

The Hartington City Council met for their regular meeting on February 12th, 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, and Kathol; City Clerk-Treasurer Bencoter, and Legal Counsel Nikki Brandt. Councilman Christensen and Sudbeck 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 January 22nd, 2024 meeting was made by Councilman Kathol and seconded by Councilman Bartling. A roll call vote was taken. Bartling – yes, Kathol – yes, Becker - yes. Motion carried.

Resolution 20240212 – Adoption of the Colonial Life Cafeteria Plan was introduced by Councilman Kathol. A motion to approve Resolution 20240212 – Colonial Life Cafeteria Plan was made by Councilman Bartling and seconded by Councilman Kathol. A roll call vote was taken. Bartling – yes, Kathol – yes, Becker - yes. Motion carried.

Appointment of new Deputy Clerk Casey Schulte was presented. A motion to approve the appointment of Casey Schulte as Deputy Clerk was made by Councilman Bartling and seconded by Councilman Kathol. A roll call vote was taken. Bartling – yes, Kathol – yes, Becker - yes. Motion carried. Mayor Becker welcomed Casey Schulte to the City of Hartington.

Resolution 20240212A – Bank Authorization for Casey Schulte and adding Dirk Dailey and Donna Davey to the Ambulance Checking was introduced by Mayor Becker. The new bank authorization would remove past Ambulance President Troy Bottolfson and past Treasurer Dixie Fischer and replace them with current Ambulance President Dirk Daily and current Ambulance treasurer Donna Davey. A motion was made by Councilman Bartling to approve Resolution 20240212A – Bank Authorization for Casey Schulte, Dirk Dailey, and Donna Davey, removing Troy Bottolfson and Dixie Fischer from Ambulance, and seconded by Councilman Kathol. A roll call vote was taken. Bartling – yes, Kathol – yes, Becker - yes. Motion carried.

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

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

Councilman Kathol introduced and conducted the third reading for Ordinance 892 – Annexation of Pomp's Tire Service. A motion to approve the third reading of Ordinance 892 – Annexation of Pomp's Tire Service was made by Councilman Bartling and seconded by Councilman Kathol. A roll call vote was taken. Bartling – yes, Kathol – yes, Becker - yes. Motion carried. A motion to adopt Ordinance 892 – Annexation of Pomp's Tire Service was made by Councilman Bartling and seconded by Councilman Kathol. A roll call vote was taken. Bartling – yes, Kathol – yes, Becker - yes. Motion carried.

Mayor Becker discussed the reconstruction of the City of Hartington bank accounts. He explained we have multiple different bank accounts and reconstructing them and combining some would provide for a higher interest rate and streamline our bank accounts. He stated this would make us an estimated \$20,000-\$25,000/year in interest payments. Council was presented with a document showing the restructure of bank accounts and CD's. A motion to approve the document of the restructure of bank accounts and CDs was made by Councilman Bartling and seconded by Councilman Kathol. A roll call vote was taken. Bartling – yes, Kathol – yes, Becker - yes. Motion carried.

Clerk Bencoter informed council that the City of Hartington was awarded a grant in the amount of \$1,274.93 from NMPP for the Energy Research and Development Fund (ERDF) to be used on energy conservation. She asked if Council had any suggestion on how they would like to use the grant money. Councilman Bartling suggested we use the money to put towards the new energy efficient air/heat unit that was installed in City Hall recently. A motion was made by Councilman Bartling approve to use the

grant money to be applied to the purchase of the new energy efficient air/heat until installed in City Hall recently and was seconded by Councilman Kathol. A roll call vote was taken. Bartling – yes, Kathol – yes, Becker - yes. Motion carried.

A sign permit by Mayer Signs for a new sign at Hartington Insurance was presented. A motion to approve the sign permit at Hartington Insurance was made by Councilman Bartling and seconded by Councilman Kathol. A roll call vote was taken. Bartling – yes, Kathol – yes, Becker - yes. Motion carried.

LB840 Loan Application #20240119 for Carly Christensen/The Globe on Broadway was introduced by Mayor Becker. The loan was for \$25,000 for 10 years at 0% interest. Councilman Bartling asked if the loan had gone through the Economic Development committee first and Mayor Becker verified that it had. Councilman Kathol asked if there were LB840 loans given to the previous owners of that property and Councilman Bartling verified there were, but they were all paid back. A motion to approve LB840 Loan Application #20240119 for Carly Christensen/The Globe on Broadway in the amount of \$25,000 for 10 years at 0% interest was made by Councilman Bartling and seconded by Councilman Kathol. A roll call vote was taken. Bartling – yes, Kathol – yes, Becker - yes. Motion carried.

