

The Hartington City Council met for their regular meeting on September 9th, 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, Kathol, and Sudbeck; City Clerk-Treasurer Bencoter, Deputy Clerk Schulte, and Legal Counsel Nikki Brandt.

Mayor Becker opened the public hearing for Jerry Dendinger of Jerry's Service request to replat Lot 4, Block 1, First Addition to the City of Hartington, Cedar County, Nebraska at 5:00 P.M. Mayor Becker stated Jerry Dendinger was combining some lots and was going to build a building to store vehicles into. Rob Dump with Cedar County News asked for the location and Mayor Becker stated it was on Felber Street where Jerry Dendinger currently parks his trucks. There were no further comments and Mayor Becker closed the public hearing at 5:02 P.M.

Mayor Becker opened the public hearing for Troy Fischer and Jerry Fischer's request to replat Lots D & E, Richard Promes Subdivision in the S ½ of the NE ¼ of Section 36, Township 31 North, Range 1 East of the 6th Principal Meridian, Cedar County, Nebraska at 5:02 P.M. Jerry Fischer stated that he owns a lot he bought from the City that adjoins Troy Fischer's land and it would do him more good so they are trading some land. There were no further comments and Mayor Becker closed the public hearing at 5:03 P.M.

Mayor Becker opened the public hearing for Don & Bridget Whitmire's request to replat Lots 3A and 4A, Neuhalfen Subdivision, City of Hartington, Cedar County, Nebraska at 5:03 P.M. Clerk Bencoter explained they purchased 3 lots and were replating them into 2 lots and were going to building a home on 4A. There was no further comments and Mayor Becker closed the public hearing at 5:04 P.M.

Mayor Becker opened the public hearing for the One and Six Year Street Plan at 5:04 P.M. Mayor Becker asked if they fixed any of the streets, how to fund it. Councilman Bartling and Christensen stated it would be assessed to the property taxes of those residents. Councilman Christensen stated it would be bonded. There were no further comments and Mayor Becker closed the public hearing at 5:07 P.M.

Mayor Becker called the meeting to order at 5:07 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 August 26th, 2024 meeting and August, 2024 Treasurer's report was made by Councilman Kathol and seconded by Councilman Sudbeck. A roll call vote was taken. Bartling – yes, Christensen – yes, Kathol – yes, Sudbeck - yes. Motion carried.

Councilman Sudbeck introduced Resolution 20240909 – Final Plat of Lot 4, Block 1, First Addition to the City of Hartington, Cedar County, Nebraska. A motion to approve Resolution 20240909 was made by Councilman Bartling and seconded by Councilman Christensen. A roll call vote was taken. Bartling – yes, Christensen – yes, Kathol – yes, Sudbeck - yes. Motion carried.

Councilman Sudbeck introduced Resolution 20240909A – Final Plat of Lots D & E, Richard Promes Subdivision in the S ½ of the NE ¼ of Section 36, Township 31 North, Range 1 East of the 6th Principal Meridian, Cedar County, Nebraska. A motion to approve Resolution 20240909A was made by Councilman Bartling and seconded by Councilman Christensen. A roll call vote was taken. Bartling – yes, Christensen – yes, Kathol – yes, Sudbeck - yes. Motion carried.

Councilman Sudbeck introduced Resolution 20240909B – Final Plat of Lots 3A & 4A, Neuhalfen Subdivision, City of Hartington, Cedar County, Nebraska. A motion to approve Resolution 20240909B was made by Councilman Bartling and seconded by Councilman Christensen. A roll call vote was taken. Bartling – yes, Christensen – yes, Kathol – yes, Sudbeck - yes. Motion carried.

Mayor Becker presented the building permits for Don & Bridget Whitmire to build a home at 616 Neu Fam Drive and for Roger Wortmann to build a community center at 56281 Hwy 84. A motion to approve the building permits for Don & Bridget Whitmire and Roger Wortmann was made by Councilman Christensen and seconded by Councilman Bartling. A roll call vote was taken. Bartling – yes, Christensen – yes, Kathol – yes, Sudbeck - yes. Motion carried.

