentration limits.
- All cities have requirements for industrial wastewater, some are more strict, these changes are the minimum requirements and first steps to protecting the treatment facility.

Why Change is Needed

- Excess loading causes a series of problems including; significantly increase power consumption, permit violations, more testing, more staff time.
- The current ordinance only looks at how strong the wastewater is (concentration).
- Total loading depends on both:
  - **How strong the wastewater is**, and
  - **How much wastewater is discharged.**
- A customer could remain below the existing threshold while still sending a very large pollutant load to the treatment facility.

PROPOSED DAILY LOADING LIMITS

Parameter	Proposed Maximum
BOD_5	**225 lbs./day**
TSS	**240 lbs./day**
TKN	**42 lbs./day**
Oil & Grease	**105 lbs./day**

- The proposal identifies the limits as approximately **15% of the treatment facility's maximum treatment capability.**

The intent of the proposed change is **not to unnecessarily restrict wastewater customers or create an unreasonable financial burden**. Rather, the intent is to protect the wastewater treatment facility and ensure that the facility remains capable of providing reliable treatment for all customers.

ORDINANCE NO. 1589

AN ORDINANCE OF THE CITY OF COZAD, DAWSON COUNTY, NEBRASKA, AMENDING SECTION 55.14 OF THE COZAD MUNICIPAL CODE REGARDING HAZARDOUS AND PROHIBITED DISCHARGES; PRELIMINARY TREATMENT, REPEALING ALL ORDINANCES IN CONFLICT HEREWITH, AND PROVIDING FOR AN EFFECTIVE DATE:

BE IT ORDAINED BY THE MAYOR AND CITYCOUNCIL OF THE CITY OF COZAD, DAWSON COUNTY, NEBRASKA.

Section I. That § 55.14 of the Cozad Municipal Code shall be amended to appear as follow:

§ 55.14 HAZARDOUS AND PROHIBITED DISCHARGES; PRELIMINARY TREATMENT.

(A) No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

(1) Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas;

(2) Any waters or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any waste treatment process, constitute a hazard to humans or animals, create a public nuisance or create any hazard in the receiving waters of the sewage treatment plant including, but not limited to, cyanides in excess of two mg/l as CN in the wastes as discharged to the public sewer;

(3) Any waters or wastes having a pH lower than ~~5.5~~ **6**, or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works; and

(4) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers and the like, either whole or ground by garbage grinders.

(1976 Code, § 3-217)

(B) (1) No person shall discharge or cause to be discharged the following described substances, materials, waters or wastes if it appears likely in the opinion of the Superintendent that such wastes can harm either the sewers, sewage treatment process or equipment, have an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property or constitute a nuisance. In forming his or her opinion as to the acceptability of these wastes, the Superintendent will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant and other pertinent factors. The substances prohibited are:

(a) Any liquid or vapor having a temperature higher than 150°F (65°C);

(b) Any water or waste containing fats, wax, grease or oils, whether emulsified or not, in excess of 100 mg/l **and/or 105 lbs/day** or containing substances which may solidify or become viscous at temperatures between 32°F and 150°F (0°C and 65°C);

(c) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor three-fourths horsepower (seventy-six-hundredths hp metric) or greater shall be subject to the review and approval of the Superintendent;

(d) Any waters or wastes containing iron, chromium, copper, zinc and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material

received in the composite sewage at the sewage treatment works exceeds the limits established by the Superintendent for such materials;

(e) Any waters or wastes containing phenols or other taste- or odor-producing substances, in such concentrations exceeding limits which may be established by the Superintendent as necessary, after treatment of the composite sewage, to meet the requirements of state, federal or other public agencies of jurisdiction for such discharge to the receiving waters;

(f) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Superintendent in compliance with applicable state or federal regulations;

(g) Any waters of wastes having a pH in excess of 9.5;

(h) Materials which exert or cause:

1. Unusual concentrations of inert suspended solids (such as, but not limited to, Fuller's earth, lime slurries and lime residues) or of dissolved solids, (such as but not limited to, sodium chloride or sodium sulfate);

2. Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions);

3. Unusual BOD, chemical oxygen demand or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works; and/or

4. Unusual volume of flow or concentration of wastes constituting "slugs", as defined herein.

(i) Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters;

(j) Any waters or wastes having:

1. A five-day BOD greater than 300 parts per million by weight **and/or 225 lbs/day**;
2. Containing more than 350 parts per million by weight **and/or 240 lbs/day** of suspended solids;
3. **Having a TKN of greater than 42 lbs/day;**
4. **Having Oil & Grease greater than 105 lbs/day; or**
5. Having an average daily flow greater than 2% of the average sewage flow of the city, shall be subject to the review of the Superintendent.

(2) Where necessary, in the opinion of the Superintendent, the owner shall provide, at his or her expense, such preliminary treatment as may be necessary to:

(a) Reduce the biochemical oxygen demand to 300 parts per million **and/or 225 lbs/day**;

(b) Reduce the suspended solids to 350 parts per million **and/or 240 lbs/day**;

(c) Reduce TKN to 42 lbs/day;

(d) Reduce Oil & Grease to 105 lbs/day; or

(e) Control the quantities and rates of discharge of such waters or wastes.

(3) Plans, specifications and other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the Superintendent and no construction of such facilities shall be commenced until said approvals are obtained in writing.

(1976 Code, § 3-218)

(C) (1) If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in division (B) above, and which in the judgment of the Superintendent, may have a deleterious effect upon the sewage works, processes, equipment or receiving waters, or which otherwise create a hazard to life to constitute a public nuisance, the Superintendent may:

(a) Reject the wastes;

(b) Require pretreatment to an acceptable condition for discharge to the public sewers;

(c) Require control over the quantities and rates of discharge; and/or

(d) Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of division (H) below.

(2) If the Superintendent permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Superintendent, and subject to the requirements of all applicable codes, ordinances and laws.

(1976 Code, § 3-219)

(D) Grease, oil, and sand interceptors shall be **provided** when, in the opinion of the Superintendent, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients; except that, such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Superintendent and shall be located as to be readily and easily accessible for cleaning and inspection.

(1976 Code, § 3-220)

(E) Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his or her expense.

(1976 Code, § 3-221)

(F) (1) When required by the Superintendent, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling and measurement of the wastes.

(2) Such manhole, when required, shall be accessibly and safely located and shall be constructed in accordance with plans approved by the Superintendent. The manhole shall be installed by the owner at his or her expense, and shall be maintained by him or her so as to be safe and accessible at all times.

(1976 Code, § 3-222)

(G) All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this chapter, shall be determined in accordance with the latest edition of *Standard Methods for the Examination of Water and Wastewater*, published by the American Public Health Association, and shall be determined at the control manhole provided, or upon suitable samples taken at said control manhole. In the event no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb and property. (The particular analyses involved will determine whether a 24-hour composite of all outfalls of a premises is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from 24-hour composites of all outfalls whereas pHs are determined from periodic grab samples.)

