CITY OF BENKELMAN

REGULAR MEETING

MONDAY, APRIL 17, 2023

The City Council met in the Council Chambers at 6:30 p.m. for the Regular Meeting. Present: Mayor Tammy Buffington; Council Members Nicholas Baney, JoAnn Decker, Barbara Pinkerton, Deb Stamm; City Clerk Diane Rosenfelt; City Superintendent Interim Tim Smith; City Attorney Tawna Holmstedt (by phone @ 7:21 PM). Absent: Acting Police Chief/Sheriff Smith. Others Present: Linda Jones, Deputy Ryan King, Jason Mathews, Mary Deyle, Sharon Rhoades, Bobbi Pettit and Doug Christiansen; Five Rule Planning.

Following the Pledge of Allegiance to the flag of the United States of America, Mayor, Tammy Buffington called the meeting to order and stated that we follow the open meetings law, which is posted on the south wall by the main entrance.

Jason Mathews discussed the need for more storage area down at the ball diamond with three (3) different sports going on down there. Mr. Mathews discussed the issues they are dealing with and questions as to if the land is the cities, counties, flood plain area etc. The city has budgeted $38,000 for a new building. There has been some discussion as to doing away with the road down there along the 3rd base line and just shutting down all traffic through that area because of all the kids down in that area. City Clerk Diane Rosenfelt will do some checking on the flood plain area down there and see what kind of money we are going to need. Council member JoAnn Decker said we can get started and if more money needs to be budgeted, we can work on that this year when working on the new budget.

Jesse McLean had a Request to Speak to Council in the packet concerning a new business. Mr. McLean was not present at the meeting; he had met with the Planning Commission on the 12th of April.

Council member Nick Baney made the motion to open the Public Hearing on the One-And-Six Year Road Plan, seconded by JoAnn Decker. Ayes: Baney, Decker, Pinkerton, Stamm; nays: none. Motion passed.

City Street Superintendent Tim Smith updated those present on projects that were done last year and the projects that he has scheduled. Proposed Armor Coating for 2023 is looking at $100,661.00 and the proposed concrete for 2023 is $217,665.00. Maps and pricing for the projects are attached to these minutes. No one present gave testimony.

Council member JoAnn Decker made the motion to close the Public Hearing on the One-And-Six Year Road Plan, seconded by Deb Stamm. Ayes: Decker, Pinkerton, Stamm, Baney; nays: none. Motion passed.

Council member Nick Baney made the motion to pass Resolution Number 4-17-2023 #1 for the One-And-Six Year Road Plan, seconded by Barb Pinkerton. Ayes: Pinkerton, Stamm, Baney, Decker; nays: none. Motion passed.

Bobbi Pettit & Doug Christiansen of Five Rule Planning was present to give an update on our VPR. Since the beginning of this program, we had around 50 properties on the registry. At this time, we have 34 properties that have been removed or are exempt from the registry and 16 properties that owe fees. Currently the city needs to decide if they want to file liens on the properties that owe fees. The BEN-V21 property will not have a lien filed as this property is in the process of being sold and the city council would like to pull it from the list. Council member Nick Baney made a motion to pass Resolution 4-17-2023 #2 a Resolution To File Notice Of Special Assessment And Lien Against Properties For Violation Of Vacant Property Registration Ordinance, seconded by JoAnn Decker. Ayes: Stamm, Baney, Decker, Pinkerton; nays: none. Motion passed.

The Mayor and City Council discussed Water Rates. In February of 2021 Nebraska Rural Water Association did a Water Rate survey, the council approved Rate #1 increase in March of 2022, with increases to be adjusted yearly for the next two (2) years. With information from our Auditor the council will make the increase for the next (2) two years at one time. Council member JoAnn Decker made the motion to introduce and approve the 1st reading of Ordinance Number 2023-837:

AN ORDINANCE OF THE CITY OF BENKELMAN, NEBRASKA, AMENDING USER CHARGES FOR WATER SERVICE; REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; ESTABLISHING AN EFFECTIVE DATE AND PROVIDING FOR PUBLICATION.

METER SIZE MONTHLY BASE RATE

¾ Inch $58.50

1 Inch $80.25

1 ½ Inch $106.25

2 Inch $197.00

3 Inch $288.00

In addition to the monthly base rate each consumer shall pay Four Dollars and Fifteen Cents ($4.15) per 1000 gallons, or any portion thereof, of water used.

Council member Barb Pinkerton seconded the motion. Ayes: Baney, Decker, Pinkerton, Stamm; nays: none. Motion passed.

Council member Nick Baney made the motion to introduce and approve the 1st reading of Ordinance Number 2023-838:

AN ORDINANCE OF THE CITY OF BENKELMAN, NEBRASKA AMENDING PRIOR ORDINANCES REGARDING THE USER CHARGE FOR THE WASTEWATER TREATMENT SYSTEM IN THE CITY OF BENKELMAN, NEBRASKA, TO PROVIDE AN EFFECTIVE DATE; TO PROVIDE FOR THE REPEAL OF ALL OTHER ORDINANCES IN CONFLICT HEREWITH; AND TO PROVIDE FOR PUBLICATION.

