CITY OF BENKELMAN

CITY COUNCIL MEETING

MONDAY OCTOBER 18, 2021

REGULAR & VIRTUAL MEETING

The City Council met in the Council Chambers at 6:30 p.m. for the regular council meeting and using Telephone Conference. Present: Mayor Robert Rhoades; Council Members Nicholas Baney, JoAnn Decker, Deb Stamm, Barbara Pinkerton; City Superintendent James Summers; Acting Police Chief/Sheriff Nichols (arrived at 6:38 p.m.); City Clerk Diane Rosenfelt; and City Attorney Jon Schroeder. Others Present by Phone: Matt Clause; Engineering International and Bobbi Pettit; Five Rule Planning and In Person: Buck Menuez, Sharon Rhoades, Paul Higgins, Jason Frederick, Gary Clark, Mary Deyle, Don & Joyce Blair, Larry Boyd, Larry & Mary Howard, Greg Burrows, Jackie Anderson, Pam Shaw and Marily Chamberlain.

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 welcomed all in attendance to the meeting and asked if citizens had any concerns. Mayor Rhoades talked a little about his concerns on the closing of the Railroad during harvest and the need to work on a plan, so if this happens again, there is a backup plan that the trucks can get across the tracks during their harvest times and also concerns if there is a need for an ambulance to get across the tracks; getting specs out for the demolition of the Aldea, Inc. property, the Wes Newtson trailer is going to be coming out; walking trail through the Collinsville Area and also working with gWorks on Redistricting.

Paul Higgins complimented the office personnel on getting the Agenda and Minutes put on the city website.

The Public Hearing for the Zoning Change will be readvertised and held next month for the Planning Commission and the City Council.

Gary Clark was present and read a letter of resignation from Gary Deyle (attached to these minutes) from the Planning Commission. Council member Nick Baney made a motion to accept the resignation of Gary Deyle from the Planning Commission, seconded by Deb Stamm. Ayes: Baney, Decker, Pinkerton, Stamm; nays: none. Motion passed.

Bobbi Pettit of Five Rule Planning spoke to the council concerning the Vacant Property Registry. Starting Total was 38 properties, as of now we have 19 properties (including 5 new owners). First fees due October 21, 2021 and the new owners will have until March 22, 2022 to have their fees paid. Larry & Mary Howard were present to listen to the vacant property registry presentation; the council explained that the reason we started this program was because of all the vacant property in town having no utilities hooked-up; which in turn makes the rates go up for the residents in town using the utilities.

Council member JoAnn Decker introduced Ordinance No. 2021-829:

BY RESOLUTION DULY PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF BENKELMAN, DUNDY COUNTY, NEBRASKA, THAT THE REAL ESTATE LOCATED AT 908 HURON, BENKELMAN, NEBRASKA 69021 (COMMUNITY BUILDING) LEGALLY DESCRIBED AS LOTS SEVEN (7) AND EIGHT (8), BLOCK ONE (1), SKYLINE ADDITION TO THE CITY OF BENKELMAN, DUNDY COUNTY, NEBRASKA BY THE CITY OF BENKELMAN, WAS ORDERED AND SOLD PURSUANT TO NEBRASKA REVISED STATUTE SECTION 17-503.

Council member JoAnn Decker made the motion to waive the three (3) readings of Ordinance No. 2021-829, seconded by Deb Stamm. Ayes: Decker, Pinkerton, Stamm, Baney; nays: none. Motion passed.

Council member Nick Baney made the motion to adopt Ordinance No. 2021-829, seconded by Barb Pinkerton. Ayes: Pinkerton, Stamm, Baney, Decker; nays: none. Motion passed.

Jackie Anderson, Superintendent of Dundy County Stratton Schools discussed the need of Daycare in the Community.

Attorney Jon Schroeder discussed the letters that were sent to adjoining property owners of the South 150 feet of the alley located in Lots 1 through 12, Block 3, First Addition to the City of Benkelman, Dundy County, Nebraska to Vacate the Alley. After some discussion, council member Deb Stamm made the motion to not vacate the South 150 feet of the alley located in Lots 1 through 12, Block 3, First Addition to the City of Benkelman, Dundy County, Nebraska, seconded by JoAnn Decker. Ayes: Stamm, Baney, Decker, Pinkerton; nays: none. Motion passed.