(1976 Code, § 3-223)

(H) No statement contained in this chapter shall be construed as preventing any special agreement or arrangement between the city and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the city for treatment, subject to payment therefor, by the industrial concern.

(1976 Code, § 3-224)

(Ord. 629, passed 5-8-1980) Penalty, see § 55.99

Section II. That any ordinance of parts of ordinances in conflict herewith, are hereby repealed.

Section III. This ordinance shall be in full force and effect upon its passage, approval and publication or posting as required by law.

Passed and approved this _____ day of _____, 202__.

_____

Marcus Kloepping, Mayor of the City of Cozad

_____

Brandi Kloepping, Cozad City Clerk

JKEC
JK Energy Consulting, LLC

October 29, 2026

Mike Morgan
Cozad Board of Public Works
211 W. 8th Street
Cozad, NE 69130

RE: Interim Rate Adjustment for January 2027

Dear Mike:

The purpose of this letter is to report on the findings of the City of Cozad, Nebraska, Interim Rate Adjustment analysis. The analysis was prepared by JK Energy Consulting (JKEC) at the request of the City. The purpose of this analysis was to update rates based on changes in projected purchased power costs. This letter provides the cost analysis as well as an updated rate ordinance and rate sheets for review by the Cozad Board of Public Works prior to submitting it to the City Council.

Background

The City purchases its total power supply requirements from Nebraska Public Power District (NPPD). Annual purchased power costs in 2026, based on 2025 billing units were approximately $3.1 million. On January 1, 2027, NPPD plans to increase its rates by approximately 10%. These factors are anticipated to increase purchased power costs for Cozad by approximately $307,000.

JKEC was retained by the City to prepare a cost of service and rate design study with notice-to-proceed issued on October 21, 2026. The planned schedule for the study called for completion in early spring 2027, with implementation of new rates on April 1, 2027. After reviewing the City's financial statements and the proposed NPPD rate change, JKEC is concerned about the financial impact of delaying the implementation of a rate increase until the completion of the rate study. JKEC proposed in its agreement to calculate an Interim Rate Adjustment that would go into effect prior to spring 2027. The purpose of this analysis was to calculate the Interim Rate Adjustment and develop rate changes for each rate class. This report summarizes the analysis completed and provides recommended rates for approval by the City Council.

John A. Krajewski, P.E.
74408 Road 433
Smithfield, Nebraska 68976
402-440-0227
jk@jkenergyconsulting.com
www.jkenergyconsulting.com

Analysis

To prepare the proposed rate adjustment, JKEC collected data from the City and NPPD, including customer data, wholesale cost and usage data, and existing rate schedules. Usage data was used with adjustments for known changes that would likely occur for 2027. The following other key parameters were used to develop the Interim Rate Adjustment:

1. Proposed NPPD rates, effective January 1, 2027, were used to project future purchased power costs for the City.
2. Purchased power costs under existing rates, including the Production Credit Adjustment (PCA) and NPPD credits, in FY 2027 were approximately $2.9 million based on an average of 2024 and 2025 costs.
3. Purchased power costs under the proposed NPPD rate for FY 2027 will be approximately $3.4 million.

Table 1 (see page 3) shows a calculation of the energy rate increase necessary to recover the estimated increase in purchased power of approximately $403,000, as shown on Line 5. The overall rate increase, expressed as a percentage of current revenues, is 8.0% (Line 8).

[Intentionally left blank.]

Table 1
City of Cozad, NE
Calculation of Interim Rate Adjustment - January 2027

A Line No.	B Description	C Amount
1	Projected Revenue - Existing Rates	$ 5,058,311
2	Estimated Power Costs - Existing Rates	$ 2,976,808
3	Estimated Power Costs - NPPD January 2027	$ 3,379,518
4	Interim Recovery Percentage	100.00%
5	Rate Increase/(Decrease) Required - FY 2027	$ 402,710
6	Energy Sales (kWh)	48,760,182
7	Change in Cost ($/kWh)	0.0083
8	Overall Rate Change (%)	8.0%

Notes:

(1) Revenue for calendar year 2026 from billing system report
(2) Average of actual power costs for FY 2024 and FY 2025.
(3) NPPD spreadsheet, full year under new rate
(4) Percentage to include in interim adjustment
(5) (Line 3 - Line 2) x Line 4
(6) Energy sales for calendar year 2025 from NPPD spreadsheet
(7) Line 5 / Line 6
(8) Line 5 / Line 1, rounded to nearest whole percent.

After reviewing the existing rate schedules, particularly the customer charge for residential and general service customers, it was determined that an across-the-board rate increase would be most appropriate and consistent with the likely outcome of the cost of service study. For example, the residential customer charge is $14.80/month. In most recent studies for similar municipal utilities, the cost of service for the customer charge has ranged from $20.00 to $30.00/month.

Table 2 (see page 4) shows the impact of the 8% Interim Rate Adjustment for each rate class. All customers will receive an 8% rate increase from 2025 if their usage remains the same. Table 3 (see page 4) shows the impact for a typical residential customer. Based on current usage patterns and the proposed Interim Rate Adjustment, the typical customer would see an increase in their monthly cost of $8.91 per month.

Table 2
City of Cozad, NE
2027 Electrtic Cost of Service
Proposed Rate Change by Rate Class - January 2027
Interim Rate Adjustment

Line	Rate Class	Revenue Existing Rates	Revenue Proposed Rates	Difference $	Difference %
1	Residential Service	$ 2,322,335	$ 2,508,122	$ 185,787	8.0%
2	Religious & Charitable	86,244	93,143	6,899	8.0%
3	Rural Residential Service	3,842	4,149	307	8.0%
4	General Service	519,573	561,139	41,566	8.0%
5	General Service Demand	1,620,626	1,750,276	129,650	8.0%
6	Large Power	407,956	440,593	32,636	8.0%
7	Area Lighting	897	969	72	8.0%
8	Municipal Service	80,133	86,543	6,411	8.0%
9	Irrigation	16,706	18,042	1,336	8.0%
10	Total	$ 5,058,311	$ 5,462,975	$ 404,665	8.0%

Table 3
City of Cozad, NE
Typical Residential Bill Impact - January 2027
Interim Rate Adjustment

A Line No.	B Description	C Amount
1	Residential Revenue Increase	$ 185,787
2	Total Residential Customers	1,737
3	Typical Residential Bill Adjustment ($/month)	$ 8.91

Proposed Rates

Based on the rate changes shown in Tables 1 and 2, the City's electric rate schedules were updated. Attachment 1 provides the proposed rate ordinance that implements the Interim Rate Adjustment.

Implementation of Rate Changes

Based on the information provided, it is recommended that the City Council adopt the attached rate ordinance to implement the proposed Interim Rate Adjustment. JKEC will

complete the full rate study over the next few months and make a recommendation for a permanent rate change to be implemented on April 1, 2027.

