

The Hartington City Council met for their regular meeting on November 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 Councilman Bartling, Christensen, Kathol, and Sudbeck; City Clerk-Treasurer Bencoter, Deputy Clerk Schulte, and Legal Counsel Brandt. Mayor Becker was absent. Councilman Kathol arrived at 5:05 P.M.

Council President Christensen called the meeting to order at 5:03 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 October 28th, 2024 meeting, October 30th, 2024 Special Meeting and October, 2024 Treasurer's report was made by Councilman Bartling and seconded by Councilman Sudbeck. A roll call vote was taken. Bartling – yes, Christensen – yes, Sudbeck - yes. Motion carried.

LeRoy Hansen presented 4 building permits to the Council; Troy Fischer – Shed, Tyler & Katrina Kathol – addition to their home, AMLH LLC – Storage building with loft, and Burnell Herbolsheimer – patio. He explained to council that a variance was granted for the building permit to AMLH LLC due to an unauthorized gas pipe line on the lot. He stated if the gas pipe line was not there, a variance would not be needed so that was the only reason for a variance. A motion to approve the building permits for Troy Fischer, Tyler & Katrina Kathol, AMLH LLC, and Burnell Herbolsheimer was made by Councilman Bartling and seconded by Councilman Kathol. A roll call vote was taken. Bartling – yes, Kathol – yes, Sudbeck - yes. Motion carried.

Council President Christensen presented the Special Designated Liquor License for Wildcat Properties LLC dba Hard Patch Brewing Company for an event at the Globe Event Center on November 30th, 2024. A motion to approve the Special Designated Liquor License for Wildcat Properties LLC dba Hard Patch Brewing Company was made by Councilman Bartling and seconded by Councilman Sudbeck. A roll call vote was taken. Bartling – yes, Kathol – yes, Sudbeck - yes. Motion carried.

Council President Christensen introduced the discussion with adjacent land owners for the possible vacating of the alley to the West of the Nordby Addition. He asked Clerk Bencoter for clarification. She stated it was a land owner that brought up the issue and the City spoke with the owner of the Nordby Addition who stated they do not want what would be their half of the alley if it was vacated and the adjacent land owners could have the entire 8-foot alley. She stated this was for land owners to be able to voice or state their opinion. Legal Counsel Brandt stated there was only an 8-foot alley between the land owners and the Nordby Addition and while it should be split 4 feet to each landowner if the City vacates the property, the owner of the Nordby Addition is relinquishing their half to the adjacent property owners. The property owners would receive the full 8 feet in additional property.

Bob Lauer asked if there would be any additional costs and Legal Counsel Brandt stated with their property expanding by 8 feet there would be additional property taxes, but didn't believe it would be very much. Councilman Kathol asked who does all the legal description fees and Legal Counsel Brandt stated she would. She stated if the residents agree with it, there are consent forms that the landowners would need to sign relinquishing the City of any liability for any unforeseeable things that would cost the landowners money in the future as the City does not know all that lies beneath that ground. Bob Lauer stated only three of the landowners were there, so is it an all or nothing deal for the landowners and Legal Counsel Brandt stated preferably yes as there are 3 blocks of alley being vacated and it would be difficult to split up the vacating of the alley if there is one or two land owners that do not want it. She stated the utility easement would stay and Councilman Bartling stated you could not build something right up to the lot line with that utility easement which would be on the East side of the homeowner's property. Bob Lauer asked if that 8 feet could be used in the setback and Councilman Bartling stated it would, you just couldn't build right on top of that easement. Bob Lauer asked if the cost to transfer the deed would be assessed to the homeowner and Legal Counsel Brandt stated no, if all the landowners agree she will write up an Ordinance to vacate the property, and after signed by Council, it would transfer the ownership from the City to the landowners. A motion was made to move forward with the vacating of the alley to the west of the Nordby Addition by Councilman Bartling and seconded by Councilman Kathol. A roll call vote was taken. Bartling – yes, Kathol – yes, Sudbeck - yes. Motion carried.

Department Reports:

Park – Councilman Kathol: He has gotten with the Baseball team to take down the tarps and nets before the winter.

Pool –Councilman Bartling: Nothing.

Complex/Auditorium – Councilman Sudbeck: Working on winterizing the Complex; partial water is shut-off up there and full water will be shut off in the next week. Cedar Catholic approached him about being able to use the Auditorium Gym for basketball practice as we did with HNS in previous years. They do not have enough room for all the kids they have out this year in their small gym. He stated it would only be about 2-3 days per week and since it would be irregular times and not being able to then have the doors unlocked a certain time each day like we did with HNS, he recommends that we just require each player to have to pay for and obtain a key fob. Council President Christensen asked Councilman Sudbeck if he is wanting to charge for individual key fobs instead of a base rent and he stated yes. Council agreed that was fine.

Fire/Ambulance– Councilman Christensen: Nothing.

General – Mayor Becker: Absent.

Legal Counsel Nikki Brandt: Nothing.

Clerk Benscoter: Nothing

Deputy Clerk Schulte: Nothing.

