

The Hartington City Council met for their regular meeting on January 22, 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 Bartling, Christensen and Kathol; City Clerk-Treasurer Bencoter, and Legal Counsel Nikki Brandt. Councilman Sudbeck was 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 January 11<sup>th</sup>, 2024 meeting was made by Councilman Kathol and seconded by Councilman Christensen. A roll call vote was taken. Bartling – yes, Christensen – yes, Kathol – yes. Motion carried.

Mayor Becker presented the discussion of the purchase of a new truck for the Transfer Station. He stated Miranda Becker informed him of a grant the City could apply for with aid of a new truck for up to \$25,000 if granted. He asked Gary Dickes with the City of Hartington to inform the council of the issues. Gary Dickes stated that the current truck was having issues with the semi that pulls the trailer. He stated the current truck was not worth a lot and Brad Peitz had told him it was better to sell the old truck on Big Iron Auction ourselves. He stated there is a 2016 for \$55,000 currently down at Peitz GMC. He stated they currently make an average of 2 trips per week to the landfill, and the current truck has 581,000 miles on it. Councilman Christensen asked if we should table the issue dependent on the grant. Councilman Kathol asked if we can approve to purchase the truck after the completion of the grant paperwork. A motion to purchase the truck after the completion of the grant paperwork was made by Councilman Kathol and seconded by Councilman Christensen. A roll call vote was taken. Bartling – yes, Christensen – yes, Kathol – yes. Motion carried.

Mayor Becker introduced Resolution 20240122 regarding the increase in garbage rates. He stated they discussed last meeting about raising the rates approximately 10% across the board which is shown in the new pricings on the resolution. A motion to approve Resolution 20240122 – Garbage Rate Increases was made by Councilman Christensen and seconded by Councilman Bartling. A roll call vote was taken. Bartling – yes, Christensen – yes, Kathol – yes. Motion carried.

Mayor Becker stated that at the last meeting we discussed updating the current Ordinance to allow passed Ordinances to be published electronically. He stated this would be an advantage for the City if we ever get into any time constraints on publications. He stated just because Council would approve the Ordinance, does not mean that we have to publish them solely electronically and can continue to publish the Ordinances in the paper as well. Councilman Kathol agreed. Rob Dump asked Council if the Ordinance is passed, if they would decide if it is published on the website or on the paper. Mayor Becker stated that the City would currently continue as normal unless there was a time constraint. Rob Dump asked Council why they would publish the Ordinance electronically if there was no time constraint. He asked if Council was doing this for economics or desire to get information in front of the people as they won't save much money by publishing electronically. He stated he wasn't worried about current council, but what 3 Councils in the future would do. Councilman Kathol asked Rob Dump what the percentage is of people that get the paper. Rob Dump stated they had to have 70% participation. He stated they started a website last year to catalog ordinances.

Legal Counsel Nikki Brandt stated it was a State statute and the City would be able to publish the ordinances electronically either way, but she felt it to be in the City's best interest to still have an updated City ordinance allowing them to be in line with the State statute. She stated we are also looking to the future in a time where newspapers may no longer be in circulation and only in electronic form and without the ordinance in place, this could cause issues in needing to publish ordinance. She stated the purpose of the Ordinance is to give us options if needed. Rob Dump stated it gives options to problems that don't exist. Mayor Becker stated we are only talking about the publication of Ordinances as minutes and other legal publications still have to currently be published in a newspaper. The situation is the concern if an ordinance is passed and we are not able to get it published by a certain legal timeline. Legal Counsel Nikki Brandt stated it is her recommendation as legal counsel to pass the ordinance to have in place in case we need to use it. Councilman Christensen stated this is just a house cleaning issue that we have to take care of so we need to take advice of legal counsel. Councilman Bartling stated we have no desire to change what we are currently doing.

Councilman Kathol introduced Ordinance 889 – Amending Publication of Ordinances. After reading the ordinance, Rob Dump stated with the 15-day time frame for publication stated in the ordinance, there should not be a time constraint as the paper publishes weekly. Legal Counsel Nikki Brandt, stated sometimes an ordinance may have a time limit on the start date based off of the date of publication and if we can publish it electronically first, then we can start the timeline sooner. A motion to dispense of the 3 readings was made by Councilman Bartling and seconded by Councilman Christensen.

A motion to adopt Ordinance 889 was made by Councilman Kathol and seconded by Councilman Bartling. A roll call vote was taken. Bartling – yes, Christensen – yes, Kathol – yes. Motion carried.