If you have any questions, please contact me.

Sincerely yours,



John A. Krajewski, P.E.
JK Energy Consulting, LLC

Attachment

ORDINANCE NO. 1590

AN ORDINANCE OF THE CITY OF COZAD, DAWSON COUNTY, NEBRASKA, AMENDING SECTION 52.05 OF THE COZAD MUNICIPAL CODE REGARDING MUNICIPAL ELECTRICAL SYSTEM RATES TO PROVIDE FOR NEW RATES AND REGULATIONS, REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY MAYOR AND CITY COUNCIL OF THE CITY OF COZAD, DAWSON COUNTY, NEBRASKA.

Section 1. That §52.05 of the Cozad Municipal Code be amended to appear as follows:

§52.05 Electric Rate Classifications and Service Regulations. All electric consumers shall be liable for the rates provided by Ordinance unless and until the consumer shall, by written Order, direct the Light Commissioner to shut off the electricity in which case consumer shall not be liable thereafter for electrical services until electricity is turned back on again.

The terms of payment and terms and conditions shall apply to the following rate classes: Residential Service (RE), Religious and Charitable (RC), Rural Residential Service (RR), General Service (GS), General Service-Demand (GSD), and Large Power (LP).

TERMS AND CONDITIONS:

1. Usage may be fractionalized on the actual days of service for application of a change in rate or changing from summer to winter or from winter to summer.

2. Service will be furnished under the City's general terms and conditions.

3. Extensions made for service under this classification are subject to the provisions of the City's rules governing extension of service and facilities.

4. The rates may be increased by an amount of any new or increased governmental tax imposed and levied on transmission, distribution, production, or the sale of electrical power.

RESIDENTIAL SERVICE (RE)

AVAILABLE: Within established service area.

APPLICABLE: To single-family residences, individually metered apartments and rooming houses for all domestic purposes when all service is supplied through a single meter. Applicable also to churches whose peak demands do not exceed 25 kW, and whose usage does not exceed 10,000 kWh for two consecutive months. Ratings of individual single-phase motors shall not exceed ten (10) horsepower.

CHARACTER OF SERVICE: AC, 60 Hertz, 120/240 volt, 3 wire, single-phase; or 120 volt, 2 wire. Three-phase service is not available under this rate schedule.

RATE:

Effective Date:	**January 1, 2027**	
	Summer	Winter
Customer Charge, per month	$15.12	$15.12
Energy Charge		
First 700 kWh, per kWh	$0.1142	$0.1142
Excess	$0.1142	$0.0926

MINIMUM BILL: The Customer Charge.

RELIGIOUS AND CHARITABLE (RC)

AVAILABLE: Within established service area.

APPLICABLE: This category shall apply to all entities recognized under the Internal Revenue Code section 501(c)(3) ad to entities which are religious organizations with a dedicated church building exempt from real estate taxes as established by Dawson County, Nebraska.

CHARACTER OF SERVICE: At any of the City's standard distribution voltages, as available.

RATE:

Effective Date:	**January 1, 2027**	
	Summer	Winter
Customer Charge, per month	$15.12	$15.12
Energy Charge		
First 700 kWh, per kWh	$0.1142	$0.1142
Excess	$0.1142	$0.0926

MINIMUM BILL: The Customer Charge.

RURAL RESIDENTIAL SERVICE (RR)

AVAILABLE: Within established service area.

APPLICABLE: To single-family residences, individually metered apartments, and rural schools and churches for lighting, heating and power when all service is supplied through a single meter. Ratings of individual single-phase motors shall not exceed ten (10) horsepower.

CHARACTER OF SERVICE: AC, 60 Hertz, 120/240 volt, 3 wire, single-phase; or 120 volt, 2 wire. Three-phase service is not available under this rate schedule.

RATE:

Effective Date:	**January 1, 2027**	
	Summer	Winter
Customer Charge, per month	$18.36	$18.36
Energy Charge		
First 700 kWh, per kWh	$0.1128	$0.1128
Excess	$0.1128	$0.0912

MINIMUM BILL: The Customer Charge.

GENERAL SERVICE (GS)

AVAILABLE: Within established service area.

APPLICABLE: To any customer for lighting, heating and power purposes where all service is taken through a single meter at one location, and where the customer's monthly peak demand does not exceed 25 kW for three (3) consecutive months, and usage does not exceed 10,000 kWh for two (2) consecutive months Ratings of individual single-phase motors shall not exceed ten (10) horsepower.

CHARACTER OF SERVICE: AC, 60 Hertz, 120 volts or 120/240 volts, single-phase; 120/240 volts or 120/208 volts, or 277/480 volts, three-phase, 4 wire; or at any of the City's standard distribution voltages, as available.

RATE:

Effective Date:	**January 1, 2027**	
	Summer	Winter
Customer Charge, per month	$30.24	$30.24
Energy Charge		
First 2,000 kWh, per kWh	$0.1232	$0.1232
Excess	$0.1232	$0.1016

MINIMUM BILL: The Customer Charge. In case of equipment having abnormally low annual utilization factors or unusual operating characteristics, special minimum charges may be prescribed by the Board of Public Works.

GENERAL SERVICE - DEMAND (GD)

AVAILABLE: Within established service area.

APPLICABLE: To existing customers or to new customers with demands of 25 kW or more, but not exceeding 799 kW, for three (3) consecutive months whose entire requirements are taken through one meter, and whose usage exceeds 10,000 kWh within two (2) consecutive months. Not applicable to resale, stand-by or auxiliary service.

CHARACTER OF SERVICE: AC, 60 Hertz, three-phase, at any of the City's standard voltages (4,160 volts or less) where the service may be supplied by a single power transformation.

RATE:

Effective Date:	**January 1, 2027**	
	Summer	Winter
Customer Charge, per month	$86.40	$86.40
Demand Charge		
Non-Interruptible, per kW-month of billing demand	$18.36	$11.88
Interruptible, per kW-month of billing demand	$7.56	$11.88
Energy Charge		
Non-Interruptible, per kWh for all usage	$0.0596	$0.0531
Interruptible, per kWh for all usage	$0.0587	$0.0576

RATCHET: 57.0% of Summer On-Peak Demand. Ratchet is waived for Interruptible customers.

MINIMUM BILL: The Demand Charge, but not less than $432.00.

DETERMINATION OF BILLING DEMAND: The billing demand shall be the greater of 1 or 2 below:

1. The highest measured demand (corrected for power factor if required) during any fifteen (15) minute period occurring in the current billing period.

2. Fifty-seven percent (57%) of the highest measured on-peak demand (corrected for power factor if required) during any fifteen (15) minute period occurring in the summer season of the preceding eleven (11) months.

