CITY OF BENKELMAN

REGULAR MEETING

MONDAY, AUGUST 21, 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 Tim Smith; City Attorney Tawna Holmstedt; Acting Police Chief/Sheriff Smith (arrived at 6:46 p.m.). Others Present: Deputy Ryan King, Sharon Rhoades, Chad Lucas, Christina Collier and Dana Mathies.

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.

Mayor Tammy Buffington thanked all for coming to the meeting.

Chad Lucas was in attendance to discuss some drainage issues and washouts on his property and along the road going into his property. City Superintendent Tim Smith said what he doesn’t want to get into is a continuous maintenance nightmare. If the city goes in and does something, then we are stuck with it. Mr. Smith will do some research to see if there is anything that the city can do about this issue.

Christina Collier from Lincoln Federal was in attendance to discuss Lincoln Federal as an authorized depository for the City of Benkelman and being more of a full-service Bank for Government Entities within the City.

The Mayor and Council discussed the RTS Refuse Truck Sales invoice in the amount of $5,339.10 for 54 96-gallon toters and the set-up fee and delivery fee to Benkelman. The invoice was dated May 18, 2023, and just received. The City of Benkelman uses 64-gallon toters and really has no use for these. We have been in contact with RTS to see what can be done with this order. Council member Nick Baney made a motion to pull RTS Refuse Truck Sales invoice until we have more information on returning the 96-gallon toters, seconded by JoAnn Decker. Ayes: Baney, Decker, Pinkerton, Stamm; nays: none. Motion passed.

Council member JoAnn Decker made a motion to not waive the (3) three readings of Ordinance Number 2023-839 for the Electric Rate Increase, seconded by Nick Baney. Ayes: Decker, Pinkerton, Stamm, Baney; nays: none. Motion passed.

Council member JoAnn Decker made the motion to introduce and approve the 1st reading of Ordinance Number 2023-839:

AN ORDINANCE TO AMEND ORDINANCE #2016-805, AND SECTION 3-808 OF THE MUNICIPAL CODE OF THE CITY OF BENKELMAN, NEBRASKA, TO AMEND THE SCHEDULE OF RATES TO BE CHARGED FOR ELECTRIC ENERGY AND SERVICE FURNISHED BY THE COMBINED UTILITY SYSTEM OF THE CITY OF BENKELMAN, NEBRASKA, TO PROVIDE AN EFFECTIVE DATE AND TO PROVIDE FOR THE REPEAL OF ALL ORDINANDES IN CONFLICT HEREWITH.

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

Council member Nick Baney approved the Mayor’s appointment of Monica Mercer, Gary Clark, Derrick Jarmin and JoAnn Decker to the DTR Steering Committee, seconded by Deb Stamm. Ayes: Stamm, Baney, Pinkerton; nays: none; abstain: Decker. Motion passed.

The Mayor and Council discussed putting the property at 406 10th Ave. E., Lots 5 & 6, Block 8, Hiddleston’s Addition to the City of Benkelman, Dundy County up for sell. We will advertise the property, post in (3) three places, take sealed bids with a minimum bid of $500 and award at next month’s council meeting.

Sheriff Smith and Deputy King attended the meeting. The expired Law Enforcement Inter-Local Agreement was discussed. Mayor Buffington had attended the Commissioner’s meeting earlier in the day. The original agreement had expired on March 31, 2023; Mayor Buffington extended it to June 30, 2023, and it has now expired. Mayor Buffington said she would go for another (3) three months until the end of November and the Commissioners said they would finalize it on December 4th while we try to address some things. Council member JoAnn Decker questioned the Agreement being extended and no one has signed off on it and no amendment has been signed off on; this seems like an awful long time for something as important as a Law Enforcement Agreement and not having current signatures. As far as she is concerned this is null and void. The original Agreement was done by Dundy County Attorney Burke and the City is paying $10,944.36 per month. Mrs. Buffington discussed nuisances that are not being handled along with residents in town being called to go out on wellness checks and handling things that should be handled by the Police Department, a funeral that had no Police presence at the highway, dog complaints, disorderly conduct, etc. Mayor Buffington is looking at cutting the amount of money paid to the Police Department in half for the service the City of Benkelman is receiving. This will be discussed at our August 23, 2023, Budget Workshop.

