CITY OF BENKELMAN, NEBRASKA

BUDGET HEARING

MONDAY, SEPTEMBER 19, 2022

REGULAR MEETING

The City Council met in the Council Chambers at 6:30 p.m. for the Budget Hearing. Present: Mayor Robert Rhoades; Council Members Nicholas Baney, JoAnn Decker, Deb Stamm, Barbara Pinkerton; City Clerk Diane Rosenfelt; City Superintendent James Summers; Acting Police Chief/Sheriff Nichols. Absent: City Attorney Jon Schroeder. Others Present: Sharon Rhoades, Larry Boyd, Frank Merklin, Mary Deyle, Buck Menuez, Linda Jones, Jason Frederick, John Baney and Bobbi Pettit; Five Rule Planning (by phone at 6:35 p.m.).

Following the Pledge of Allegiance to the flag of the United States of America, Mayor Rhoades 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.

City of Benkelman

Budget Hearing for 2022-2023

Monday, September 19, 2022

Council member JoAnn Decker made a motion to open the hearing for the 2022-2023 Budget, seconded by Nick Baney. Ayes: Baney, Decker, Pinkerton, Stamm; nays: none. Motion passed.

The notice of the Budget Hearing was published in the September 7, 2022 issue of the county paper, the Benkelman Post.

The City Council met in the Council Chambers for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to the City of Benkelman’s budget for the 2022-2023 fiscal year.

Copies of the 2022-2023 Budget were made available for audience participation. No one in attendance presented any testimony.

In talking with our Auditor at the budget workshop with the new legislation that limits how much a City can increase their property tax request because of LB644 which limits the tax increase to 2% real growth. For the City of Benkelman, your increase is limited to 4.97%. That increase in the tax asking of $9,105. The City’s valuation increased by 43.99% because Gavilon came back on the tax roll. In order to leave our levy the same as it has been in prior years (the maximum of 50 cents), we would have to go through the joint hearing process with the County. If we did that, we could keep the levy the same as the prior year and our tax asking would increase $80,599. This would be an additional $71,494 of tax revenue. We followed the recommendation of our Auditor that the City lowers the levy to $0.364495 and does not go through the joint hearing process. His belief is that the City already has more than adequate cash reserves in the General fund and does not need additional revenue. This is especially true considering the City is owed back taxes after the CRA-Gavilon issue is resolved.

Council member Barb Pinkerton made the motion to close the hearing for the 2022-2023 Budget, seconded by JoAnn Decker. Ayes: Decker, Pinkerton, Stamm, Baney; nays: none. Motion passed.

Council member JoAnn Decker made the motion to open the hearing to set the final tax request, seconded by Barb Pinkerton. Ayes: Pinkerton, Stamm, Baney, Decker; nays: none. Motion passed.

Council member Nick Baney made the motion to close the hearing to set the final tax request, seconded by Deb Stamm. Ayes: Stamm, Baney, Decker, Pinkerton; nays: none. Motion passed.

Council member JoAnn Decker made the motion to adjourn at 6:41 p.m., seconded by Barb Pinkerton. Ayes: Baney, Decker, Pinkerton, Stamm; nays: none. Motion passed.

CITY OF BENKELMAN

REGULAR MEETING

MONDAY, SEPTEMBER 19, 2022

IMMEDIATELY UPON ADJOURNMENT OF THE ABOVE BUDGET HEARING

The City Council met in the Council Chambers at 6:42 p.m. for the Regular Meeting. Present: Mayor Robert Rhoades; Council Members Nicholas Baney, JoAnn Decker, Deb Stamm, Barbara Pinkerton; City Clerk Diane Rosenfelt; City Superintendent James Summers; Acting Police Chief/Sheriff Nichols, City Attorney Jon Schroeder (by phone at 7:30 p.m.). Others Present: Sharon Rhoades, Larry Boyd, Frank Merklin, Mary Deyle, Buck Menuez, Linda Jones, Jason Frederick, John Baney and Bobbi Pettit; Five Rule Planning (by phone at 6:35 p.m.).

Following the Pledge of Allegiance to the flag of the United States of America, Mayor Rhoades 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 Rhoades discussed the e-mail in the packets from Shawn Prochaska of RVW, Inc. and the recloser installation is complete.

Council member JoAnn Decker thanked Amy Fredericks for her work on the DTR Program Grant Application. She was wanting to think ahead, if the grant is awarded on what steps we need to take. Bobbie Pettit of Five Rule Planning was on the phone and said it would depend on her staffing as for the Grant Administration and Grant Construction Management. Her thought was that we could check with our Development District to see if they would be interested in helping us.

Council member JoAnn Decker moved to exceed the restricted funds authority for the fiscal year 2022-2023 by an additional 1%, motion seconded by Barb Pinkerton. Ayes: Decker, Pinkerton, Stamm, Baney; nays: none. Motion passed.

Council member JoAnn Decker introduced Ordinance #2022-835:

**ORDINANCE NUMBER 2022-835, AN ORDINANCE OF THE CITY OF BENKELMAN, NEBRASKA TO ADOPT THE BUDGET STATEMENTS-**

1. **GENERAL FUNDS**
2. **PROPRIETARY FUNDS**

**TO BE TERMED THE ANNUAL APPROPRIATION BILL; TO APPROPRIATE SUMS FOR NECESSARY EXPENSES AND LIABILITIES; TO PROVIDE FOR AN EFFECTIVE DATE.**

Council member JoAnn Decker made a motion to waive the three readings of Ordinance #2022-835, motion seconded by Deb Stamm. Ayes: Pinkerton, Stamm, Baney, Decker; nays: none. Motion passed.

Motion made by council member Barb Pinkerton and seconded by Nick Baney to adopt Ordinance #2022-835. Ayes: Stamm, Baney, Decker, Pinkerton; nays: none. Motion passed.