INTERRUPTIBLE CUSTOMERS: Demand customers may qualify for the interruptible demand rate upon execution of a written contract with the City agreeing to curtail one hundred percent (100%) of their specified load upon thirty (3) minutes notice from City, and until the City notifies customer that they may resume normal operations. If determination is made that the customer did not curtail operations and subsequently

contributed to the City's peak demand and costs, customer shall be placed on the firm General Service Demand (GSD) rate immediately for a minimum of twelve (12) months.

DURATION OF INTERRUPTION: The City expects, but does not guarantee, that curtailment will not exceed twelve (12) hours in any twenty-four (24) hour period, and thirty (30) curtailments in any season (summer or winter).

The City will curtail loads based upon City needs and matching customer load characteristics but will endeavor to rotate curtailment candidates as it deems necessary and as fitted to demand reduction requirements.

CURTAILMENT DEMAND: Qualifying customers will curtail one hundred percent (100%) of the load as agreed upon between customer and City.

FLUCTUATING LOADS: Customers operating equipment having a highly fluctuating or large instantaneous demand, such as welders and x-ray machines, shall be required to pay all non-betterment costs of isolating the load from the balance of the City's system so that the load will not unduly interfere with service on the City's lines. In addition, customers who fail to provide adequate corrective equipment shall, within six (6) months of written notification, be required to own and maintain their own transformers.

POWER FACTOR ADJUSTMENT: For loads of 25 kW or more, at the option of the City, power factor adjustments may be made in the billing demand, when the power factor, as determined by test, at the time of the customer's maximum use is less than ninety percent (90%). If the power factor, as measured by the Electric Department, is lower than ninety percent (90%), the monthly demand charge will be multiplied by the ratio ninety percent (90%) bears to the measured power factor, or at the City's option, the power factor may be corrected at the customer's expense.

LARGE POWER (LP)

AVAILABLE: Within established service areas.

APPLICABLE: To existing customers, or to new customers with demands of 800 kW or more, for three (3) consecutive months, whose entire requirements are taken through one meter. Not applicable to resale, stand-by or auxiliary service.

CHARACTER OF SERVICE: AC, 60 Hertz, three-phase, at any of the City's standard voltages (4,160 volts or less) where the service may be supplied by a single power transformation.

RATE: The rate shall be reviewed and adjusted semi-annually or as deemed necessary by the City. The currently effective rate is shown below:

Effective Date:	**January 1, 2027**	
	Summer	Winter
Customer Charge, per month	$432.00	$432.00
Demand Charge		
Per kW-month of billing demand	$20.52	$18.36
Energy Charge		
Per kWh per on-peak energy per month	$0.0423	$0.0414

RATCHET: 57.0% of Summer On-Peak Demand.

MINIMUM BILL: The Demand Charge, but not less than $432.00.

APPLICATION: Loads of 800 kW or greater.

DETERMINATION OF BILLING DEMAND: The billing demand shall be the greater of 1 or 2 below:

1. The highest measured demand (corrected for power factor if required) during any fifteen (15) minute period occurring in the current billing period.

2. Fifty-seven percent (57%) of the highest measured on-peak demand (corrected for power factor if required) during any fifteen (15) minute period occurring in the summer season of the preceding eleven (11) months.

AREA LIGHTING (AL)

AVAILABLE: To any customer meeting City criteria for service under this classification and whose security lighting needs are not being furnished under any other classification.

APPLICABLE: As determined by City, but generally to private roadway and area lighting. Lighting unit burning time is limited to dusk to daylight (approximately 4,000 hours per year).

Where other metered service is supplied by the City at the same location, the customer shall have the option of:

1. Including energy used for area and roadway lighting with the metered service – in which case, no time control switch will be required.

2. Connecting the wires supplying the energy for the roadway and area lighting service directly to the City's secondary wires without a meter – in which case, the City will make the connection, and approved photo-electric control switch will be required, and service will be supplied under this schedule.

CHARACTER OF SERVICE: 120/240 volts, AC, as available.

RATE:

Effective Date:	**January 1, 2027**	
	Summer	Winter
Per lamp, per month	$15.98	$15.28

OWNERSHIP OF EQUIPMENT: The customer will install, own, and operate the lighting units including fixtures, control equipment, and poles unless otherwise agreed upon by City and customer.

TERMS AND CONDITIONS:

1. Customers requiring lighting service during certain seasons of the year only may take service under this schedule provided the City is not required to disconnect and reconnect the service more often than once each year.

2. Usage may be fractionalized on the actual days of service for application of a change in rate.

LAMP REPLACEMENTS: Lamp replacements may be made by the City at the customer's expense, when and as requested by the customer, provided the lighting units are of a size and type used by the City in its street lighting systems.

TERMS OF PAYMENT: Bills are due and payable upon receipt and delinquent if not paid by the 20th of the month following the month for which the bill is rendered.

GENERAL TERMS AND CONDITIONS APPLICABLE TO UNMETERED AREA LIGHTING SERVICE:

1. Area lighting installed on non-joint City-owned poles shall not be of the type that interferes with climbing room, workspace, or wire clearance as defined by the national electrical safety code and is to be installed below the secondary line and service drops. The City will make the installation of area lighting on City-owned poles at the customer's expense.

2. No area lighting will be installed on jointly owned poles, used poles, poles supporting transformers, regulators (secondary or primary), capacitors, reclosers, sectionalizers, or any major equipment or devices, or on the City's wood, steel, or concrete streetlight poles.

3. No area lighting is to be connected to existing streetlight circuits, either series or multiple.

4. All area lighting units installed under classification shall be equipped with a photo-electric control which will limit the burning time to approximately 4,000 hours per year.

5. All labor and material charges which arise from service under this classification, except the labor and material necessary to connect the customer's lines to the City's lines, will be paid for by the customer. No extensions of the City's primary or secondary lines at the City's expense are authorized under this classification.

6. The rates may be increased by the amount of any new or increased governmental tax imposed and levied on transmission, distribution, production, or the sale of electrical power.

MUNICIPAL SERVICES (MS)

AVAILABLE: Within established service area.

APPLICABLE: All municipal owned properties.

CHARACTER OF SERVICE: AC, 60 Hertz, 120 volt, 2 wire; 120/208 volts, or 120/240 volts, or 240/480 volts, 3 wire, single-phase.

Effective Date:	**January 1, 2027**	
	Summer	Winter
Per kWh, per month	$0.1133	$0.0920

There shall be no charge to the City for street lighting.

IRRIGATION (IR)

AVAILABLE: Within established service area.

APPLICABLE: For irrigation services.

CHARACTER OF SERVICE: AC, 60 Hertz, 120 volts or 120/240 volts, single-phase; 120/240 volts, or 277/480 volts, three-phase, 4 wire; or at any of the City's standard distribution voltages, as available.