The Mayor and Council discussed the Ordinance dealing with chickens in the City Limits. After a lengthy discussion, the council decided to leave as is. §90.40 permission required to own fowl states “it is unlawful for any person to keep on their private property any animal or fowl unless, and until they have received the written consent of the owners or lessees of the property immediately adjoining the private property where such animals or fowl are to be kept, and all other property owners within 150 feet of the place where such animals or fowl are to be kept, which consent shall be filed at the office of the City Clerk and shall be subject to revocation by any of the said owners of lessees at any time”.

City Superintendent James Summers talked with the council on the problems with the garbage truck. It has been taken to North Platte to Nebraska Truck Center and all warranty work has been done, that can be done. We got the truck back today and it will be taken to Colby, Kansas on the 25th after lunch. They will remove the transmission and replace the leaky seal in the transmission. It was discussed that a possibility would be to go with a lighter spring pack on the steering axle to soften the ride. Council member JoAnn Decker made the motion to approve the installation of a lighter suspension for the curbtender refuse truck, seconded by Barb Pinkerton. Ayes: Baney, Decker, Pinkerton, Stamm; nays: none. Motion passed.

Matt Clause of Engineering International discussed having a preconstruction meeting either Monday or Tuesday of next week on the new city shop.

Council member Barb Pinkerton made the motion to approve Transition 2 (3-5 years) with RVW, seconded by Nick Baney. Ayes: Decker, Pinkerton, Stamm, Baney; nays: none. Motion passed. The existing generator is in need of replacement and this plan is specifying that replacement.

Megan Spargo was absent from the meeting, Buck Menuez gave the CRA report.

Acting Police Chief/Sheriff Nichols gave the monthly Sheriff’s report.

Council member Nick Baney made the motion to approve the recommendations of the Planning Commission minutes, seconded by JoAnn Decker. Ayes: Pinkerton, Stamm, Baney, Decker; nays: none. Motion passed.

Council member JoAnn Decker made the motion to transfer $6,110.38 from City Sales Tax to Roads, seconded by Barb Pinkerton. Ayes: Stamm, Baney, Decker, Pinkerton; nays: none. Motion passed.

**CONSENT AGENDA ITEMS:**

Council member JoAnn Decker made a motion to approve the consent agenda, seconded by Barb Pinkerton. Ayes: Stamm, Baney, Decker, Pinkerton; nays: none. Motion passed.

* Approve Minutes of September 20, 2021 regular and virtual meeting.
* Approve Treasurers Report.
* Approve report on CD’s.
* Approval of Bills.
* Approve letter for approval/denial of building permits.
* Approve resignation of Trevor Horner from Planning Commission.

Council member JoAnn Decker made the motion to approve the mayor’s appointment of Trevor Horner to the CRA Board, seconded by Barb Pinkerton. Ayes: Baney, Decker, Pinkerton, Stamm; nays: none. Motion passed.

Council member Nick Baney made the motion to approve the Standard Plan for $1,800 with gWorks for Redistricting, seconded by Barb Pinkerton. Ayes: Decker, Pinkerton, Stamm, Baney; nays: none. Motion passed.

Enclosed in the packets was a Water Report that was submitted by Jeremiah Unger.

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

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

Council member JoAnn Decker made the motion to go into closed session at 8:46 p.m. to discuss Employee Wages and Revised Personnel Manual, seconded by Nick Baney. Mayor Rhoades asked City Superintendent James Summers and City Clerk/Treasurer Diane Rosenfelt to leave the meeting. Ayes: Pinkerton, Stamm, Baney, Decker; nays: none. Motion carried.

Council member Nick Baney made the motion to come out of closed session at 9:53 p.m., seconded by Barb Pinkerton. Ayes: Stamm, Baney, Decker, Pinkerton; nays: none. Motion passed.

Council member Nick Baney made the motion to approve pay raises as presented effective the beginning of new pay period (attached to these minutes) and to add James to the on-call list, seconded by Barb Pinkerton. Ayes: Baney, Decker, Pinkerton, Stamm; nays: none. Motion passed. Council member JoAnn Decker will give Diane a copy of the personnel policy with changes to forward to Pam Bourne.

Council member Nick Baney made the motion to adjourn at 10:01 p.m., seconded by Deb Stamm. Ayes: Decker, Pinkerton, Stamm, Baney; nays: none. Motion passed.

Robert Rhoades, Mayor

ATTESTED:

Diane L. Rosenfelt, City Clerk