

MINUTES OF THE PONCA CITY COUNCIL MEETING HELD

3.25.24

Mayor DJ Smith called the meeting to order at 7:00 PM on Monday, March 25th, 2024, 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, Ron Mahler, Eric Bevelhymmer, Dillon Rickett, and Kari Lowe were present for Roll Call. Excused was Andy Stark. 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

Mayor Smith will be hosting a coffee hour in Council Chambers on Friday, March 29th at 10AM to talk about city projects. There is the possibility of a quorum of the City Council at this event.

Mayor Smith also expressed his thanks to the Council, City Employees, and Community Center Committee for hosting a town hall meeting to reveal the design and specifications of the proposed Community Center.

Consent Agenda

Mayor Smith stated to the Governing Body that the City Clerk-Finance Directors March Claims & Accounts Payable Report, Fund Balance/Treasurers Report, City Budget Cash Report, and a General Journal Entry Report, and Check Register Report were included in the Council Meeting Scan Package sent out. Motion by Councilmember Mahler and a second by Councilmember Bevelhymmer to approve the Consent Agenda. The following Councilmembers voting "YEA": Blatchford, Mahler, Bevelhymmer, Rickett, Lowe. The following Councilmembers voted "NAY": None. Motion passed 5-0.

Proclamations, Presentations, Appointments, Affirmations & Introductions

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

Reports & Updates

Joe Yocum gave a Police update. There has been a preliminary offer of employment for the police candidate drafted and sent to the attorney and Mayor for review. Joe is waiting for authorization to become a grant writer to draft a hiring grant.

Joe was selected by the Crime Commission to perform a training audit.

315 W 2nd street had a retaining wall collapse. It does not look to be vandalism but fell due to the excessive rain that we had over the past 2 days. The owner was notified and will be making repairs.

Joe also did a presentation at the library on old and cold cases.

Travis Olander gave an update on the Street Department. Most of the updates to the Community Center have been completed, he is configuring a plan to finish the shelter house now that the weather is staying nice. Community Clean up day has been set for April 19 – April 20. They are working on a plan to add dirt to the cemetery and the 2 part time workers will be completing smaller outside tasks within the month.

Steve Brinkmann updated the council on the water/sewer department. The transformer in the well house by the cemetery was replaced. He did pressure testing with Chad from Veenstra and Kimm for the SRF Project, repaired a leak behind the funeral home, and there were 13 locates called in by today's date. He was at the NRW conference in Kearney from March 11- March 13. The EPA is monitoring forever chemicals that have been found in the water. As of now, Ponca has been testing negative for these chemicals. The next thing that the EPA will begin monitoring within the water is the levels of lithium. That is not happening as of yet, but to expect it in the near future. The Reminder notices and disconnect notices have been effective.

Travis Olander gave his City Administrator's Update on the city. He has been working on Flood Plain Ordinance and it is completed and will be presented for voting later in the meeting. the SRF Water Project is underway. North Street Project bid opening was this morning, and the results will be presented later in the meeting. There is still ARPA funds that will be used to repair intersection of Union and 2nd Street. The welcome sign coming into town is broken and we just learned that it is beyond repair. Travis also suggested moving the May meeting from May 20th to May 28th if we needed more time to post for bids in the paper. That will be discussed in April's meeting.

Jim Litchfield also spoke about Economic Development. He presented to the council packets on annexation and community survey examples that he suggests being completed. These surveys are confidential and helpful to determine the temperature of the community to see what is needed. The surveys are helpful with grant applications.

Andrea Larsen will be at the April meeting to further discuss economic development with the council.

Jaime Schweers also spoke at the meeting concerning the last week she was in Columbus for training. There was much information presented and some items that need to be addressed. Jaime stated that she will be in contact with the Mayor and City Administrator to talk about items and form a plan of action. She also stated that she has been in contact with Kyle from AMGL and informed the Council that the audit performed in October is due to the State Auditor's Office by March 31st, 2024. She has not yet received the audit, but Kyle assured her that it would be delivered within the week and if there are any fines associated with the audit being late that AMGL would cover any costs associated with that. There were a few minor infractions that were associated with the software conversion and not on the employee. All his findings will be in a report sent with the audit and will be available for council review at the next meeting.

The library had nothing to report. Their meeting was rescheduled to Tuesday March 26th.

The Volunteer Fire and Rescue submitted their report.

City Attorney's Report

Matt Munderloh was absent.

Public Hearings

At 7:19PM Mayor Smith opened the Public Hearing for the Flood Plain Ordinance. Olander had been working with NeNDR to update the current ordinance as it is 3 years old. There was change in the verbiage about removing the no build clause and removing the verbiage for mobile home parks since Ponca no longer has one. Dixon County is getting new FEMA Flood Plain maps within the next few years. Once those maps are approved, 1/3 of the city will be in a flood plain. Mahler had asked if the public had been informed of the changes that FEMA is making. Travis pointed out the proposed changes in the FEMA Maps on the West side wall of the Council Chambers. Nothing has been approved yet by FEMA. The Ordinances allow those in the Flood Plain to rebuild where they currently are. Public Hearing was closed at 7:29PM.