Effective Date:	**January 1, 2027**
Customer Charge, per month	$32.40
Demand Charge, per kW-month of billing demand	$18.36
Energy Charge, per kWh used per month	$0.0910
Annual Charge (Due prior to irrigation season)	
Per horsepower	$30.24

GENERAL TERMS AND CONDITIONS
APPLICABLE TO ALL ELECTRIC SERVICE

TERMS OF PAYMENT: Bills are due and payable upon receipt and delinquent if not paid by the due date noted on the bill. All accounts not paid by the close of business at 4:30 p.m. on the due date shown on the bill are subject to all applicable penalties.

TERMS AND CONDITIONS:

1. Usage may be fractionalized on the actual days of service for application of a change in rates or changing from summer to winter or from winter to summer rates.

2. Service shall be furnished under the General Terms and Conditions. Acceptance of service shall constitute agreement by customer to abide by said terms and conditions.

3. The rates set forth herein may be adjusted by the amount of governmental tax imposed and levied on the transmission, distribution, production, or the sale of electrical power and energy.

RATE SEASONS: That for the purpose of defining Summer and Winter Rates, Summer months shall be considered to be the usage months from approximately April 20 through October 20 (May through October for Large Power and Interruptible customers) and Winter months shall be considered to be the usage months from approximately October 20 through April 20 (November through April for Large Power and Interruptible customers).

METERING: One meter shall be installed to service one class of business. If additional buildings are required for a given business, they shall be interconnected by the customer to obtain one meter. If additional meters and services are requested by the customer, each shall be treated as a separate customer.

DEMAND METER: Demand metering may be installed at any meter location for the purpose of determining actual demand or for other necessary purposes, such as load research.

SPECIAL METERING: Special metering, for load research and other reasonable purposes, may be installed by the City at any time at no cost to the customer. Special metering requested by the customer may be installed at the sole or partial cost to the customer.

DETERMINATION OF DEMAND: The demand for all rates, which include a demand related charge, shall be based upon the maximum integrated kilowatt load during any fifteen (15) minute period occurring during the billing month, or any higher or ratcheted demands occasioned by rate application or individual contract.

CHANGING RATE CLASSIFICATIONS: Where an option exists, customer shall choose which rate classification is desired. Once a classification is chosen, customer must remain on that rate for twelve (12) consecutive months unless there is a substantial and permanent change in the customer's load characteristics.

POWER FACTOR ADJUSTMENT: For loads of 25 kW or more, Power Factor Adjustments will be made in the billing demand, when the power factor, as determined by meter or test, at the approximate or actual time of the customer's maximum use is less than ninety percent (90%) lagging. If the power factor, as measured, is lower than ninety percent (90%), the monthly demand charge will be multiplied by a factor of ninety percent (90%) divided by the actual power factor. The power factor may also be connected at the customer's expense if it proves detrimental to system operation.

All rates are subject to the Electric Rate Classifications and Service Regulations of Cozad Municipal Electric System.

SERVICE REGULATIONS AND CONTRACTS

1.0 SERVICE REGULATIONS

1.1 Effective Date

The rate classifications applicable to the various classes of electric service supplied by the City, and the service regulations appertaining to the supply of such service, hereinafter set forth, are established by resolution or ordinance of the City Council and applied by the Board of Public Works. All rate classifications are subject from time to time to amendment or repeal by the Mayor and City Council; the effective date of any classification herein shall be the effective date as shown on the face thereof.

Service regulations are subject to revision by the Board of Public Works and shall be effective upon approval.

1.2 Definitions

Certain terms used, for the purposes of and subject to the other provisions and conditions of the rate classifications and service regulations, unless otherwise indicated are defined as follows:

BPW: Board of Public Works.

Consumer: Any person, partnership, association, firm, corporation (public or private), or governmental agency, taking service from the BPW at a specific location.

Firm Service: BPW will furnish the customer's electrical requirements subject to contract nomination.

Holidays: The official holidays defined here are one-half (1/2) of New Years Eve, New Years Day, Good Friday, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day, Friday after Thanksgiving, one-half (1/2) of Christmas Eve, Christmas Day, and/or the days these holidays are observed in the BPW's service area.

Meter: The meter, or meters, and any auxiliary equipment required to measure the electric service supplied by the BPW to a consumer at a point of delivery.

Point of Delivery: The point where the BPW supplies service to a consumer and which, unless otherwise agreed upon between the BPW and the consumer, shall be the point where the BPW's service wires are joined to the consumer's service terminals or conductors.

Service Wires: The wires, owned by the BPW, connecting the BPW's distribution system to a consumer's service terminals.

1.3 Application of Rate Classifications

A consumer may take service under any applicable rate classification, and may change to another such classification at any time; provided that any classification applied to a consumer's service shall continue in force and effect until the consumer shall make application for service under another classification and that in no case shall any classification be applied for a period of less than twelve (12) consecutive months, unless the BPW is notified by the consumer of a change in his appliances, equipment, or usage, which would permit the application of some other classification. Ratchet and penalty charges shall not be waived.

The BPW will furnish a consumer, at his request and without charge, all reasonable information and assistance in choosing the classification most advantageous to the consumer.

The rate classifications provided are applicable to electric service supplied during a period of one (1) month, such month to be either a calendar month or the equivalent period between consecutive monthly meter reading dates of the BPW, and the provisions thereof are premised upon the continuous use of service of a consumer for periods of not less than twelve (12) consecutive months; provided, if a consumer shall permanently disconnect part of his appliances or equipment, upon notification of the BPW by the consumer, the application of the provisions of the classification under which service is being supplied may be changed to meet the consumer's changed conditions.

Termination of service, or any part thereof, by a non-residential consumer followed by reconnection at any time within the next twelve (12) months at the same facility, shall not suspend or eliminate the minimum monthly charge, connected load charge or demand charge specified in the rate classification under which they are taking service, for the months so terminated.

The service supplied under the rate classification is made subject, in addition to the provisions and specifications thereof, to the service regulations contained in this section, and to such amendments or additions thereto as hereafter may be made by the BPW.

Unless otherwise provided therein, or indicated by the contents thereof, these regulations shall apply to service supplied by the BPW in all the areas served by the BPW.

2.0 SERVICE CONTRACTS

2.1 Service Contract

The BPW will supply service to a consumer under and in accordance with the BPW's Service Regulations. If the consumer has special conditions of service not covered by the specifications of the rate classifications, service may be supplied under an individual contract covering only such consumer's service as approved by the BPW.

2.2 Service Contract - Terms and Conditions

Service contracts of the BPW will include the following terms and conditions:

Consumer will take from the BPW electric service at the given address and pay for said service at the rate classification specified herein and in accordance with the BPW's regulations. All consumers requesting new or revised service after the effective date of this policy shall be required to have a written service contract with the BPW.

This contract shall remain in force and effect for a period of one (1) year from date of service connection, and thereafter until cancelled by thirty (30) days written notice by either party to the other unless otherwise waived by BPW. The minimum monthly charge provided in the rate classification shall apply on a yearly basis, and temporary terminations of service of less than twelve (12) months will not eliminate the minimum charge for non-residential services. All rate schedules and service regulations are on file in the offices of the BPW. No representations have been made by the BPW as to which rate classification should be chosen by the consumer, but all information requested has been furnished by the BPW.