Mayor Becker introduced the LB840 Drawdown request. LB840 Drawdown request consisted of a request of \$35,952.46 for payment to Detlefsen Construction for New Industrial Park, and \$10,432.00 for Bill Yates for Industrial Park Property (final payment), for a total of \$46,384.46. A motion to approve the LB840 Drawdown request for \$46,384.46 was made by Councilman Kathol and seconded by Councilman Bartling. A roll call vote was taken. Bartling – yes, Kathol – yes, Becker - yes. Motion carried.

Department Reports:

Park – Councilman Kathol: The State Baseball Tournament will be held in Hartington this year and are getting things in order.

Pool – Councilman Bartling: A bid was received from a contractor in Freemont which was in line with the bid from HMR and the Pool Board decided to go with the local contractor of HMR.

Complex/Auditorium – Councilman Sudbeck: absent.

Fire/Ambulance – Councilman Christensen: absent.

General – Mayor Becker: none.

Legal Counsel Nikki Brandt: none

Clerk Benscoter: Hartelco has been able to design an automated telephone system for the city line which will reduce the number of calls asking only for the Transfer Station hours, and the system will also have an option to be able to contact someone with an afterhours emergency. They have the program ready to go and the additional cost will be between \$7-\$10 per month. Mayor Becker asked if we need new phones for the system and Clerk Benscoter stated, no, Hartelco has designed the system in line with our current phone system; however, they have stated our phone system is very old and is in need of updating at some point, which currently the cost is roughly \$5,000.

The EPA is requiring all States to complete a Lead Service Line Report and the State has passed that responsibility onto the cities. Clerk Benscoter and City Utility Superintendent Corey Kramer received training on the report that is needed from the Midwest Assistance Program whom the State has given grant money to be able to assist cities with the report. The report is very labor intensive on both City departments due to the EPA requiring information on every water line within the City. The City Office will put information into the spreadsheets for City Utility Superintendent Kramer, and then City Utility Superintendent Kramer will have to go to residents that do not return the survey or return answers as unknown to get the information. There are other options of verification that we can and are exploring; however, if any home is reported as having lead or an “unknown”, the City will have to develop a Lead Service Line Replacement Plan and notify those residents determined to have lead or “unknown”. At this point, we are attempting to gather all the information and will move forward from there with the information we receive.

Public Comments: Rob Dump wanted to clarify the LB840 loan time period and amount which Clerk Benscoter verified as 10 years for \$25,000. He asked Council to explain again why they wanted to do the annexation of Highway 84, Pomp’s Tire Service and Cedar County Transit. Mayor Becker explained they are hoping to be able to control and lower the speed limit at that area for safety and to be

able to avoid a turning lane because it will cost ½ million dollars, but it is ultimately up to the State to decide.

The following bills were presented for payments:

