

The Hartington City Council met for their regular meeting on December 11th, 2023 at City Hall beginning at 5:00 P.M. Notice of time and place of the meeting was given in advance notice by posting. Notice of time and place of the meeting was communicated in the advanced notice to the Mayor and Council.

Present were Mayor Becker; Councilman Bartling, Christensen and Sudbeck; City Clerk-Treasurer Bencoter, Deputy Clerk de Waal; and Legal Counsel Nikki Brandt. Councilman Kathol was absent.

Mayor Becker called the meeting to order at 5:01 P.M., followed by all present reciting the Pledge of Allegiance. He announced that the open meetings law poster was on the back wall of the council room and reminded all present to silence their cell phones.

A motion to approve the minutes from the November 27th, 2023 meeting and November, 2023 Treasurer's Report was made by Councilman Christensen and seconded by Councilman Sudbeck. A roll call vote was taken. Bartling – yes, Christensen – yes, Sudbeck – yes. Motion carried.

Garage Bay Rental Agreement by Kruse True Value for the 2024 year was presented to Council. Clerk Bencoter stated the rent amount of \$150 was the same as last year and that Kruse True Value has provided a copy of the Certificate of Liability Insurance for the required 1-million-dollar policy. A motion was made to approve the Garage Bay Rental Agreement for Kruse True Value by Councilman Christensen and seconded by Councilman Sudbeck. A roll call vote was taken. Bartling – yes, Christensen – yes, Sudbeck – yes. Motion carried.

Clerk Bencoter addressed the Council regarding practice, game, and tournament conflict schedules at the Auditorium. Many teams ranging from youth to high school have consistently been contacting the City regarding practicing and many have not, creating issues. The City is unable to have accountability on who is in the building and there have been teams practicing without accountability, unapproved games, and a loss of reservations and revenue due to all of the basketball practices, games, and tournaments. Currently there are no consistent rates established for games and tournaments and Clerk Bencoter asked for a consistent rate to be able to quote people without having to approach council each time and to compensate some of the costs to the city that games and tournaments bring in with extra people in the Auditorium. Councilman Sudbeck agreed that we needed some accountability system to what teams are in the Auditorium and who is doing what in there along with a rate schedule. Mayor Becker asked Clerk Bencoter to get an account for what teams are and are wanting to use the Auditorium. A motion to table the issue until there is an account of what teams are and are wanting to use the Auditorium was made by Councilman Christensen and seconded by Councilman Bartling. A roll call vote was taken. Bartling – yes, Christensen – yes, Sudbeck – yes. Motion carried.

Clerk Bencoter presented an alert texting service to Council from Textmygov. She explained to council that the City was doing a texting service pilot program through Hartelco, but the system was not working, so Miranda Becker and herself have looked into 4 other options and Textmygov was the cheapest plan, highly recommended from other Clerks across the State, and was best suited to meet our needs. She explained the texting service could be used for various things to notify those in the city who would choose to sign up for the program. The system could notify people in an emergency, can notify people of multiple things through prompts such as Transfer Station hours, could notify certain areas if there was an issue in that area, office closures, garbage delays, and many other various items that are beneficial to our community. Mayor Becker asked Clerk Bencoter what Kevin Garvin's feelings were and she stated she didn't know. He said he would like to know what his feelings are as he is the County Emergency Manager. A motion to table the issue was made by Councilman Christensen and seconded by Councilman Sudbeck. A roll call vote was taken. Bartling – yes, Christensen – yes, Sudbeck – yes. Motion carried.

Mayor Becker discussed the increasing costs in employee health insurance for the next year. He stated insurance costs were going to rise by 18% and they were looking at the option of sending their employees to the Marketplace to get health insurance. Mayor Becker asked Legal Advisor Nikki Brandt if we would need a resolution to change health insurance and she stated they would need a resolution to change the employee handbook and to terminate current insurance. She stated she was still looking into the question on supplementing employee's pay with stipend to assist in paying for those benefits. Councilman Bartling stated last time they went to the Marketplace the City got burned and employees went without health insurance for a period of time and he told employees he would not do that to them again. Mayor Becker stated they were hoping to have a decision within a week and then would get with employees to get their input. A motion to table the issue of changing employee health insurance was tabled by Councilman Christensen and seconded by Councilman Sudbeck. A roll call vote was taken. Bartling – yes, Christensen – yes, Sudbeck – yes. Motion carried.