Consumer shall, without expense to the BPW, make or procure the desirable easements, satisfactory to the BPW, across the property owned or controlled by the consumer, for the BPW's lines or extensions thereof required to furnish service to the consumer. Consumer shall permit the BPW to trim trees, including the removal of limbs, to the extent that such trimming shall be reasonably necessary to prevent interference with BPW's lines. Except that trimming of trees on the consumer's premises, which interfere with the BPW's service wires, shall be the responsibility of the consumer.

BPW will designate a point on the consumer's premises where service will be delivered. Consumer will provide and maintain on his premises adequate support or

protection for attachment of the BPW's overhead or underground service wires and will at all times be responsible for any damage occasioned by failure of or defect in such support or protection. BPW will furnish metering equipment required to measure the service supplied and will keep said equipment accurate within reasonable limits. Consumer shall furnish without cost to the BPW adequate space in a suitable location for the BPW's metering equipment.

Consumer shall secure all necessary permits for wiring on the consumer's premises, install such wiring in accordance with the National Electrical Code and all applicable laws and ordinances, and pay all inspection fees. BPW will not be responsible for inspection of wiring on the consumer's premises but reserves the right to require inspection before connecting service.

Title to all property installed or supplied by the BPW on a consumer's premises is and shall remain in the BPW, and said property may be removed by the BPW at any time. Consumer shall safeguard and provide adequate protection for the property of the BPW, including metering equipment, located on consumer's premises and maintain clear and safe access thereto at all reasonable times.

Consumer shall pay for electric service monthly, or at regular intervals prescribed at the option of the BPW. The net monthly bill, calculated as provided in the rate classification specified herein, will apply when the bill rendered for service hereunder is paid in a BPW office or to an authorized BPW agent on or before the date designated on the bill after which the gross amount is due (net bill plus 15% penalty charge). Failure to receive a bill shall not entitle the consumer to the difference between the gross and net bill. If a bill is not paid on or before the date after which the gross amount is due, such bill is delinquent and the BPW reserves the right to charge a fee for field collection calls and/or to discontinue service if such action is warranted and after proper notice is given. If a balance due for service at any previous address of a consumer is not paid within fifteen (15) days after removal from such address, such balance shall become delinquent and service at the address covered by customer's current contract may be discontinued. Service discontinued for delinquency will be reconnected when all charges including the expense of disconnection are paid.

Each customer is mailed a utility bill on the last day of the month; local customers receive their bill on the first. Payment is due upon receipt of each month's bill, and any outstanding balance is considered delinquent after the 20th of same month. On the 21st, penalties are applied to any unpaid balance and a Service Disconnect Notice is mailed.

Disconnect is generally the first Thursday of the following month that bills are mailed. Disconnect is never before the 3rd of the month, when the 3rd falls before the first Thursday, the disconnect date becomes the 2nd Thursday.

Once disconnection has occurred, reconnection may be made upon payment of current balance plus a reconnect charge of $30.00 for electrical and $30.00 for water during regular business hours, $75.00 and $75.00 after business hours. The residential

customer must also have a current $400.00 deposit, $600.00 for all other customers, before reconnection is processed.

When a consumer pays a bill with an insufficient funds check, the consumer must reimburse the BPW for the amount of the check plus a $25.00 service charge. This reimbursement must be in cash. If the BPW receives more than one insufficient funds check in a twelve (12) month period, the consumer will be required to pay in cash for a twelve (12) month period. Insufficient funds checks used in payment for disconnect notices will result in automatic termination of service without notice; reconnection may be made upon payment of current balance plus a reconnection charge of $30.00 for electrical and $30.00 for water during regular business hours, $75.00 and $75.00 after business hours. The residential customer must also have a current $400.00 deposit, $600.00 for all other customers, before reconnection is processed.

If a consumer, who is a tenant, chooses to cancel their contract with the BPW or become in breach of their contract with the BPW, the landlord of such property has the option to have services transferred into the landlord's name. Landlords may carry services between renters or during renovations and repairs; however, once residency is established services will need to be transferred to the tenant according to the Service Contract - Terms and Conditions.

Accounts will not be transferred when the effect is to circumvent policies of the BPW. No landlord or consumer will be allowed more than one residential contract with the BPW. The BPW commissioner shall have the option to make decisions in this regard.

Deposits shall be required of all customers requesting service. Said deposits shall be $400.00 for residential service and $600.00 for all others unless otherwise required by the BPW. The charges for field collection calls shall be $30.00 due and payable upon request.

The BPW will endeavor to supply, but not guarantee, uninterrupted service of a generally accepted standard. Interruption of service for repairs; alterations; want of supply; conditions on a consumer's premises dangerous to persons, property or service of the consumer or others; non-payment by the consumer of amounts payable hereunder; failure by the consumer to provide means of access for obtaining regularly scheduled readings of the meter or for testing the BPW's metering equipment from theft, abuse or vandalism; or prevention of fraud or abuse, shall not be a breach by the BPW of its part of this contract.

Consumer waives claim for, and hereby releases and discharges the BPW from claims for, and shall indemnify and save harmless the BPW from, any and all loss and damage arising from interruption of service, or an account of injury to persons (including death), or damage to property on the premises of a consumer or under a consumer's control unless such loss, damage, or injury is the natural, probable and reasonably foreseeable consequence of the BPW negligence, and such negligence is the sole and approximate cause thereof.

This contract is binding unless rejected by the BPW within thirty (30) days after connection of service.

Neither this contract, nor the service supplied there under, shall be assignable or transferable by the consumer without the written consent of the BPW.

3.0 SERVICE REGULATIONS - GENERAL

3.1 Billing Adjustments

If the BPW or a consumer shall discover, at any time, a rate classification available to such consumer more advantageous than the one under which he is being served, such rate classification, with the agreement of the consumer, will be applied to the consumer's service thereafter, effective for all billings after receipt of written request from the consumer for a change in classification.

When the consumer has been billed inaccurately, whether as an overcharge or an undercharge, for service as a result of, but not limited to, meter inaccuracy, meter connection, arrears, equipment failure, incorrect reading of a meter, incorrect bill calculation, incorrect coding error, specifically accepting diversion of services, tampering, or subterfuge, the amount of the inaccuracy shall be adjusted and either credited to the consumer or billed to the consumer. The adjustment shall be without interest and the period of adjustment from any such inaccuracy shall be for the entire period of the inaccuracy or for one (1) year, whichever is the lesser. When a customer has been undercharged as a result of tampering, diversion of services or subterfuge, the customer's account shall be charged for the entire period of inaccuracy. Any amount greater than $50.00 shall bear interest at the rate of twelve percent (12%) per annum until paid in full. The BPW may choose to refuse services to any party when it has been determined that such party obtained services at less than full value as a result of tampering, diversion of services or subterfuge.

