

The Hartington City Council met for their special meeting on January 11th, 2024 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 Christensen and Kathol; City Clerk-Treasurer Bencoter. Councilman Bartling and Sudbeck, and Legal Counsel Nikki Brandt were absent.

Mayor Becker called the meeting to order at 5:00 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 December 11th, 2023 meeting and December, 2023 Treasurer's Report was made by Councilman Christensen and seconded by Councilman Kathol. A roll call vote was taken. Christensen – yes, Kathol – yes, Becker - yes. Motion carried.

Mayor Becker introduced the discussion on garbage rate increases. He discussed that the increase in expenses for garbage services. He recommends an approximate 10% increase in garbage service costs to cover those expenses. Clerk Bencoter informed Council that currently residential garbage is \$17.00 per month per can, dumpster fees are currently \$50 per month with one dump per week and the price increases if they request more than one dump per week and/or have more than one dumpster. Extra garbage fees are currently \$3.00 per bag. Mayor Becker stated that they would like to keep the amounts even so rounding the \$1.70 to \$2.00. Mayor Becker asked for a Resolution with Fee Schedule for next meeting with including an approximate 10% garbage rate increase that rounded the costs to even numbers. A motion was made to approve the approximate 10% garbage rate increase by Councilman Kathol and seconded by Councilman Christensen. A roll call vote was taken. Christensen – yes, Kathol – yes, Becker - yes. Motion carried.

Yates Flood Pool Easement Payment for 2024 was introduced next by Mayor Becker. A motion was made to approve the Yates Flood Pool Easement Payment for 2024 of \$813.33 by Councilman Christensen and seconded by Councilman Kathol. A roll call vote was taken. Christensen – yes, Kathol – yes, Becker - yes. Motion carried.

The December, 2023 Cedar County Sheriff's Report was distributed by Deputy Zimmer. There were 332 ½ hours patrolled. School traffic was 4 ¼ hours. Calls of service were 2 EMS Assists, 1 Disturbance, 1 Uncontrollable Juvenile, 2 Welfare Checks, 1 Criminal Mischief. Traffic stops were 1 Verbal Warning, 0 Written Warning, and 2 citations. 0 Arrests were made.

LB840 drawdown request was introduced by Mayor Becker. They are requesting \$325.04 for payment to Detlefsen Construction for New Industrial Park and \$10,000 for Payment to Bill Yates Industrial Park Property for a total of \$10,325.04. A motion to approve the LB940 drawdown request of \$10,325.04 was made by Councilman Kathol and seconded by Councilman Christensen. A roll call vote was taken. Christensen – yes, Kathol – yes, Becker - yes. Motion carried.

Clerk Bencoter discussed the texting service program with Council. She informed them that herself and Miranda Becker have done extensive research and met with multiple agencies regarding a texting alert service for the city. Textmygov was in her opinion, the best option for the City and the price was the lowest. She stated they spoke with Kevin Garvin with County Emergency Management and he stated the County did not have one but he was beginning to look into it and directed her to look into Wayne which has a texting service they share with the county. Clerk Bencoter stated she spoke with the City of Wayne and they do use a joint texting service with Wayne County for Emergency Management; however, they have their own texting service for the City of Wayne to be able to text multiple various things to their residents. Clerk Bencoter stated that the service can be used for many more things than just weather related as we have had an influx in garbage and snow removal phone calls within the last few weeks. A motion was made to approve the texting service through Textmygov by Councilman Christensen and seconded by Councilman Kathol. A roll call vote was taken. Christensen – yes, Kathol – yes, Becker - yes. Motion carried.

Resolution 20240108 Sale of Real Property was introduced by Councilman Christensen. Mayor Becker stated they have had interests from individual parties in purchasing the property where the community garden is, so the city would be putting it up for sale. A motion was made to approve the Sale of the Real Property on March 4, 2024 by auction with a minimum bidding price of \$15,000 by Councilman Christensen and seconded by Councilman Kathol. A roll call vote was taken. Christensen – yes, Kathol – yes, Becker - yes. Motion carried.

Resignation of Deputy Clerk Daniella de Waal was presented next. Motion to approve the resignation of Deputy Clerk Daniella de Waal as of December 31, 2023 was made by Councilman Christensen and seconded by Councilman Kathol. A roll call vote was taken. Christensen – yes, Kathol – yes, Becker - yes. Motion carried.

Hartelco rate increases was presented showing multiple rate increases for their services. Council had no questions.