City Utility Superintendent Kramer requested a budget change from his original request for the 2024-2025 budget year. He stated at the budget workshop he requested budgeting for a new snowblower for \$120,000; however, he wants to wait because prices are changing and he took it to get fixed as the clutch was just out. He stated instead he would like to update the mower and street striper which will be

\$60,000 less than his original budget request. Councilman Kathol asked for the cost to fix the old snowblower and City Utility Superintendent Kramer stated he is supposed to be getting an estimate sent to him. Councilman Sudbeck stated they would trade in the 2 old mowers. A motion to approve the budget change request and be \$60,000 lower was made by Councilman Christensen and seconded by Councilman Sudbeck. A roll call vote was taken. Bartling – yes, Christensen – yes, Kathol – yes, Sudbeck - yes. Motion carried.

Councilman Sudbeck introduced Resolution 20240909C – Adopting One and Six Year Street Plan. A motion to approve Resolution 20240909C was made by Councilman Bartling and seconded by Councilman Christensen. A roll call vote was taken. Bartling – yes, Christensen – yes, Kathol – yes, Sudbeck - yes. Motion carried.

Mayor Becker explained to Council that the City needed to open a new Treasury Savings account per request of the auditor, to put in, and keep track of, the bond money the City receives for the City Shop. Councilman Kathol asked if it would be interest bearing and Clerk Bencotter stated it would be 2% interest. A motion to approve opening a Treasury Savings with Bank of Hartington for the bond money of the City Shop was made by Councilman Bartling and seconded by Councilman Christensen. A roll call vote was taken. Bartling – yes, Christensen – yes, Kathol – yes, Sudbeck - yes. Motion carried. A motion to approve the signers of the Treasury Savings account with Bank of Hartington as Mayor Becker, Councilman Christensen, Clerk Bencotter, and Deputy Clerk Schulte was made by Councilman Bartling and seconded by Councilman Christensen. A roll call vote was taken. Bartling – yes, Christensen – abstained, Kathol – yes, Sudbeck - yes. Motion carried.

Councilman Christensen moved to go into Executive session at 5:22 P.M. for the purpose of discussing real estate purchase. Councilman Sudbeck seconded the motion. Mayor Becker stated a motion has been made and seconded to go into Executive Session for the purpose of discussing real estate purchase and asked if there was any discussion. There was no discussion. A roll call vote was taken. Bartling – yes, Christensen – yes, Kathol – yes, Sudbeck - yes. Motion carried.

Councilman Sudbeck made a motion to adjourn the Executive Session at 5:44 P.M and reconvene open session, and the motion was seconded by Councilman Kathol. A roll call vote was taken. Bartling – yes, Christensen – yes, Kathol – yes, Sudbeck - yes. Motion carried.

Mayor Becker presented the bids for the City Shop. He stated there were 3 general contract bidders. Councilman Sudbeck stated the bid from James Steele was incomplete as it did not list the subcontractors out as requested and the bid was vague. Mayor Becker stated that leaves Radec Construction and Green Gable Contracting. Councilman Sudbeck stated there is only around \$120,000 difference between the two with Radec Construction being lower. He stated Radec Construction also has all local subcontractors with he feels is important. There is an option for an alternate storm sewer tie in which can run to the North so no risk of flooding anyone. Mayor Becker stated the bid for Radec Construction was \$1,047,699 and the bid for Green Gable Contracting was \$1,180,000. A motion to approve Radec Construction as the general contractor for the City Shop with the contracted amount of \$1,047,699, was made by Councilman Sudbeck and seconded by Councilman Christensen. A roll call vote was taken. Bartling – yes, Christensen – yes, Kathol – yes, Sudbeck - yes. Motion carried.