All electrical meters shall be read at least one time each month between the 15th day and the 21st day of the month. To promote quick and efficient reading of electric meters, it shall be the responsibility of every consumer of municipal electricity to provide easy and safe access from the backside of his lot or lots to the electric meters on his premises. Any fences constructed on the back side of a lot shall be equipped with a workable gate for this purpose and all shrubbery and trees shall be trimmed to accomplish the purposes of this section.

When easy and safe access is not maintained for the reading of electric meters, the current reading will be estimated for purpose of utility billing. For repeated violators, a violation penalty may be issued in accordance with Cozad Code §10.99.

For diversion of service, as defined in Sections 86-331.01 to 86-331.04, Reissue Revised Statutes of Nebraska, 1943, as amended, the BPW may pursue any or all civil or criminal statutory or common law remedies.

3.2 Transfer of Demand

Whenever a new service contract with an existing consumer at the same location supersedes a previous contract, the demand established by the consumer under his previous contract will be considered as having been established under the new contract.

3.3 Separate Billing for Each Meter

Whenever a consumer requires the BPW to supply service to premises at more than one point of delivery, the service measured by the meter at each point of delivery will be considered a separate service, and meter readings will not be combined for billing purposes.

However, where it is impractical or uneconomical for such service to be supplied at one point of delivery, then, at the option of the BPW, such service may be supplied at more than one point of delivery on the consumer's premises if consumer provides such facilities as are specified by the BPW.

3.4 Exceptions to "All Service" Requirements

Rate classifications, which provide that all of a consumer's service there under shall be measured by one meter, nevertheless shall be available to:

A. The consumer who is required by law to provide separate wiring circuits for emergency lighting service, sprinklers or alarm systems, and such service cannot feasibly be metered with the remainder of the consumer's service.

B. The consumer who wishes to operate x-ray, welder or other equipment producing abnormal voltage fluctuations, and the BPW requires that service to such equipment be metered separately.

C. A consumer who occupies two (2) or more spaces within the same building, which spaces are separated by fire walls or intervening spaces, or are on different floors, and are not interconnected by private doors, passages, or stairways, in which cases each such space may be metered separately under an all-service rate classification.

In each of the above cases, the separately metered special service shall be billed under an all-service rate classification.

3.5 Resale, Redistribution, or Extension of Electric Service

Electric service purchased by a consumer shall be for the sole use of such consumer in and upon the premises to which such service is supplied and shall not be sold directly nor a bill rendered, on a metered or unmetered basis, by a consumer to lessees, tenants, or others. However, a consumer may redistribute or extend the use of such service where:

A. The consumer owns or operates a building or service in which electric service is furnished to the tenants without a specific or separate charge for such service.

B. The consumer occupies adjacent buildings for carrying on parts of the same commercial or industrial business, and when such business is operated as one integral unit under the same name. All such service is to be used by the consumer and served through one meter.

"Adjacent buildings," as used in this regulation, shall include a directly adjoining building, or buildings, but shall not include buildings separated from the consumer's place of business by intervening buildings.

A "place of business," as used in this regulation, shall include industrial plants, commercial stores, educational institutions, hospitals, and similar organizations, but shall not include persons, firms, corporations or associations owning or operating groups of separate, even though interconnected, buildings offering space for rent for residential, commercial or other purposes.

3.6 Master Metering

Master metering shall be prohibited in new multi-family residential buildings except where the living units are financed and used as housing for disabled, handicapped, or low-income elderly who are eligible for a federally assisted housing program. Provisions for individual-tenant metering will be installed at the time of construction so that if the use of the building changes from the above criteria, the living units can be easily converted to individual metering and billing in accordance with BPW standards.

Master metering of trailer courts will not be allowed after January 1, 1990.

3.7 Parallel Operation of Consumer's Generating Equipment with BPW's Service

To protect the safety of the BPW personnel, and to protect the service of other consumers, a consumer who operates his own electric generating equipment shall not parallel such equipment with the service of the BPW except as authorized in 3.9. No connections whatsoever shall be made between such equipment and the service lines of the BPW without specific inspection and approval by the BPW. Any unapproved installation shall be grounds for immediate disconnection of the BPW's service without constituting a breach of contract.

3.8 Consumer Owned Generation

A consumer may connect qualified cogeneration and/or small power production equipment in parallel with the BPW's safety, metering and interconnection standards are complied with. There shall be a written agreement between the BPW and the consumer. The agreement will outline the interconnection point, the metering and other equipment

required, inspection and maintenance of the interconnecting equipment, the rates involved, and the responsibilities of each party involved. The BPW will not operate in parallel without a signed agreement.

The consumer would provide or reimburse the BPW for the necessary metering and switchgear for the interconnection. The BPW will consider the purchases of the consumer's kilowatt-hours generated in excess of the consumer's energy requirements, on an individual basis. Unapproved installation shall be grounds for immediate disconnection of the BPW service without constituting a breach of contract.

Wind generators located within the service limits of the City of Cozad must be located in such a manner so that the structure upon which the propeller is installed is a minimum of three (3) times the structure's length distant from buildings, power lines, television antennas, and adjacent property lines.

A wind generator and component parts must be totally surrounded by a fence having a minimum height of six feet (6').

The height of the tower for a wind generator system shall be at least twice as high as the length of the propeller, with such tower to have a minimum height of fifteen feet (15') and a maximum height of fifty feet (50'). The bottom tip of the propeller shall be a minimum of ten feet (10') above any accessible pedestrian area.

The owner of a wind generator facility shall assume all liability incident to the installation and operation of such facility, and the City of Cozad shall be held harmless by such owner from all liabilities resulting from the installation and operation of the wind generator system.

3.9 New Subdivisions; Underground Installation Required

In new subdivisions to the City of Cozad, approved by the BPW, all utilities shall be installed underground. In the installation for electrical services the BPW shall provide electrical service to the lot line. The meter may be located at the lot line or on the improvement, said location to be determined by the BPW. The customer shall be responsible for the installation of the underground service from the lot line to the improvement. Electrical services shall be a minimum of twenty-four inches (24") deep in the new subdivisions.

The BPW shall charge a service connection fee of $150.00 for each permanent electrical service connection in new subdivisions.

3.10 Construction of Facilities Before Consumer's Premises Are Wired

The BPW may postpone actual construction of its facilities to a consumer until such consumer's wiring has been approved by the proper inspections authorities, has met the BPW's requirements, and is ready for connection to the BPW's distribution system.

Temporary connections or construction connections shall be billed at the General Service Rate until construction is complete and proper notification made to the BPW, by the customer.

The BPW shall install, at BPW expense, all electrical service lines from the supply line of the distribution system to the meter servicing the premises. The BPW shall provide, at BPW expense, the meter and meter socket but said loop and necessary conduit shall be provided and installed by the consumer.