All occupied single family residential units shall pay $15.50 per month plus a monthly fee equal to $2.60 per 1000 gallons of the average monthly water usage during the preceding months of November, December, January, and February. Council member Barb Pinkerton seconded the motion. Ayes: Decker, Pinkerton, Stamm, Baney; nays: none. Motion passed.

Council member JoAnn Decker introduced Ordinance Number 2023-839 and made a motion to waive the three readings:

AN ORDINANCE BY THE MAYOR AND COUNCIL OF THE CITY OF BENKELMAN, DUNDY COUNTY, NEBRASKA, AMENDING THE REVISED MUNICIPAL CODE OF THE CITY OF BENKELMAN, DUNDY COUNTY, NEBRASKA BY REQUIRING ALL ELECTRICAL WORK TO BE INSPECTED BY THE STATE ELECTRICAL DIVISION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING WHEN THIS ORDINANCE IS IN FULL FORCE AND EFFECT.

Council member Deb Stamm seconded the motion to waive the three readings. Ayes: Pinkerton, Stamm, Baney, Decker; nays: none. Motion passed.

Council member Barb Pinkerton made a motion to adopt Ordinance Number 2023-839, seconded by Nick Baney. Ayes: Stamm, Baney, Decker, Pinkerton; nays: none. Motion passed.

Council member JoAnn Decker made a motion to pay the AMGL CPA’s & Advisors $1,950.00 for the Audit of the CRA year ended 9-30-2022, seconded by Nick Baney. Ayes: Baney, Decker, Pinkerton, Stamm; nays: none. Motion passed.

Enclosed in the packets were meeting minutes from the CRA meeting which was held on April 12, 2023.

Deputy Ryan King gave the monthly Police Report. The Mayor and Council discussed the following: loud mufflers, ATV’s being licensed and vehicles and trailers sitting on the side streets.

Council member JoAnn Decker made the motion to transfer money from Sales Tax in the amount of $3,792.00 to pay Krutsinger Construction for the contract labor and approve the consent agenda, seconded by Nick Baney. Ayes: Decker, Pinkerton, Stamm, Baney; nays: none. Motion passed.

**CONSENT AGENDA ITEMS:**

* Approve Minutes of March 27, 2023, Regular Meeting.
* Approve Treasurers Report.
* Approve Bills.
* Approve $.50/hour increase for Willie Mathews for getting his CDL.
* Approve Mayor’s reappointment of Frank Damon to the BHA for April 2023-April 2027.
* Approve Updated Interlocal Cooperation Agreement with the County for the C&D Site.
* Planning Commissions Minutes: Approved Addition to Back Porch for Jeremiah Unger at 418 Arapahoe Street; Approved Dog Kennel for Michael Ashby at 904 B Street; Tabled Monica Mercer fence permit-needing more information at 102 Railroad Street.

Council member JoAnn Decker made a motion to hire the (2) lifeguards that we have applications for this month (Delaney Krutsinger & Clara Spargo). The new guards receive $14.00 per hour and the ones coming back will receive a .50 cent an hour raise. This motion was seconded by Nick Baney. Ayes: Pinkerton, Stamm, Baney, Decker; nays: none. Motion passed.

Council member JoAnn Decker made a motion to have Jeremiah Unger talk with Johnson Service Company and to proceed with the amended sewer lining bid, seconded by Nick Baney. Ayes: Stamm, Baney, Decker, Pinkerton; nays: none. Motion passed.

Council member JoAnn Decker made a motion to hire Mauricio Diaz as part-time outside employee with a .50 cent an hour raise, seconded by Nick Baney. Ayes: Decker, Pinkerton, Stamm, Baney; nays: none. Motion passed.

Enclosed in the packets was a Water Report that was submitted by Jeremiah Unger (attached to these minutes).

Enclosed in the packets was an Electric Report submitted by Paul Castillo (attached to these minutes).

City Clerk/Treasurer Diane Rosenfelt gave her monthly report (attached to these minutes).

City Superintendent Interim Tim Smith gave his monthly report.

Council member JoAnn Decker made the motion to go into Closed Session at 8:45 p.m. with Mayor, Council, City Clerk/Treasurer, Interim City Superintendent and City Attorney to discuss City Superintendent position and wages, seconded by Nick Baney. Ayes: Baney, Decker, Pinkerton, Stamm; nays: none. Motion passed.

Mayor Tammy Buffington stated that the subject matter to be discussed in Closed Session shall be limited to City Superintendent position and wages.

Council member JoAnn Decker made the motion to come out of Closed Session at 9:12 p.m., seconded by Nick Baney. Ayes: Pinkerton, Stamm, Baney, Decker; nays: none. Motion passed.

No action taken.

Meeting adjourned at 9:28 p.m.

Tammy Buffington, Mayor

ATTESTED:

Diane L. Rosenfelt, City Clerk