Community Redevelopment Authority had a new appointment of Randy Kathol. The motion to approval the appointment of Randy Kathol to the Community Redevelopment Authority was made by

Councilman Sudbeck and seconded by Councilman Christensen. A roll call vote was taken. Bartling – yes, Christensen – yes, Sudbeck – yes. Motion carried.

NMPP Ballot Vote was presented to council on voting for or against Fourth Amended and Restated Articles of Incorporation. A motion to vote for the Fourth Amended and Restated Articles of Incorporation for NMPP was made by Councilman Christensen and seconded by Councilman Bartling.

Resolution 20231211 – Signing of the Year-End Certification of City Street Superintendent was introduced by Councilman Sudbeck. Terry Mead with JEO was appointed the City Street Superintendent from January 1, 2023 to December 31, 2023. A motion to approve Resolution 20231211 – Signing of the Year-End Certification of City Street Superintendent was made by Councilman Bartling and seconded by Councilman Christensen. A roll call vote was taken. Bartling – yes, Christensen – yes, Sudbeck – yes. Motion carried.

Clerk Benscoter provided the Purchase Agreement for the 2009 John Deere 670G Motor Grader. A motion to sign the Purchase Agreement for the 2009 John Deere 670G Motor Grader was made by Councilman Christensen and seconded by Councilman Sudbeck. A roll call vote was taken. Bartling – yes, Christensen – yes, Sudbeck – yes. Motion carried.

Clerk Benscoter presented Tom Schieffer's resignation from the Planning and Zoning Committee. A motion to approve Tom Schieffer's resignation from the Planning and Zoning Committee was made by Councilman Bartling and seconded by Councilman Christensen. A roll call vote was taken. Bartling – yes, Christensen – yes, Sudbeck – yes. Motion carried. Mayor Becker wanted to thank Tom Schieffer for his service to the City and Planning and Zoning Committee.

Mayor Becker presented appointment of Turner Becker, Travis Folkers, Louis Benscoter, and Lisa Smith to Planning and Zoning Committee to fill the 4 vacant spots. A Motion to approve the appointments of Turner Becker, Travis Folkers, Louis Benscoter, and Lisa Smith to Planning and Zoning Committee was made by Councilman Christensen and seconded by Councilman Bartling. A roll call vote was taken. Bartling – yes, Christensen – yes, Sudbeck – yes. Motion carried.

Volunteer Fire Department appointments of Gage Pedersen as of November 6th, 2023 and Brad Steffen as of December 4th, 2023 were presented to Council. A motion to approve the appointments of Gage Pedersen and Brad Steffen were made by Councilman Christensen and seconded by Councilman Bartling. A roll call vote was taken. Bartling – yes, Christensen – yes, Sudbeck – yes. Motion carried.

The following Annual Appointments were made by Mayor Mark Becker:

Ambulance: Eric Becker, Troy Bottolfsen, Dirk Dailey, Jamie Dailey, Dona Davey, Crystal Eickhoff, Dixie Fischer, Katelyn Fischer, Carol Hamilton, Jeff Jones, Clay Kleinschmit, Tim Kuchta, Katie Lammers, Steve Leise, Tammy Leise, Melissa Lordemann, Charles Meirose, Steve Rokusek, Patty Schieffer, Hal Thoene, Marilyn Thoene.

Firemen: Ryan Marsh, Brandon Fischer, Zachary Adcock, Chris Bartling, Doug Becker, Dan Carl, Jimmy Christensen, Dirk Dailey, Dave Feilmeier, Jerrold Schulte, Rod Fischer, Brian Gall, Pat Guy, Jacob Haahr, Robert Hamilton, Mark Heimes, Matthew Kathol, Randy Kathol, Tyler Kathol, Tucker Lammers, Austin Mann, Mike Jueden, Dustin Neuhalfen, Corey Pearson, Gage Pedersen, Brad Peitz, Darin Pick, Thomas Potts, Chase Rolfes, Nathaniel Rutar, Brad Steffen, Chris Steffen, Dan Steiner, Bill Thoene, Drake Turner, Aaron Wiechelman, Jon Wiechelman, Adam Wortman.