Resolution 20240122A – Increasing Rates of Ambulance Services was introduced. Dirk Dailey, Hartington Ambulance President, spoke to Council. He stated ambulance rates have not been increased in a while and they are wanting to make rates more uniform with surrounding communities. He stated the ambulance has not charged for supplies in the past and would like to start being able to charge for the costs that currently the Ambulance department is paying for and he believes we are leaving money on the table as most insurance companies will pay for these services. He stated they still have to justify the supplies and services are medically necessary. He stated they are asking to increase their BLS services to \$800 and this ALS services to \$1,200. He stated they will keep their mileage the same and reassess down the line. A motion was made to approve Resolution 20240122A – Increasing Rates of Ambulance Services by Councilman Bartling and seconded by Councilman Christensen. A roll call vote was taken. Bartling – yes, Christensen – yes, Kathol – yes. Motion carried.

Ambulance Contract with AMBILL Associates, LLC was discussed by Dirk Dailey. He stated the Ambulance department is having issues with their current billing provider QMC as they are not collecting on claims and are charging 15% of what they collect which is a high amount. He stated this new service does billing for multiple agencies in Nebraska and South Dakota and is familiar with Nebraska, South Dakota and Iowa insurance policies and laws. He stated she charges a flat fee of \$35 per bill which is cheaper, and will do paperwork for licensing validation. He stated QMC is not getting the job done and people are not able to get ahold of them when they have questions and want to pay a bill. Mayor Becker asked if the new billing service could go back and collect on old claims and Dirk Dailey stated she could. A motion was made to approve the new contract with AMBILL Associates, LLC by Councilman Christensen and seconded by Councilman Bartling. A roll call vote was taken. Bartling – yes, Christensen – yes, Kathol – yes. Motion carried.

The Council reviewed the Special Designated Liquor License for Broadway Lanes for an event at Town Square Offices, LLC on 02/10/2024. A motion was made to approve the Special Designated Liquor License Application for Broadway Lanes by Councilman Christensen and seconded by Councilman Bartling. A roll call vote was taken. Bartling – yes, Christensen – yes, Kathol – yes. Motion carried.

Ordinance 890 – Annexation of Highway 84 was introduced and read aloud by Councilman Kathol. A motion to approve the second reading of Ordinance 890 – Annexation of Highway 84 was made by Councilman Christensen and seconded by Councilman Bartling. A roll call vote was taken. Bartling – yes, Christensen – yes, Kathol – yes. Motion carried.

Ordinance 891 – Annexation of Cedar County Transit was introduced and read aloud by Councilman Kathol. A motion to approve the second reading of Ordinance 891 – Annexation of Cedar County Transit was made by Councilman Christensen and seconded by Councilman Kathol. A roll call vote was taken. Bartling – yes, Christensen – yes, Kathol – yes. Motion carried.

Ordinance 892 – Annexation of Pomp’s Tire Service was introduced and read aloud by Councilman Kathol. A motion to approve the second reading of Ordinance 892 – Annexation of Pomp’s Tire Service was made by Councilman Christensen and seconded by Councilman Kathol. A roll call vote was taken. Bartling – yes, Christensen – yes, Kathol – yes. Motion carried.

Council discussed the Blue Cross/Blue Shield Insurance Rates and Renewal. Mayor Becker stated the standard rate increase is 18-19%. He stated the City looked at other options and had employees meet with Matt Dresden with Security Wealth to look at other options, but some employees were concerned with the quality and the close deadline. He stated the City wants to provide a good program for the employees and maybe for next year we take more time and look at other options. Councilman Bartling asked when we start to look into that and Mayor Becker stated new rates come out in October so around that time. He stated we should meet with employees individually and look at a program that is best overall. A motion was made to approve the renewal of Blue Cross/Blue Shield Insurance for employees by Councilman Christensen and seconded by Councilman Bartling. A roll call vote was taken. Bartling – yes, Christensen – yes, Kathol – yes. Motion carried.

#### Department Reports:

Park – Councilman Kathol: Gary Kuehn and Bill McTaggart are going to share the park duties and responsibilities for the upcoming season. Mayor Becker stated we also have a person lined up to care for flowers this summer.

Pool – Councilman Bartling: HMR Roofing provided a bid of \$21,500 to replace the pool roof. Councilman Kathol asked if that was the only bid and Councilman Bartling stated they got a bid from another person that was relatively the same price and was out of town. He stated they have begun looking

for lifeguards. Mayor Becker asked Legal Counsel Nikki Brandt about being able to ask for date of birth on applications since lifeguards have to be 16 years of age. She stated she believed that was ok and would look into it to make sure.