- General: EMC Insurance Companies 8,477.99, Eakes Office Solutions 5.50, FP Finance Program 115.698, Hartelco 89.13, Northeast Nebraska Economic Development District 42.50, Northeast Nebraska News Company 798.73.
- Streets: Black Hills Energy 2,156.70, Blue Cross Blue Shield 918.96, Bank of Hartington 266.66, Bomgaars 517.20, Carhart Lumber Co. 11.96, Colonial Life 27.22, EMC Insurance Companies 1,293.00, Farmers Union Coop Gas & Oil 4,965.49, Franklin Templeton Services LLC 1,255.46, Grossenburg Implement 8,588.95, Hartington Auto & Truck 307.84, Midwest Service & Sales Company 840.00, Murphy Tractor & Equipment Co. Inc. 71,305.17, U.S. Cellular 80.40, Wiechelma's Repair Shop 985.52.
- Water: EMC Insurance Companies 969.75, Municipal Supply Inc. 141.37, Northeast Public Health Environment Lab 67.00, One Call Concepts, Inc. 2.94, Peitz Service 59.78.
- Sewer: Black Hills Energy 198.51, EMC Insurance Companies 1,395.86, Hartelco 66.60, Hartington Auto & Truck Parts Inc. 12.99, One Call Concepts Inc. 2.95.
- Sanitation: Blue Cross Blue Shield 1,466.92, Bank of Hartington 83.33, Bomgaars 59.96, Colonial Life 129.66, EMC Insurance Companies 1,190.15, Farmers Union Coop Gas & Oil 124.98, Franklin Templeton 575.73, M. Goeden 69.78, L.P. Gill Inc. 4,773.71, Plumbing & Electric 6.40, B. & T. Robinette 63.28, U.S. Cellular 82.75.
- Fire: Black Hills Energy 373.30, Bomgaars 182.81, Dearborn National Life Insurance Company 123.68, EMC Insurance Companies 514.26, Farmers Union Coop Gas & Oil 148.15, Hartelco 45.99, Hartington Shopper 283.50, Keith's Package Liquor 54.38, R & R Services LLC 154.08.
- Police: Cedar County Sheriff 13,667.86.
- Ambulance: Avera Medial Group 50.00, Black Hills Energy 373.29, Bomgaars 11.99, Burnell's Foodtown 79.79, EMC Insurance Companies 337.94, Emergency Medical Products 341.21, Farmers Union Coop Gas & Oil 228.41, Hartelco 46.00, Northeast Community College 1,198.00, Steffen Drug Store 22.98, U.S. Cellular 140.01.
- Cemetery: Cedar Knox Rural Water 55.65
- Pool: Black Hills Energy 40.37, Hartington Shopper 166.00, Northeast Nebraska News Company 134.88.
- Complex: Carhart Lumber Company 412.27, Hartelco 44.56, Randy Kathol Construction 2,680.00.
- Library: Black Hills Energy 777.83, Blue Cross Blue Shield 6,961.11, Bank of Hartington 333.34, Franklin Templeton Investor Services LLC 372.58, Hartelco 161.46, Kruse True Value 12.99.
- City Hall: Black Hills Energy 205.71, Blue Cross Blue Shield 1,642.86, Bank of Hartington 166.67, Burnell's Foodtown 13.99, Eakes Office Solutions 96.00, Dixie Fischer 150.00, Franklin Templeton Investor Services LLC 440.14, Hansen Locksmithing 225.00, Hartington Shopper 83.00, Hometown Leasing 62.05, Northeast Nebraska News Company 77.44.
- Auditorium: Appera 150.92, Black Hills Energy 1,417.39, Hartelco Computers 438.40, X-Pert Lawn and Landscaping 517.50.
- Economic Development: Franklin Templeton Investor Services LLC 243.82, Hartelco 49.70, Hometown Leasing 31.02.
- Transfer Station: Bomgaars 222.91, Deere Credit, Inc. 486.28, EMC Insurance Companies 514.29, Farmers Union Coop Gas & Oil 619.80, Gill Hauling 812.61, Hartelco 47.19, Hartington Auto & Truck Parts Inc. 21.57, Hartington Shopper 55.80, Jerry's Service 240.21, Olson's Pest Technicians 75.00, Peitz Service 3,433.77.

Vets
Memorial: X-Pert Lawn and Landscaping 477.50.

Creative
District: Creatively Seeded, LLC 465.00.
Payroll for January, 2024 was \$53,360.71.

Clerk Bencoter added an additional check for approval of payment. She requested check #64076 to Black Hills Energy for \$5,543.10 for payment. A motion to pay the bills along with check #64076 to Black Hills Energy for \$5,543.10 was made by Councilman Bartling and seconded by Councilman Kathol. A roll call vote was taken. Bartling – yes, Kathol – yes, Becker - yes. Motion carried.

A motion to recess and reconvene at the Auditorium at 6:55 pm for the Town Hall Meeting was made by Councilman Bartling and seconded by Kathol. A roll call vote was taken. Bartling – yes, Kathol – yes, Becker - yes. Motion carried.

The meeting was recessed at 5:26 PM.

A motion to reconvene the meeting at 6:55 PM at the Auditorium was made by Mayor Becker and seconded by Councilman Kathol. A roll call vote was taken. Bartling – yes, Kathol – yes, Becker - yes. Motion carried. Meeting was reconvened at 6:55 PM at the Auditorium.

Mayor Becker addressed the crowd stating the meeting would be a walk-through of the City Shop and Skylon and the petition process that is needed to be able to put the items on the ballot in May for the residents to be able to vote on.

Former Utility Superintendent Pat Guy addressed the crowd informing them the current City Shop is 100 years old and is being held together with cables. He stated the building is not adequate size to hold the larger equipment now a days and the building needs to be replaced. Current City Utility Superintendent Kramer stated the building is dilapidated and they cannot fit the equipment in the building. He stated they have ruined and broken equipment trying to get it in and out of the shop. He stated they have to pull out many pieces just to get to one and it is hard to maneuver around in there. He stated they are using multiple City owned buildings around town to store equipment because it will not all fit in the shop. He invited anyone to come down and look at building in person if they would like. Mayor Becker stated the plans for the City Shop replicate that of the new Firehouse, without the offices. He stated it would also have a wash bay for the garbage truck and other vehicles needing cleaning and to help with odors. He stated the new building would give ample room to store equipment because the equipment isn't getting any smaller. The new City Shop, if approved, would be built across from the current shop on already City owned property, and the shop doors would face West. The cost is estimated to be 1.2 million, but are asking 1.3 million to leave room for any unexpected costs that come with construction.