Public Comments: Rob Dump with Cedar County News asked what action Council made on the Vacating of the Alley and Legal Counsel Brandt stated they approved to move forward with the project in getting consent forms signed by residents.

The following bills were presented for payments:

General: BOKF, NA 46,451.25, FP Finance Program 115.98, Hartelco 304.91, Hartington Shopper 222.15, Northeast Nebraska Economic Development District 42.50, Northeast Nebraska News Company 553.62, PowerManager 7,285.70, SHIFTR 15.30, Security Shredding Services 80.00.

Streets: Blue Cross Blue Shield of Nebraska 1,774.68, Bank of Hartington 2,620.22, Burnell’s Foodtown 11.59, Colonial Life 27.22, Farmers Union Coop Gas & Oil 991.09, Folkers Brothers Garage 6,476.48, Franklin Templeton Investor Service, LLC 1,442.72, Grossenburg Implement 897.40, Hartington Auto & Truck Parts, Inc. 297.40, Jerry’s Service 113.95, Menards 172.35, Mutual of Omaha 14.40, U.S. Cellular 171.94.

Water: Christensen Well & Irrigation, Inc. 1,098.38, Hartington Shopper 152.15, Hydro Optimization & Automation Solution 1,064.00, One Call Concepts, Inc. 21.77, Peitz Service 69.30.

Sewer: Art Kathol Appliance, Inc. 8,300.00, GPM Environmental Solutions, LLC 515.00, Hartelco 66.60, Hartington Auto & Truck Parts, Inc. 7.73, Hartington Shopper 152.15, Kruse True Value 35.98, One Call Concepts, Inc. 21.77, Plumbing & Electric 474.00.

Sanitation: Blue Cross Blue Shield 887.34, Bank of Hartington 83.33, Colonial Life 129.66, Franklin Templeton Investor Services, LLC 649.92, Hartington Shopper 152.15, L.P. Gill, Inc. 13,386.21, Mutual of Omaha 7.20, U.S. Cellular 83.26.

Fire: Burnell’s Foodtown 324.10, Farmers Union Coop Gas & Oil 479.91, Hartington Volunteer Fire Department 1,000.00, Hartelco 46.08, Hartington Shopper 170.00, Jerry’s Service 44.75.

Police: Cedar County Sheriff 13,941.22.

Ambulance: Ambill Associates LLC 210.00, Bound Tree Medical, LLC 154.84, Burnell’s Foodtown 383.89, Farmers Union Coop Gas & Oil 80.22, Hartelco 46.08, Hiway 84 Auto & RV Wash 20.00, Steffen Drug Store 22.98, U.S. Cellular 139.35.

Cemetery: Cedar Knox Rural Water 57.60.

Parks: Farmers Union Coop Gas & Oil 40.71, Hartington Tree 4,600.00, Jerry’s Service 121.13, Kruse True Value 44.95, Yankton Janitorial Supply, Inc. 142.70.

Complex: Central Valley Ag 243.70, Kruse True Value 12.99, Menards 278.80, Plumbing & Electric 142.75, X-Pert Lawn and Landscaping 1,700.00.

Library: Tami Anderson 250.00, Blue Cross/Blue Shield of Nebraska 3,638.10, Bank of Hartington 333.34, Burnell's Foodtown 13.99, Franklin Templeton Investor Services, LLC 681.12, Hartelco 161.69, Mutual of Omaha 14.40.

City Hall: Blue Cross Blue Shield of Nebraska 2,573.29, Bank of Hartington 166.67, Burnell's Foodtown 22.97, Carhart Lumber Co. 17.98, Colonial Life 140.18, Franklin Templeton Investor Services, LLC 813.20, Hometown Leasing 62.05, Kruse True Value 9.29, Kennedy, Pier, Loftus, & Reynolds, LLP 1,235.00, Mutual of Omaha 14.40, Premier Lawn & Landscaping 240.00.

Auditorium: Appeara 78.06, Kruse True Value 7.99.

Economic Development: Frankling Templeton Investor Services LLC 422.02, Hartelco 52.81, Hometown Leasing 31.02, Mutual of Omaha 7.20.

Transfer Station: Farmers Union Coop Gas & Oil 359.85, Grossenburg Implement 76.58, Gill Hauling, Inc. 2,386.80, Hartelco 47.36, Hartington Shopper 294.90, Jerry's Service 1,034.04, Plumbing & Electric 75.00.

City Shop: Certified Testing Services Inc. 1,050.00, RaDec Construction Co., Inc. 115,072.47.

A motion to pay the bills except check # 64893 to Christensen Well & Irrigation Inc. for \$1,098.38 was made by Councilman Bartling and seconded by Councilman Kathol. A roll call vote was taken. Bartling – yes, Kathol – yes, Sudbeck - yes. Motion carried.

A motion to pay check # 64893 to Christensen Well & Irrigation Inc. was made by Councilman Bartling and seconded by Councilman Kathol. A roll call vote was taken. Bartling – yes, Kathol – yes, Sudbeck - yes. Motion carried.

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

The meeting was adjourned at 5:26 PM. The next scheduled meeting is November 25th, 2024.

Respectfully Submitted,

Brittni Bencoter
City Clerk-Treasurer