Mayor Becker presented the two bids for the dirt work for the City Shop from Plumbing & Electric Service, Inc. and Detlefsen Construction LLC. Councilman Kathol stated the bid from Detlefsen Construction LLC doesn't say anything about removal of old concrete. Councilman Sudbeck stated the first 5 feet of the concrete is bad. He stated Plumbing & Electric Service, Inc was up several times and was thorough, and their bid included the concrete removal. He stated Detlefsen Construction LLC did not reach out to him. He stated Plumbing & Electric Service has dirt tested and approved. He stated the difference in cost between the two bids was \$2,562.50 and suggested going with Plumbing & Electric and Councilman Kathol agreed. A motion was made to approve the dirt work bid and concrete removal from Plumbing & Electric Service, Inc. for \$65,702.50 by Councilman Kathol and seconded by Councilman Sudbeck. A roll call vote was taken. Bartling – yes, Christensen – yes, Kathol – yes, Sudbeck - yes. Motion carried.

Department Reports:

Park – Councilman Kathol: Spoke with another person about siding of the shelter house.

Pool – Councilman Bartling: Nothing.

Complex/Auditorium – Councilman Sudbeck: New PA system at the Complex works good. There was an issue with the scoreboard at the practice field, but it has been fixed. There are lots of activities going on right now. He stated the Auditorium is open for the season.

Fire/Ambulance– Councilman Christensen: nothing.

General – Mayor Becker: The City is still working with Roger Wortmann on the planning of the Skylon and it is moving along. They are doing dirt work right now and moving day for the Skylon will possibly be in a month. The Nordby Addition is moving along and they had a Preconstruction meeting with JEO and the developer and paving of the area may be done by November 15th. They have gone from 15 to 12 homes and the City has allowed them not to pave the winged streets.

Legal Counsel Nikki Brandt: nothing.

Clerk Bencoter: After the meeting last week regarding the multifamily sewer rates with S & N Real Estate, she followed up with other communities, cities of the second class, and Wayne to see what their charges are for single meter, multi-unit apartment complexes. She stated Wayne has a service charge per meter size and then another charge per water usage, and do not have a separate sewer rate charge for multi-unit apartment complexes. She compared Wayne rates to the water usage S & N Real Estate had for their property in Hartington and the rates are comparable to Hartington's rate. She stated a few other communities also charged a meter service charge and by water usage, and other communities charged a per unit sewer rate as Hartington does. The rates other communities were charging were in line with Hartington's rate. She stated some communities, including Wayne, are also going to be raising their rates in the near future. Councilman Kathol stated it looked like our rates are in line and are not needing to be adjusted at this time. Councilman Christensen stated we are just needing to charge the rates that were previously passed by Council, but were just being billed incorrectly.

Deputy Clerk Schulte: none

Public Comments: Rob Dump with Cedar County News asked if there were any decisions made from the Executive Session and Mayor Becker stated they just had some things to discuss before moving forward.

Clerk Bencoter stated DA Davidson needed to know after their approval of the City Shop bids, how much they wanted to sell in bonds as they are going to start selling them September 17th. Mayor Becker suggested to bond \$1.2 million because we didn't want to take out too much as it will cost us more in the long run. Councilman Bartling asked if we could take out the additional \$100,000 if we needed it later and Clerk Bencoter stated she was not sure and would need to verify with DA Davidson. Mayor Becker stated to only take out \$1.2 million for now.