Public Comments: Does the City pay rent for the other buildings where equipment is stored and what would the City do with the old building? Mayor Becker stated we own all the other buildings and they have not decided yet as there are costs associated with tearing down an old building. Would the City continue to utilize the old firehall? Mayor Becker stated the old firehall is jointly owned with the Rural Fire Board and would have to speak with them about selling. How will the bond be financed? Mayor Becker stated it would be financed by a 20-year Bond. Would construction start this year? Mayor Becker stated possibly, just depends on schedules and availability of contractors. How many petition voters does the City need to put the items on the ballot. Clerk Bencoter stated we need 10% of the number that voted in the last municipal election which is 94 valid signatures according to the Cedar County Clerk's office.

Mayor Becker discussed the Skylon Ballroom. He stated Roger Wortmann owns the building and came to the City about 1-2 years ago and stated he wanted out by 2025. Roger Wortmann stated he wanted out of running the Skylon Ballroom, and himself and Roman Sudbeck found a guy that stated he could move the Skylon Ballroom. Roger Wortmann stated his business needs the room. Mark Becker stated if the issue is voted on by the people to move the Skylon Ballroom, Roger Wortmann will own the building until it is moved and put on the foundation. Roger Wortmann will sell the building to his daughter and they will do the construction, which will be overseen by the City and then after construction is completed, the City will buy the building from the Wortmann family. The Skylon has been there for over 75 years and would be moved to the new industrial park, the furthest East lot which is the same size or bigger than the current lot. Renovations would be done on the back of the building, the lobby, and the bathrooms. The parking lot would be bigger than the current one and overflow parking would be in the back. The total estimated cost would be 1.5 million, but the City is asking for 1.6 million to accommodate any unexpected costs. Hartington needs an event center and if there is no support to move the Skylon Ballroom then the City will look at a new one and currently the costs is estimated between 2.7 million and 2.8 million. The first step is getting the petition signed with enough votes to put it on the ballot and the second step is to put the voting on the ballot in May. If the public does not vote in support,

then we move onto a new project and the Skylon will be torn down. The citizens will be the ones to decide.

Public Comments: What is the current capacity of the Skylon Ballroom. Roger Wortmann stated it was around 500 and Mayor Becker stated the new Skylon Ballroom would be able to accommodate more. What type of roof is on the Skylon and the life expectancy? Roger Wortmann stated it is a rubber roof with insulation of 1.5 inches thick and he did not know the life expectancy. What if the Skylon doesn't make the move? Mayor Becker stated there is insurance in case it doesn't make the move to reimburse Roger Wortmann. What parts of the Skylon are moving? Mayor Becker stated just the barrel. The bar and cooling system will go with, but the floor will be a new heated cement floor. How many large events does the current Skylon have in a year? Roger Wortmann stated 20-25 weddings per year with over 350 people.

Economic Development Coordinator Miranda Becker spoke of the economic impact of having an event center like the Skylon Ballroom in Hartington. If Hartington does not have an event center, then business for weddings and other large events will be taken outside of town losing revenue and income for our local businesses. In 2023, we received \$25,000 in Hotel Occupational Tax and the event center can be used for a lot more events than weddings. Councilman Kathol asked who would run the Skylon Ballroom and Mayor Becker stated they had interest from someone who wanted to rent it, but the opportunity would be open to everyone. Roger Wortmann stated that people visiting for the weddings always comment to him on how nice the town of Hartington is and the amenities it has. What is the average cost to heat the current Skylon? Roger Wortmann stated he has 3 heaters he turns on one hour before and it costs little. He stated the air keeps cool, even for large groups. Would it help to register the Skylon on the National Registry? Miranda Becker stated it could not be registered once it is moved and the grants money is not very good. Can we do fundraisers for money as many people who live outside of town would like to contribute? Mayor Becker stated that is a great idea, but would have to wait until a decision is made. What percentage is needed to pass the vote on the ballot. Clerk Bencoter stated it needs a majority vote to pass. Will there be a new kitchen in the Skylon? Mayor Becker stated it would be similar to what there is now; sinks, but not stove as most events have caterers come in. If it passes on the ballot, how long before work begins? Mayor Becker stated that would be dependent on those doing the work. They have received some bids, but have made no decisions on contractors. What money would be used for the maintenance and up keep like if the roof fails? Councilman Bartling stated Sales Tax and other streams of revenue the city has can be used to fix repairs and maintenance.

A motion to adjourn was made by Councilman Bartling and seconded by Councilman Kathol. A roll call vote was taken. Bartling – yes, Kathol – yes, Becker - yes. Motion carried. The meeting was adjourned at 8:19 PM. The next scheduled meeting is February 26th, 2024.

Respectfully Submitted,

Brittini Bencoter
City Clerk-Treasurer