Official Bank: Bank of Hartington

City Attorney: Kennedy, Pier, Loftis, & Reynolds, LLP

City Engineer: JEO Consulting Group, Inc.

Street Superintendent: Terry J Mead, JEO Consulting Group, Inc., License Number S-1138, Class A

Zoning Administrator: LeRoy Hansen

City Clerk-Treasurer: Brittini Benscoter

Deputy Clerk: Daniella de Waal

Utility Superintendent: Corey Kramer

Official Newspaper: Cedar County News

Tree Board: Dan Kathol – Chairman, Leander Lammers, Esther Larsen

Health Care Provider: Dr. Amy Rief-Elks

Citizens Advisory Committee for the Economic Development Plan: Jason Dendinger, Lee Carl, Donna Fischer, Burnell Herbolsheimer, and John Kramer.

A motion to approve appointments listed by Mayor Becker was made by Councilman Christensen and seconded by Councilman Bartling. A roll call vote was taken. Bartling – yes, Christensen – yes, Sudbeck – yes. Motion carried.

Department Reports:

Park – Councilman Kathol: absent.

Pool – Councilman Bartling: Still waiting on a bid for the pool roof.

Complex/Auditorium – Councilman Sudbeck: The fence at the Complex has been completed. We received a \$6,000 donation from Northeast Pipe & Panel for materials. Work on the concessions building will begin in February and will be completed for spring. We already discussed the issues with the Auditorium. The water fountain is broke, but we have someone looking at it to fix it.

Fire/Ambulance– Councilman Christensen: none.

General – Mayor Becker: none.

Legal Counsel Nikki Brandt: none

Clerk Benscoter: none

Deputy Clerk de Wall: There has been a resident who was asking about the possible demolition of a run down home in town like we did with Sherry Bear’s home. This resident bought the property across the street and believes this particular home is an eye sore and needs to be torn down. The home has been vacant for 4-6 months and the owner lives in California. Mayor Becker said we do have a nuisance ordinance that we can look into. Councilman Christensen stated it would be best to have multiple complaints before we look into the matter. Mayor Becker agreed that we need to have more people come forward to the City office and then we can look into it.

Public Comments: Gary Dickes asked Council if we could join with multiple cities for health insurance as we tried to join before. Mark Becker said we could not join with the County, but Clerk Benscoter did inform him of the LIGHT program through the League of Municipalities and maybe that could be a possibility to look into in the future. Clerk Benscoter explained that the LIGHT program is a insurance group that consists of many cities across the state through the League of Municipalities where you complete health insurance questionnaires, then get placed into a level and your rates are determined from there, but since the group is larger, the rates are more competitive. The insurance is through Blue Cross Blue Shield. Mayor Becker said Council will make a decision within a week and then will involve employees with input if anything changes.

Legal Counsel Nikki Brandt asked on the status of Sherry Bear’s home. Mayor Becker said it was his understanding the new owner was waiting on the asbestos report and then was hoping to start demolishing the home next week.

The November, 2023 Cedar County Sheriff’s Report was distributed by Deputy Thoene. There were 362 ½ hours patrolled. School traffic was 6 ¼ hours. Calls of service were 3 EMS Assist, 1 Accidents, 2 Disturbance, 2 Traffic Controls, 1 Welfare Check, 1 Parking Complaint, 1 Criminal Mischief, and 1 Alarm. Traffic stops were 0 Verbal Warning, 8 Written Warning, and 0 citations. 0 Arrests were made.

The following bills were presented for payments:

General: D&J Variety 111.84, Eakes Office Solutions 20.00, FP Finance Program 115.98, Hartelco 334.07, Hartington Shopper 55.90, Kennedy, Pier, Loftus, & Reynolds, LLP 500.00, NE Nebraska News Company 467.34, One Office Solution 209.95, SHIFTR 13.50.

Streets: Blue Cross/Blue Shield 773.99, BOKF, NA 4,908.75, Backus Sand & Gravel 389.80, Bank of Hartington 183.33, Colonial Life 27.22, Farmers Union Coop Gas & Oil 1,007.70, Franklin Templeton Investor Services LLC 471.95, Grossenburg Implement 736.75, Hartington Auto & Truck Parts, Inc. 519.77, C. Kramer 95.54, Nebraska Public Power District 3,061.59, Pomp’s Tire Service 738.74, Plumbing & Electric 82.90, Stop N Go 344.04, U.S. Cellular 73.38.