Council member JoAnn Decker made a motion to set the final tax request at $192,313.09, seconded by Deb Stamm. Ayes: Baney, Decker, Pinkerton, Stamm; nays: none. Motion passed.

Council member JoAnn Decker made the motion, which was seconded by Nick Baney, to approve the resolution 9-19-2022 #1 at amount different from last year:

 **BE IT RESOLVED** by the City Council of the City of Benkelman, Nebraska, acting through its City Council meeting in special session on September 19, 2022, that the City of Benkelman shall set its tax request from Dundy County, Nebraska at $192,313.09, an amount different from last year. Ayes: Decker, Pinkerton, Stamm, Baney; nays: none. Motion passed.

Frank Merklin from the Planning Commission was in attendance to discuss the map for the One-Mile Planning Jurisdiction and the need to have some research done on if this is the actual map that the city is using; has it been adopted by the city council? The Planning Commission was thinking this was just a planning map, and has not actually been adopted, we need a map that we know the shape of the one-mile jurisdiction area outside the city limits that we could use. We may need to get an engineer involved to help us on this.

Council member JoAnn Decker made the motion to introduce Ordinance No. 2022-834 and to waive the 3 readings, seconded by Council member Nick Baney. Ayes: Pinkerton, Stamm, Baney, Decker; nays: none. Motion passed.

Council member Nick Baney made the motion to adopt Ordinance No. 2022-834:

AN ORDINANCE OF THE CITY OF BENKELMAN, NEBRASKA, AMENDING PRIOR ORDINANCES REGARDING FEES CHARGED FOR SOLID WASTE COLLECTION AND DISPOSAL BY THE CITY OF BENKELMAN, REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND ESTABLISHING AN EFFECTIVE DATE AND PROVIDING FOR PUBLICATION.

Motion was seconded by Council member JoAnn Decker. Ayes: Stamm, Baney, Decker, Pinkerton; nays: none. Motion passed.

Council member JoAnn Decker made the motion to approve Pay App #2, Application And Certificate For Payment to South Platte Excavating in the amount of $33,118.44, seconded by Council member Nick Baney. Ayes: Baney, Decker, Pinkerton, Stamm; nays: none. Motion passed.

Buck Menuez gave an update on the CRA. September meeting minutes were in the council packets.

City Attorney Jon Schroeder by phone gave updates on nuisance properties and looking at getting the warranty deed for 406 E 10th Avenue filed with the Dundy County Clerk. Enclosed in the packets was a resignation from Jon Schroeder and Whitney Schroeder of Schroeder & Schroeder, P.C., Attorneys At Law. Council member JoAnn Decker made a motion to accept the resignation from Schroeder & Schroeder and thanked them for all their hard work, seconded by Barb Pinkerton. Ayes: Decker, Pinkerton, Stamm, Baney; nays: none. Motion passed.

Police Chief/Sheriff Nichols gave the monthly Police Report.

**CONSENT AGENDA ITEMS:**

Council member JoAnn Decker made a motion to approve the consent agenda with a transfer of $203,893.17 from City Sales Tax to Roads, seconded by Nick Baney. Ayes: Pinkerton, Stamm, Baney, Decker; nays: none. Motion passed.

* Approve Minutes of August 15, 2022, regular meeting and special meetings of August 18, 2022, August 26, 2022 and September 12, 2022.
* Approve Treasurers Report.
* Approve Bills.
* Approve & Sign Final TIF Dispute, Settlement Agreement.
* Planning Commissions Minutes: Zoning Permits Approved: John & Mark Baney; Demo Permit at 1112 B Street/KLM Land & Cattle, LLC; Enclose Stairway at rear of house at 914 Arapahoe Street/David & Lisa Thorn; Addition to 227 4th Avenue West.
* Award Bid to Ditch Witch Undercon for Trailered Hydro Vac for $75,500.
* Approve payment to Tim Smith, City Street Superintendent. Financial reports are no longer sent, but still being prepared; motion to pay Tim the same amount/$455 per report (2) of them for a total of $910.
* Approve P-Tac Air & Heating Unit for New City Shop; Break Room from Schorzman Refrigeration in the amount of $1,350.

There was some discussion on Star Expo and Scott Stahlecker carports that are already up, before permit was put in. No action taken. Hopefully by January 2023 we will have a fine schedule set up.

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

City Clerk/Treasurer Diane Rosenfelt gave her monthly report (attached to these minutes), along with Deputy Clerk Lynette Behlke’s Nuisance Summary.

City Superintendent James Summers gave his monthly report (attached to these minutes).

Council member Nick Baney made the motion to go into Closed Session at 7:59 p.m. with Mayor and City Council to discuss employee wages, seconded by JoAnn Decker. Ayes: Stamm, Baney, Decker, Pinkerton; nays: none. Motion passed.

Mayor Robert Rhoades stated that the subject matter to be discussed in Closed Session shall be limited to Employee Wages.

Council member Nick Baney made the motion to come out of Closed Session at 8:23 p.m., seconded by Deb Stamm. Ayes: Baney, Decker, Pinkerton, Stamm; nays: none. Motion passed.

Council member Nick Baney made the motion to table employee raises pending on call schedule and new city shop move in, seconded by Barb Pinkerton. Ayes: Decker, Pinkerton, Stamm, Baney; nays: none. Motion passed.

Council member Nick Baney made the motion to adjourn at 8:32 p.m., seconded by Deb Stamm. Ayes: Pinkerton, Stamm, Baney, Decker; nays: none. Meeting adjourned at 8:32 p.m.

 Robert Rhoades, Mayor

ATTESTED:

Diane L. Rosenfelt, City Clerk