

MINUTES OF THE PONCA CITY COUNCIL MEETING HELD 12.19.23

Mayor DJ Smith called the meeting to order at 7:11 PM on December 19th, 2023, following the Public Hearing that started at 6:30PM and referenced the meeting recording process, optional sign-in sheet and Open Meetings Law posting. All those present stood and recited the Pledge of Allegiance. Councilmembers Josh Blatchford, Kari Lowe, Ron Mahler, Eric Bevelhymer, Dillon Rickett, and Andy Stark were present for Roll Call. Prior notice of the meeting and agenda were provided to the Mayor and all Members of the Governing Body. Notice of the meeting was distributed and posted at the Ponca City Hall, US Post Office-Ponca, Ponca City Library, Bank of Dixon County, Keller's Pharmacy, and the Dixon County Courthouse.

Mayor Communications

None.

Consent Agenda

Mayor Smith stated to the Governing Body that the City Clerk-Finance Directors November Claims & Accounts Payable Report, Fund Balance/Treasurers Report, City Budget Cash Report, and a General Journal Entry Report were included in the Council Meeting Scan Package sent out. Motion by Councilmember Bevelhymer and a second by Councilmember Mahler to approve the Consent Agenda. The following Councilmembers voting "YEA": Blatchford, Lowe, Mahler, Stark, Bevelhymer, Rickett. The following Councilmembers voted "NAY": None. Motion passed 6-0.

Proclamations, Presentations, Appointments, Affirmations & Introductions

No proclamations, presentations, appointments, affirmations, or introductions at this meeting.

Reports & Updates

Joe Yocum gave a Police update. There have been 7 calls so far in December with one call being handled by the Sheriff's Office. Joe continues to work on nuisance properties and dogs at large. There have been 2 inquiries for the part time police officer position. He is also working on a more in-depth application for the police department.

Travis Olander gave an update on both the Street department. He has been working on street sweeping and updates to the community center, and shelter house.

Steve Brinkmann updated the council on the water/sewer department. Business as usual, working on disconnects, removed meters for the demolished property, no unusual issues reported.

The library submitted their annual report. Spoke on a few points about surveys, computer usage and accessibility to the library. Their report will be kept with the scan packet for this meeting.

Jim Litchfield from Wakefield, NE spoke on behalf of the projects that he has been working on with the city. He reminded staff and council of a few upcoming dates and the copper/lead survey.

Motion was made by Lowe and a second by Mahler to Accept the updates and report. The following councilmembers voting "YEA": Blatchford, Rickett, Lowe, Mahler, Stark, Bevelhymer. Voting "NAY": none. Motion passed 6-0.

City Attorney's Report

Matt Munderloh stated that the majority of his month will be addressed further in the meeting. There were many phone calls and emails pertaining to the ordinances and topics listed.

Public Hearings

A Public Hearing was called to order at 6:30PM to discuss the options for Ordinance 471, Establishing Rules and Regulations Governing City Utility Services.

The meeting started with Interim City Administrator Travis Orlander making a statement as to why the city needs an Ordinance and options withing said Ordinance. During the meeting there were comments made by Jackie Coughlin, Tom Etter, Ray Anderson, Blaine Bennett, Duane Boyle, Dick Volkman, and Linda Ausdemore. A motion to adjourn the Public Hearing at 7:08PM was made by Bevelhymer and a second by Mahler. The following Councilmembers voting "YEA": Bevelhymer, Blatchford, Lowe, Mahler, Rickett, Stark. The following Councilmembers voting "NAY": none. Motion passed 6-0.

Unfinished Business

Josh Blatchford stated that there was a meeting about ballots on December 19th, 2023, for the Dixon County Combined County Offices/Courts/Jail & Justice Center.

No updates on the Community Center.

New Business

Discussion was had on Ordinance 471. Matt Munderloh would work on drafting an Ordinance for the January Council Meeting. Suggestions can be submitted by Councilmembers via email to the city offices and will be taken through the end of day January 18th, 2024. No action taken.

Olander presented Ordinance 469, potential alley vacation/abandonment that splits parcel #225507; this is the Third Reading. Bevelhymmer made a motion to approve Ordinance 469, potential alley vacation/abandonment that splits parcel #225507. A second was made by Blatchford. Councilmembers voting "YEA": Mahler, Stark, Bevelhymmer, Blatchford, Lowe, Rickett. Voting "NAY": none. Motion passed 6-0.

Discussion about the future development of the Elms Nursing Home. Kristie Henjes, who is purchasing said property, spoke to the council about her plans for the property and on the history of the property. No action was taken.