The following bills were presented for payments:

General:	Eakes Office Solutions 142.15, FP Finance Program 115.98, Hartelco 303.90, Kennedy, Pier, Loftus & Reynolds, LLP 585.50, Northeast Nebraska News Company 291.68.
Streets:	Blue Cross Blue Shield of Nebraska 2,260.90, Bank of Hartington 266.66, Bomgaars 201.21, Colonial Life 27.22, Farmers Union Coop Gas & Oil 2,094.55, Folkers Bros Garage 15.34, Franklin Templeton Investor Services, LLC 953.39, Grossenburg Implement 1,671.34, Hartington Auto & Truck Parts, Inc. 35.13, U.S. Cellular 171.88, Wiechelman's Repair Shop 3,840.56.
Water:	Burnell's Foodtown 6.49, Municipal Supply, Inc. 2,698.00, One Call Concepts, Inc. 14.70.
Sewer:	Bomgaars 325.87, Hartelco 66.60, Johnson Service Co. 29,985.75, One Call Concepts Inc. 14.70, Plumbing & Electric 4,136.87, Wiechelman's Repair Shop 716.13.
Sanitation:	Blue Cross Blue Shield 1,466.92, Bank of Hartington 83.33, Bomgaars 27.98, Colonial Life 129.66, Franklin Templeton Investor Services LLC 410.55, U.S. Cellular 83.22.
Fire:	Bomgaars 199.99, Farmers Union Coop Gas & Oil 268.17, Hartelco 46.15, Keith's Package Liquor 145.91, MacQueen Equipment, LLC 1,784.45, Peitz Service 275.07.
Police:	Cedar County Sheriff 13,667.86.
Ambulance:	Burnell's Foodtown 36.55, Farmers Union Coop Gas & Oil 209.48, Hartelco 46.16, Hiway 84 Auto & RV Wash 31.50, U.S. Cellular 139.30.
Cemetery:	Maverick Heine 950.00, Toby Heine 950.00.
Recreation:	Etched Impressions 264.00, Hartington Baseball 1,700.00, Northeast Nebraska News Company 221.45.

Pool: Hartelco 11.53, Kruse True Value 9.58.

Parks: Bomgaars 166.76, Carhart Lumber Co. 9,344.58, Farmers Union Coop Gas & Oil 284.64, Grosseburg Implement 433.08, Hartington Auto & Truck Parts, Inc. 14.06, Jerry's Service 127.63, Kruse True Value 35.96, Pearson Motor Co. 39.99, Yankton Janitorial Supply, Inc. 364.45.

Complex: Bomgaars 6.15, Hartelco 44.57, Kruse True Value 18.07, X-Pert Lawn and Landscaping 1,700.00.

Library: Blue Cross Blue Shield of Nebraska 6,290.67, Bank of Hartington 333.34, Franklin Templeton Investor Services LLC 375.74, Hartelco 161.44, Kruse True Value 192.97.

City Hall: Blue Cross Blue Shield of Nebraska 2,215.51, Bank of Hartington 166.67, Burnell's Foodtown 66.16, Colonial Life 140.18, Eakes Office Solutions 162.18, Dixie Fischer 100.00, Franklin Templeton Investor Services LLC 512.67, Hometown Leasing 62.05.

Auditorium: Appera 78.06, Kruse True Value 7.58.

Economic
Development: Eakes Office Solutions 54.05, Franklin Templeton Investor Services LLC 281.90, Hartelco 49.79, Hometown Leasing 31.02, Kennedy, Pier, Loftus & Reynolds, LLP 173.50.

Transfer
Station: Farmers Union Coop Gas & Oil 55.00, Hartelco 47.19, Jerry's Service 922.17.

City Shop: Nebraska Public Power District 3,870.21.

Clerk Bencoter added check # 64725 to Nebraska Public Power District in the amount of \$3,870.21 for the moving of the power pole for the new City Shop. A motion to pay the bills, including the addition of check #64725 to Nebraska Public Power District was made by Councilman Christensen and seconded by Councilman Kathol. A roll call vote was taken. Bartling – yes, Christensen – yes, Kathol – 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, Kathol – yes, Sudbeck - yes. Motion carried.

The meeting was adjourned at 6:04 PM. The next scheduled meeting is September 23rd, 2024.

Respectfully Submitted,

Brittini Bencoter
City Clerk-Treasurer