The Mayor and City Council would like to renew our certification for remaining a Leadership Certified Community.

No one was present for the CRA Report; minutes were in the packets.

Council member JoAnn Decker made the motion to approve the consent agenda pulling out RTS Refuse Truck Sales bill in the amount of $5,339.10, to transfer $139,127.48 from City Sales Tax for $88,307.54 to Roads, $33,623.20 to Lights and $17,196.74 to Sewer and to pull Colleen Wilson’s permit for RV Parking at 1306 A Street, seconded by Barb Pinkerton. Ayes: Baney, Decker, Pinkerton, Stamm; nays: none. Motion passed.

**CONSENT AGENDA ITEMS:**

* Approve Minutes of July 17, 2023, Regular Meeting and August 14, 2023, Special DTR Program Meeting.
* Approve Treasurers Report and CD Interest.
* Approve Bills.
* Approve Mayor’s recommendation of Scott Stahlecker to the Planning Commission.
* Approve M&A Invoice No. 23 0904 in the amount of $700.
* Approve Johnson Service Company Invoice No. 17126 in the amount of $157,165 for Sewer Improvements-Cured-in-Place-Pipe (CIPP) with using ARPA Funds. (Balance 7/31/2023 $139,968.26)
* Approve and sign Resolution No. 8-21-2023 #1 Signing of the Municipal Annual Certification of Program Compliance 2023.
* Approve and sign Municipal Annual Certification of Program Compliance to Nebraska Board of Public Roads Classifications and Standards 2023.
* Approve Tri-State Paving bid of $1.75 per square yard for Armor Coating.
* Approve Special Designated Liquor License for Benkelman Volunteer Fire Department 9-9-2023.
* Waive Dump Fees at C&D Site for CRA clean-up of old Greenhouse Property and the Clark Property.
* Planning Commissions Minutes: Colleen Wilson, 1306 A Street/RV Parking. The Planning Commission took no action, as they do not have guidelines for this.

The Planning Commission took no action on Colleen Wilson’s permit for RV Parking at 1306 A Street because they had no guidelines for it. Mrs. Wilson is in R-2 Zoning District, she has a camper hook-up that she had been renting, they moved, and she is wanting to go ahead and be able to use the hookup for people coming in and needing a place to hookup. Council member JoAnn Decker made a motion to allow Colleen Wilson to use Section Code 5.07.04 (3) for temporary structure for RV parking each time, seconded by Deb Stamm. Ayes: Decker, Pinkerton, Stamm, Baney; nays: none. Motion passed.

Southwest Nebraska Public Health Department $250 donation to the swimming pool for completing the Pool Cool Course Training.

The Mayor and Council looked over the Applications that have came in so far for the Administrative Assistant/City Clerk/Treasurer job.

The Mayor and Council reviewed the Utility Billing Accounts Receivable.

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 Tim Smith gave his monthly report (attached to these minutes).

Council member JoAnn Decker made the motion to go into Closed Session at 8:54 p.m. to discuss wages and have the City Superintendent and City Clerk/Treasurer stay in the meeting, seconded by Nick Baney. Ayes: Pinkerton, Stamm, Baney, Decker; nays: none. Motion passed.

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

Council member Barb Pinkerton made the motion to come out of Closed Session at 9:24 p.m., seconded by Nick Baney. Ayes: Stamm, Baney, Decker, Pinkerton; nays: none. Motion passed.

Council member JoAnn Decker made a motion to approve the pay increases as presented for Lynette Behlke, April Henderson, Mikey Henderson, Willie Mathews, Diane Rosenfelt, Nuisance Officer and Part-time outside help (attached to these minutes) for the 1st payroll in October, seconded by Nick Baney. Ayes: Baney, Decker, Pinkerton, Stamm; nays: none. Motion passed.

Meeting adjourned at 9:26 p.m.

Tammy Buffington, Mayor

ATTESTED:

Diane L. Rosenfelt, City Clerk