The consumer shall be responsible for installation and expense of a temporary meter pole prior to permanent installation of the meter and said meter pole shall be grounded with a ground fault breaker.

Should a consumer request underground electrical or overhead electrical service with the electric meter located on a City-owned pole, the consumer shall supply the meter loop and all overhead and underground lines to consumers house or building. The installation shall be by a licensed electrician with approval of Cozad's Light Commissioner or Electric Supervisor at consumers' expense. The consumer shall also be required to furnish and install a circuit breaker on the municipal pole.

3.11 Combined Residential and General Service

A consumer in a single-family dwelling, parts of which are used for business purposes, may purchase service under a residential rate classification when the floor area of the part used for general service purposes does not exceed twenty-five percent (25%) of the combined residential and general service floor area.

3.12 Low Power Factor Equipment

Fluorescent, mercury vapor, neon, or other types of gaseous tubes or lamps, or other lighting devices or signs having inherently low power factor characteristics, shall be equipped at the consumer's expense with devices to maintain the power factor of each unit or separately controlled group of units at not less than ninety percent (90%) lagging.

If the consumer's power factor by measurement or test is less than ninety percent (90%), the BPW, at its option, may require the consumer to provide facilities for the BPW to install kilovolt ampere metering and may increase the consumer's kilowatt demand for billing by the ratio ninety percent (90%) bears to the measured demand of the kilovolt ampere demand.

4.0 SERVICE REGULATIONS - SPECIAL

4.1 Charge for Permanent Service

When a consumer applies for service which necessitates a permanent extension of BPW's facilities, the BPW reserves the right to collect from the consumer, in advance, part or all of the cost of such extension, when, in the opinion of the BPW:

A. The anticipated revenue to the BPW may not be commensurate with the cost of such extension;

B. The extension is required because of abnormal operating characteristics of the equipment to be operated by the consumer;

C. The extension is required for emergency or special service.

The BPW shall allow maximum construction costs of three (3) times estimated or actual annual revenue as a contribution allowance. The Allowable Investment Limit will be calculated according to the specified rate class as defined in the BPW General Extension Policy. Costs above that amount shall be due from the customer as an "Aid to Construction" contribution. This contribution shall be due and payable prior to initiation of the work or construction by the BPW.

Betterment costs are additional costs for electric system improvements generally not required solely for the extension to the customer but are cost the BPW elects to incur now due to anticipated or planned electric system capacity or configuration requirements. All betterment costs shall be at the BPW'S expense.

4.2 Charge for Temporary Service

A charge of $150.00 will be made for each temporary overhead single-phase service connection, consisting of service wires and meter only. These charges exclude the account service charge. When more than the above is required, the consumer shall pay for the work done by the BPW on a contract basis.

The consumer shall pay for the energy consumed based upon the General Service Rate classification with applicable fuel and production cost adjustment factors. The minimum bill shall be as indicated on the General Service Rate classification. Billing will be charged at the General Service Rate until construction is complete and proper notification made to the BPW by the customer and a new service agreement signed.

A collection fee pursuant to the rate resolution established by the City will be charged for services performed for the purpose of moving buildings, removal of trees, or for other similar purposes.

When a consumer's meter loop is in need of repairs, the BPW will notify the consumer of the problem and allow thirty (30) days to make the repair. If the problem is not corrected after thirty (30) days, the BPW will make the necessary repairs and charge the consumer for the time and material involved.

4.3 Charge for Re-Establishing Service

The charge for permanent service and the charge for temporary service established for 4.1 and 4.2 above and the reconnection charge required by the BPW's electric rate schedules shall not apply to the re-establishment of service after the destruction of the consumer's premises or a portion thereof resulting from explosion, fire, flood, or storm. In such cases, the equivalent service will be re-established at the consumer's option at a temporary or permanent location. If the damaged premises are repaired within a reasonable time, not to exceed two (2) years, the charges defined herein shall not apply if the consumer moves back to his original location.

4.4 Tax Clause

To the total of all charges for service under the appropriate rate classification or classifications, shall be added the applicable existing state and municipal taxes; and also added shall be any new or additional tax or taxes, or increases in the rates of existing taxes, imposed after the effective date of these rate classifications by any governmental authority upon the service rendered by the BPW.

Section 2. Any other ordinance or code section passed and approved prior to passage, approval, and publication or posting of this ordinance and in conflict with its provisions is repealed.

Section 3. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law, on January 1, 2027.

Passed and approved this _____ day of November 2026.

CITY OF COZAD, NEBRASKA

_____

Marcus Kloepping, Mayor of the City of Cozad,
Dawson County, Nebraska

ATTEST:

_____

Brandi Kloepping, Clerk
(SEAL)

ORDINANCE NO. 1591

AN ORDINANCE OF THE CITY OF COZAD, DAWSON COUNTY, NEBRASKA, AMENDING SECTION 30.072 OF THE COZAD MUNICIPAL CODE REGARDING SEPERATION OF THE OFFICES FOR CITY CLERK AND CITY TREASURER AND PROVIDING THAT SUCH OFFICES MAY BE HELD BY THE SAME PERSON, IF SO APPOINTED BY THE MAYOR AND APPROVED BY THE CITY COUNCIL; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH, AND PROVIDING FOR AN EFFECTIVE DATE:

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF COZAD, DAWSON COUNTY, NEBRASKA.

Section I. That §30.072 of the Cozad Municipal Code shall be amended to appear as follows:

§72.27 CITY CLERK-TREASURER AND MAY BE HELD BY THE SAME INDIVIDUAL; PROCESS FOR APPOINTMENT.

A. The appointive offices of City Clerk and City Treasurer may be held by the same person, if so appointed by the Mayor and approved by the Council.
B. The office if so merged and combined shall always be construed to be separate, and the effect of the combination, or merger, shall be limited to a consolidation of official duties only.
C. The salary of the officer holding the merged offices shall not be in excess of the maximum amount provided by the law for the salary of the offices so combined.

Section II. That any ordinance or parts of ordinances in conflict herewith, are hereby repealed.

Section III. This ordinance shall be in full force and effect upon its passage, approval and publication or posting as required by law.

Passed and approved this 16th day of November, 2026.

_____
Marcus Kloepping, Mayor of the City of Cozad

_____
Brandi Kloepping, Cozad City Clerk

CITY COUNCIL AGENDA

ITEM NO: 9

FROM: Brandi Kloepping, City Clerk

MEETING: November 16, 2026

SUBJECT: Airport Authority Credit Card

PRESENTER: Brandi Kloepping, City Clerk

Discussion:

The Cozad Airport Authority board recently approved getting a credit card for purchases. In the process, Waypoint Bank told them they would need city approval to proceed with acquiring a credit card.

Blake Hoffmaster with Nebraska Aviation is asking for approval.

Recommendation:

Staff recommends approval.