Complex/Auditorium – Councilman Sudbeck: absent.

Fire/Ambulance– Councilman Christensen: none.

General – Mayor Becker: Street guys have done a great job at removing snow. He would like to hold a townhall meeting to discuss the possibility of moving the Skylon and speak with the public to see what interest is out there. He stated it would be about 1.5 million to move the Skylon or 2-3 million to build a new event center, so it would save money in theory to move the Skylon. Peggy Dump asked if those numbers for moving the Skylon included the remodeling and Mayor Becker stated they did. He stated it included the addition on the front, bathroom remodel, front area remodel and back addition for storage. They still have to negotiate with economic development on a lot price. P & E will still own the building until it is moved and they have 500,000 insurance in case the moving of the building fails.

Legal Counsel Nikki Brandt: none

Clerk Bencoter: The City has hired a new Deputy Clerk, she will start on February 12<sup>th</sup> and we are excited to have her.

Public Comments: Rob Dump asked what will the City do with the Ordinances now after they are approved, are they going to do the same as normal. Mayor Becker stated it will currently stay the same. Legal Counsel Nikki Brandt stated they can still publish in the paper even after posting online if the City chooses to.

The following bills were presented for payments:

General: Nebraska Public Power District 170.71, Northeast Community College 650.00, One Office Solution 21.25, SHIFTR 13.50.

Streets: Bank of Hartington 2,353.56, Black Hills Energy 1,337.78, C. Kramer 154.35, Leise Concrete 8,700.00, Midwest Service & Sales Co. 120.00, Nebraska Public Power District 2,947.33, Stop N Go 300.79, U.S. Cellular 78.43, Wiechelman’s Repair Shop 487.64.

Water: Cedar-Knox Public Power District 1,039.56, Municipal Supply Inc. 600.00, Nebraska Public Power District 320.07.

Sewer: Black Hills Energy 154.74, Midwest Laboratories, Inc. 1,059.64, Nebraska Public Power District 2,856.10.

Sanitation: L.P. Gill Inc. 9,639.51, Stop N Go 240.28, U.S. Cellular 80.78.

Fire: Black Hills Energy 174.51, Ed. M. Feld Equipment Co., Inc. 417.98, Garvin’s CB Shop 982.00, Nebraska Public Power District 136.07, Overhead Door Company 349.75, Stop N Go 25.08.

Ambulance: Black Hills Energy 174.52, Emergency Medical Products 16.97, Garvin’s CB Shop 175.26, K. Fischer 402.39, Matheson Tri-Gas 148.57, Nebraska Public Power District 104.48, Stop N Go 94.09, Tri-State Communications, Inc. 100.00, U.S. Cellular 134.14, Yankton County EMS 262.50.

Cemetery: Cedar Knox Rural Water 61.22

Recreation: Nebraska Public Power District 63.16

Pool: Black Hills Energy 39.02, Nebraska Public Power District 47.37.

Parks: Nebraska Public Power District 339.81.

Complex: Nebraska Public Power District 77.37.

Library: Black Hills Energy 499.23, Hometown Leasing 48.40, Ingram 551.04, Nebraska Public Power District 175.28, Premier Lawn & Landscaping 170.00.

City Hall: Black Hills Energy 127.84, Hartelco Computers 4,912.79, Hometown Leasing 62.05, Nebraska Public Power District 248.13, Premier Lawn & Landscaping 55.00.

Auditorium: Black Hills Energy 855.10, DNS Security 347.50, Nebraska Public Power District 82.71, R & R Services LLC 249.78, X-Pert Lawn and Landscaping 215.00, Yankton Janitorial Supply, Inc. 158.00.

Economic

Development: Cedar County Register of Deeds 22.00, Hometown Leasing 31.02.

Transfer

Station: Cedar-Knox Public Power District 305.28, Overhead Door Company 359.70.

Vets

Memorial: Nebraska Public Power District 58.38, X-Pert Lawn and Landscaping 150.00.

Clerk Bencoter added an additional check for approval of payment. She requested check # 64023 to H. Walter for 271.60 for payment as well. A motion to pay check # 64023 was made by Councilman Christensen and seconded by Councilman Bartling. A roll call vote was taken. Bartling – yes, Christensen – yes, Kathol – yes. Motion carried.

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, Kathol – 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, Kathol – yes. Motion carried. The meeting was adjourned at 6:05 PM. The next scheduled meeting is February 12<sup>th</sup>, 2024.

Respectfully Submitted,

Brittni Bencoter  
City Clerk-Treasurer