Munderloh presented Ordinance 472, Releasing the City's reversionary interest, if any, in part of Lot 1 East Addition, City of Ponca, as more particularly described herein; authorizing the mayor to execute and deliver a corporation quitclaim deed that releases said interest and conveys said real estate to the current record owner; repealing conflicting ordinances and sections; providing an effective date. A motion was made by Blatchford and seconded by Bevelhymmer to waive the 3 (three) reading rule. The following councilmembers voted "YEA" to waive the 3 (three) reading rule: Stark, Bevelhymmer, Blatchford, Lowe, Mahler, Rickett. Voting "NAY": none. Motion passed 6-0. A motion to approve Ordinance 472 was made by Blatchford and a second by Stark. Voting "YEA": Bevelhymmer, Blatchford, Lowe, Mahler, Rickett, Stark. Voting "NAY": none. Motion passed 6-0.

Schweers presented the Council Meeting Dates for 2024. A motion was made by Lowe to approve the 2024 Council Meeting Dates and was seconded by Mahler. Councilmembers voting "YEA": Blatchford, Lowe, Mahler, Rickett, Stark, Bevelhymmer. Voting "NAY": none. Motion passed 6-0.

Olander presented the 2024 Street Improvement Project. North Street would be the street that is prioritized with the option to move around within the 1- & 6-Year Plan if needed. No action taken.

Olander presented the Public Hearing Date for 1- & 6-Year plan for January 29th, 2024, at 7:10PM. A motion was made by Rickett to accept the proposed date and time for the Public Hearing and seconded by Mahler. Councilmembers voting "YEA": Lowe, Mahler, Rickett, Stark, Bevelhymmer, Blatchford. Voting "NAY": none. Motion passed 6-0.

Olander suggested to the Council to direct the City Engineer to develop plans and specifications for the North Street Improvement Project. A motion was made by Mahler to approve the City Engineer to develop plans and specifications for North Street Improvement Project and seconded by Stark. Councilmembers voting "YEA": Mahler, Stark, Rickett, Bevelhymmer, Blatchford, Lowe. Voting "NAY": none. Motion passed 6-0.

Olander presented an Engineers Agreement for the 2024 Street Improvement Project. Mahler made a motion to approve the Engineers Agreement for the 2024 Street Improvement Project, seconded by Blatchford. Councilmembers voting "YEA": Rickett, Stark, Bevelhymmer, Blatchford, Lowe, Mahler. Voting "NAY": none. Motion passed 6-0.

Olander presented to the Council to authorized the City Engineer to advertise for bids on the Water Meter Replacement Project, SRF #D311632 and to set a bid opening date for January 25, 2024 @ 10AM- a motion was made by Bevelhymmer to authorized the City Engineer to advertise for bids on the Water Meter Replacement Project, SRF #D311632 and to set the bid date for January 25th, 2024 @ 10AM, seconded by Mahler. Councilmembers voting "YEA": Stark, Bevelhymmer, Blatchford, Lowe, Mahler, Rickett. Voting "NAY": none. Motion passed 6-0.

At 8:24PM a motion was made by Rickett to enter into executive session for agenda items L and M, and to keep the City's Utility Clerk, Interim Administrator, Water Commissioner, and City Consultant present, for no

longer than 30 minutes. Seconded by Blatchford. Councilmembers voting "YEA": Bevelhymer, Blatchford, Lowe, Mahler, Rickett, Stark. Voting "NAY": none. Motion passed 6-0.

At 8:54PM a motion was made by Blatchford to end the executive session and was seconded by Mahler. Voting "YEA": Lowe, Mahler, Rickett, Stark, Bevelhymer, Blatchford. Voting "NAY": none. Motion passed 6-0.

Interim City Administrators Report

Olander gave an update on the city. The bulk of the month was addressed during the New Business portion of the meeting. He had nothing further to add.

Governing Body Comments and Correspondence

Mayor Smith asked if there were any future agenda requests for consideration or administrative action. Next Ponca City Governing Body Meeting scheduled for Monday January 29th, 2024, at 7:00PM.

Adjournment

A motion was made by Blatchford and a second by Mahler to adjourn the meeting at 8:57 PM. The following councilmembers voting "YEA": Bevelhymer, Blatchford, Lowe, Mahler, Rickett, Stark. Voting "NAY": none. Motion passed 6-0.

New Year First Meeting

At 8:58PM the New Year First Meeting was called to order. Mayor Smith noted that Councilmembers Stark, Rickett, and Bevelhymer were up for re-election. Mayor Smith also called for nominations for Council President. Motion was made by Mahler to nominate Andy Stark for council president and seconded by Lowe. Councilmembers voting "YEA": Blatchford, Lowe, Mahler, Rickett, Bevelhymer. Voting "NAY": none. Abstaining: Stark. Motion passed 5-0.

A motion was made by Lowe at a second by Blatchford to adjourn the New Year First Meeting at 9:09 PM. Councilmembers voting "YEA": Blatchford, Lowe, Mahler, Rickett, Stark, Bevelhymer. Voting "Nay": none. Motion passed 6-0.

Mayor; DJ Smith

City Clerk- Finance Director; Jaime Schweers