At 7:29PM Mayor Smith opened the Public Hearing for Christ the Kind Condition use Permit. Olander also spoke on this topic. When the church was built in 1910, there were no conditional use permits created. The permit is to allow a church to be reconstructed in a residential area at their current location. Public Hearing was closed at 7:31PM

Unfinished Business

Mayor Smith gave an update on the progress of the Dixon County Combined County Office/ Courts/Jail & Justice Center. There have been many public meetings held in each town in Dixon County. The next step-upon approval of the project- is looking for fundraising opportunities and annexing. The city and the County will be working together for the duration of this project. As of right now, the estimated cost of the utility portion of the project that the city has pledged to pay for is around \$390,000. The vote to approve the project will be on the preliminary ballot in May.

The Community Center Committee held a town meeting to reveal the final plans to the public. There was good feedback and questions from the community members who were present. There was a meeting held on March 25th at 6PM to go over the next steps for the center. The final report for the Planning portion of the grant will be submitted this week. They are hoping to have the letter of intent submitted for the CCCFF Construction Grant by January of 2025.

New Business

Resolution 2024-05 was Presented by Olander with the recommendation of the Planning Commission to grant Christ the King a Conditional Use Permit to reconstruct their church in the current location. Motion was made by Bevelhymmer and a second by Mahler to approve the Conditional Use Permit. Council members voting "YEA": Lowe, Mahler, Rickett, Bevelhymmer, Blatchford. Voting "NAY": none. Motion passed 5-0.

Olander presented the updated Flood Plain Ordinance, Ordinance 473. First Reading. Motion to approve Ordinance 473 was given by Rickett and a second by Bevelhymmer. Council members voting "YEA": Mahler, Rickett, Bevelhymmer, Blatchford, Lowe. Voting "NAY": none. Motion Passed 5-0.

Olander presented Resolution 2024-04, action to declare old fire truck as surplus. It has not been used in years. The old ambulance has been converted into the fire department equipment truck. The fire department will receive the funds from the sale. Mayor Smith suggested talking about putting the funds into a CD or something similar. A motion was made by Blatchford and seconded by Mahler to approve Resolution 2024-

04. Council members voting "YEA": Rickett, Bevelhymmer, Blatchford, Lowe, Mahler. Voting "NAY": none. Motion passed 5-0

Olander also presented to set bid opening during the council meeting on April 29th at 7:15PM. Rickett made a motion to approve the bid opening date and time, seconded by Lowe. Council members voting "YEA": Bevelhymmer, Blatchford, Lowe, Mahler, Rickett. Voting "NAY": none. Motion passed 5-0.

Third Reading for Ordinance 471, Establishing Rules and Regulations Governing City Utility Services. Motion was made by Mahler and a second by Blatchford to approve Third Reading of Ordinance 471. Council members voting "YEA": Lowe, Mahler, Rickett, Bevelhymmer, Blatchford. Voting "NAY": none. Motion passed 5-0.

Olander and our City Engineer Chad Kehrt presented the bid results from the bid opening that was held on Monday, March 25th at 10:00AM for the North Street Project. There was one bid presented from Gill Construction in the amount of \$132,460.35 which came in under the engineer's estimate. A motion was made by Mahler and seconded by Lowe to approve the bid submitted by Gill Construction. Council members voting "YEA": Mahler, Rickett, Bevelhymmer, Blatchford, Lowe. Voting "NAY": Motion passed 5-0.

Olander presented three bids for lawn service for the 2024 year. There were three bids presented. One from Quiet Cut Lawn service in the amount of \$45,000; one from Hughes Lawn Spraying in the amount of \$12,488; and a third from Jay Lan in the amount of \$10,342. There was discussion about the quality of the work that had been done with the spraying during the last year, 2023. There was discussion about signing a 1-year contract instead of a 3-year contract. There was also debate about going with the lowest bid. Blatchford made a motion to approve a 1-year contract with Jay Lan for the 2024 season. A Second was given by Mahler. Council members voting "YEA": Lowe, Mahler, Blatchford. Council members voting "NAY": Bevelhymmer and Rickett. Motion passed 3-2.

Yocum stated to the Council that corrections have been made to manual via Matt Munderloh. Motion was made by Rickett and seconded by Lowe to approve Policy and Procedure Manual for the Police Department. Council members voting "YEA": Mahler, Rickett, Bevelhymmer, Blatchford, Lowe. Council members voting "NAY": none. Motion passed 5-0.

Schweers presented an additional quote to use Chromebooks instead of tablets for the City Council to use for City business instead of their personal property and emails.. It is a one-time charge and no networking fee. They would run off Wi-Fi and be able to be taken home. The cost would be \$279 per device. There would be a total of 7 to be ordered. Along with the updated quote, Schweers stressed the importance of each council member having their own Council email to conduct city business with. Since the cost is under the voting amount, there was no action taken. The council agreed to use the devices and to have an email used for city purposes linked to said device.

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 April 29th, at 7:00PM.

Adjournment

A motion was made by Blatchford and a second by Bevelhymmer to adjourn the meeting at 8:12 PM. The following councilmembers voting "YEA": Bevelhymmer, Blatchford, Lowe, Mahler, Rickett. Voting "NAY": none. Motion passed 5-0.

Mayor; DJ Smith

City Clerk- Finance Director; Jaime Schweers