Ordinance 899 – Amending Publications of Ordinances was discussed. Clerk Bencoter stated that this is just updating our current ordinance to be in alignment with Nebraska statute to be able to give the City the option to publish Ordinances by electronic form. Our Ordinance was written prior to this revision by the State. Rob Dump with Cedar County stated it was illegal. Clerk Bencoter stated it was Nebraska Statute and the Ordinance was written by Legal Counsel Nikki Brandt which duplicates the written Nebraska Statute. Rob Dump asked for it to be tabled so he could look into it. A motion was made to table Ordinance 899 by Councilman Christensen and seconded by Councilman Christensen. A roll call vote was taken. Christensen – yes, Kathol – yes, Becker - yes. Motion carried.

Mayor Becker discussed the possible purchase of a new truck for the Transfer Station as the current one they have is having problems. He stated he was hoping Gary Dickes would be present at the meeting to discuss the issues, but he was absent. Mayor Becker asked to table the issue until Gary Dickes was able to be present to discuss it further. A motion was made to table the issue of the purchase of a new truck for the Transfer Station by Councilman Kathol and seconded by Councilman Christensen. A roll call vote was taken. Christensen – yes, Kathol – yes, Becker - yes. Motion carried.

Ordinance 890 – Annexation of Highway 84 was introduced by Councilman Christensen. He conducted the first reading of the Ordinance. A motion to approve the first reading of Ordinance 890 was made by Councilman Christensen and seconded by Councilman Kathol. A roll call vote was taken. Christensen – yes, Kathol – yes, Becker - yes. Motion carried.

Ordinance 891 – Annexation of Cedar County Transit was introduced by Councilman Christensen. He conducted the first reading of the Ordinance. A motion to approve the first reading of Ordinance 891 was made by Councilman Christensen and seconded by Councilman Kathol. A roll call vote was taken. Christensen – yes, Kathol – yes, Becker - yes. Motion carried.

Ordinance 892 – Annexation of Pomp’s Tire Service was introduced by Councilman Christensen. He conducted the first reading of the Ordinance. A motion to approve the first reading of Ordinance 891 was made by Councilman Christensen and seconded by Councilman Kathol. A roll call vote was taken. Christensen – yes, Kathol – yes, Becker - yes. Motion carried.

Department Reports:

Park – Councilman Kathol: A pickleball net and play police car were ordered and believed both were in which Clerk Bencoter verified they both were.

Pool – Councilman Bartling: absent.

Complex/Auditorium – Councilman Sudbeck: absent.

Fire/Ambulance – Councilman Christensen: President of the Ambulance Dirk Dailey is working on a new company for ambulance billing and had a meeting with the person last night. Clerk Bencoter explained that Dirk Dailey had spoken with her earlier that day and stated that this lady does billing for multiple ambulances in the area and charges a flat rate, which will be a cost saving, and the ambulance will keep track of the payments. We are unsure if Council needs to vote on this, so Legal Counsel Nikki Brandt is looking into the matter.

General – Mayor Becker: He has had multiple phone calls regarding snow removal. He has asked for Clerk Bencoter to notify the public to not park on city streets until snow removal is done, to not push snow into the street, and to make sure to clear snow around hydrants. Councilman Kathol asked if the street department cleared the streets in sections and then we could use our new texting service to notify certain sections at a time. Clerk Bencoter asked if the City had an Ordinance which stated no parking on City streets during a snow emergency that would be declared by the Mayor and Mayor Becker stated we did not. He is hoping that notifying the public would make a difference.

Legal Counsel Nikki Brandt: absent.

Clerk Bencoter: none

Public Comments: Rob Dump asked for clarification on where the city limits currently end regarding the annexation. Mayor Becker stated the annexation will go into the old cheese plant area and annex Cedar County Transit and Pomp’s Tire Service to take jurisdiction of the highway. He stated he has already spoken with Pomp’s Tire Service and they are fine with it. Rob Dump asked for a copy of Ordinance 889 – Amending Publication of Ordinance.

The following bills were presented for payments:

General: Burnell's Foodtown 90.50, Cornhusker Press 80.69, D. Davey 18.75, EMC Insurance Companies 7,572.08, FP Finance Program 167.88, Hartelco 334.13, Hartington Golf Club Inc. 739.50, Hartington Shopper 162.00, J. Jones 18.75, Kennedy, Pier, Loftus & Reynolds, LLP 2,300.00, M. Lordemann 53.28, NE Nebraska Company 572.55.

Streets: Blue Cross/Blue Shield 773.99, Backus Sand & Gravel 387.65, Bank of Hartington 2,536.89, Black Hills Energy 1,006.20, Bomgaars 1,100.74, Carhart Lumber Co. 41.97, Colonial Life 27.22, EMC Insurance Companies 1,154.84, Farmers Union Coop Gas & Oil 1,477.58, Folkers Bros Garage 288.51, Franklin Templeton Services LLC 665.60, Grossenburg Implement 600.00, Hartington Auto & Truck 201.47, JEO 3,000.00, Kruse True Value 173.70, Overhead Door Company 161.58, Peitz Service 131.50, Usable Life 14.50.