Water: Burnell’s Foodtown 11.09, Carhart Lumber Co. 105.57. Kruse True Value 39.48, Municipal Supply Inc. 414.00, Nebraska Department of Environment and Energy 13,020.18, Nebraska Public Power District 307.64, One Call Concepts 12.83, Peitz Service 38.58, Plumbing & Electric 63.22.

Sewer: D&J Variety 99.91, Hartelco 66.60, Kruse True Value 32.99, Nebraska Department of Environment and Energy 28,586.83, Nebraska Public Power District 2,784.26, One Call Concepts Inc., 12.84, Wied-N-Ridge 2,627.00.

Sanitation: Avera Medical Group 150.00, Blue Cross/Blue Shield 1,217.74, Bank of Hartington 83.33, Colonial Life 129.66, Franklin Templeton Investor Services, LLC 503.33, Grossenburg Implement 111.78, L.P. Gill, Inc. 6,004.23, Stop N Go 818.67, U.S. Cellular 75.73.

Fire: Bullseye Fire Sprinkler, Inc. 325.00, Ed. M. Feld Equipment Co., Inc. 1,109.99, Farmers Union Coop Gas & Oil 351.11, Hartelco 46.23, Nebraska Public Power District 112.55.

Ambulance: Burnell's Foodtown 73.71, D&J Variety 27.46, Farmers Union Coop Gas & Oil 244.04, Hartelco 46.24, K. Fischer 786.00, Nebraska Public Power District 80.98, Stop N Go 124.24, U.S. Cellular 153.99.

Cemetery: Cedar Knox Rural Water 61.22

Recreation: Nebraska Public Power District 63.16

Pool: Art Kathol Appliance, Inc. 754.92, Nebraska Public Power District 47.37.

Parks: T. Baller 255.74, Farmers Union Coop Gas & Oil 81.06, Folker's Painting LLC 1,722.50, Grossenburg Implement 292.67, D. Kathol 1,204.18, Leise Concrete 16,665.00, Nebraska Public Power District 345.13.

Complex: Carhart Lumber Co. 1,952.00, Farmers Union Coop Gas & Oil 47.49, Grossenburg Implement 18.46, Hartelco 44.56, Nebraska Public Power District 77.37.

Library: Blue Cross/Blue Shield 5,853.72, Bank of Hartington 333.34, Burnell's Foodtown 30.60, D&J Variety 95.91, Franklin Templeton Investor Services 381.24, Hartelco 156.44, Kruse True Value 17.98, Nebraska Public Power District 226.28.

City Hall: Blue Cross/Blue Shield 2,493.65, Bank of Hartington 250.00, Burnell's Foodtown 14.99, Carhart Lumber Co. 10.48, Eakes Office Solutions 201.48, Dixie Fischer 100.00, Franklin Templeton Investor Services 499.06, Hometown Leasing 62.05, Nebraska Public Power District 172.56.

Auditorium: Appera 75.46, Feilmeier Electric 282.08, Nebraska Public Power District 74.75.

Economic Development: Eakes Office Solutions 50.74, Franklin Templeton Investor Services, LLC. 257.48, Hartelco 50.14, Hometown Leasing 31.02.

Transfer Station: Deere Credit, Inc. 43.01, Farmers Union Coop Gas & Oil 272.25, Hartelco 47.19, Jerry's Service 622.79, Peitz Service 27.72

Vets Memorial: Nebraska Public Power District 53.08

Payroll for November, 2023 was \$45,923.54

A motion to pay the bills was made by Councilman Christensen and seconded by Councilman Bartling. A roll call vote was taken. Bartling – yes, Christensen – yes, Sudbeck – yes. Motion carried.

A motion to adjourn was made by Councilman Christensen and seconded by Councilman Bartling. A roll call vote was taken. Bartling – yes, Christensen – yes, Sudbeck – yes. Motion carried. The meeting was adjourned at 5:37 PM. The next scheduled meeting is January 8, 2024.

Respectfully Submitted,

Brittini Bencoter
City Clerk-Treasurer