Water: S. Bear 100.00, Bomgaars 24.15, Carhart Lumber Co. 400.33, Cedar-Knox Public Power District 245.19, EMC Insurance Companies 866.13, The Globe 100.00, Hartelco Computers 1,469.15, Hartington Shopper 112.82, Municipal Supply Inc. 3,954.25, NE Public Health Environment Lab 137.00, One Call Concepts Inc. 4.39, Peitz Service 100.16.

Sewer: Black Hills Energy 119.30, Bomgaars 135.98, Carhart Lumber Co. 79.47, EMC Insurance Companies 1,246.70, Hartelco 66.60, Hartington Auto & Truck, Inc. 59.96, Hartington Shopper 112.83, JC Cross Co. 5,142.32, Kruse True Value 116.46, Municipal Supply, Inc. 191.00, Northeast Ag Consulting 150.00, One Call Concepts, Inc. 4.39, USA Blue Book 2,071.43.

Sanitation: Blue Cross/Blue Shield of Nebraska 1,217.74, Bank of Hartington 83.33, Bomgaars 15.77, Colonial Life 129.66, EMC Insurance Companies 1,062.98, Farmers Union Coop Gas & Oil 165.89, Franklin Templeton Investor Services, LLC 425.55, The Globe 70.00, Hartington Shopper 112.84, Peitz Service 60.50, Usable Life 29.00.

Fire: Black Hills Energy 93.50, Bomgaars 109.10, Burnell's Foodtown 9.19, Dearborn National Life Ins. Co. 134.00, EMC Insurance Companies 459.31, Ed. M. Feld Equipment Co., Inc. 1,369.88, Farmers Union Coop Gas & Oil 105.07, Dixie Fischer 150.00, Grossenburg Implement 36.80, Hartington Volunteer Fire Department 453.00, Hartelco 46.07, Overhead Door Company 161.58, Yankton Janitorial Supply, Inc. 58.70.

Police: Cedar County Sheriff 27,335.72.

Ambulance: Anderson Body Shop 469.10, Avera Sacred Heart Hospital 473.91, Black Hills Energy 93.51, Burnell's Foodtown 9.20, EMC Insurance Companies 301.83, Emergency Medical Products 506.92, Farmers Union Coop Gas & Oil 232.90, Hartelco 46.08, Peitz Service 9.00, S. Leise 60.87.

Cemetery: Cedar Knox Rural Water 55.65.

Pool: Black Hills Energy 38.75.

Parks: Bluegrass Playgrounds, Inc. 2,942.00, Hartelco 44.56, Lammers Fence & Tree LLC 7,801.14, Plumbing & Electric 1,214.65, X-Pert Lawn and Landscaping 4,893.75.

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: Tami Anderson 325.00, Blue Cross/Blue Shield 5,853.72, Bank of Hartington 333.34, Franklin Templeton Investor Services 376.42, Hartelco 161.46, Hometown Leasing 48.40, Ingram 293.53, Midwest Tape 112.94, Quill Corporation 495.98, Tramp Heating and Cooling LLC 161.24, Usable Life 29.00, X-Pert Lawn and Landscaping 535.00, Yankton Daily Press & Dakotan 235.14.

City Hall: Blue Cross/Blue Shield 2,493.65, Bank of Hartington 166.67, Black Hills Energy 90.30, Burnell's Foodtown 20.95, Eakes Office Solutions 85.68, Dixie Fischer 100.00, Franklin Templeton Investor Services LLC 517.53, Hartington Shopper 83.00, NE Nebraska News Company 77.44, Premier Lawn & Landscaping 192.50, Usable Life 28.00.

Auditorium: Black Hills Energy 566.20, D & J Variety 25.99, Kruse True Value 11.99, K. Folkers 10.00, Yankton Janitorial Supply, Inc. 52.00.

Economic

Development: Franklin Templeton Investor Services LLC 262.66, Hartelco 64.27, Usable Life 14.250.

Transfer

Station: Cedar-Knox Public Power District 987.86, Deere Credit Inc. 443.27, EMC Insurance Companies 459.31, Farmers Union Coop Gas & Oil 879.22, Gill Hauling, Inc. 2,760.66, Hartelco 47.19, Olson's Pest Technicians 75.00, Overhead Door Company 161.59.

Payroll for December, 2023 was \$52,800.27

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

A motion to adjourn was made by Councilman Christensen and seconded by Councilman Kathol. A roll call vote was taken. Christensen – yes, Kathol – yes, Becker - yes. Motion carried.

The meeting was adjourned at 5:31 PM. The next scheduled meeting is January 22nd, 2024.

Respectfully Submitted,

Brittini Bencoter
City Clerk-Treasurer