

MINUTES OF THE PONCA CITY COUNCIL MEETING HELD 5.30.24

Mayor DJ Smith called the meeting to order at 7:00 PM on Thursday, May 30th, 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, Andy Stark, and Kari Lowe 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 May 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 Bevelhymmer and a second by Councilmember Rickett to approve the Consent Agenda. The following Councilmembers voting "YEA": Blatchford, Mahler, Bevelhymmer, Rickett, Lowe, Stark. 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

Travis Olander gave an update on the Street Department. With the departure of Lynn and Ron the city has hired 3 part time seasonal workers to help with weed eating and mowing. It has been all hands-on deck to get chores accomplished. The North Street project and the cement project by the school will be starting soon.

Travis Olander updated the council on the water/sewer department. Steve Brinkmann has spent most of the month working with Zeisler and Veenstra and Kimm on the water tower portion of the SRF Project. They had to locate the find the exit pipe of the old water tower and worked on design.

Travis Olander gave his City Administrator's Update on the city. He has been working with Jaime and Matt on Ordinances that will be addressed later in the agenda, and the personnel handbook. There have been many questions from residents lately about pools and setbacks. He has also helped with the water tower project.

Jim Litchfield gave his consultant update. He has been talking with Andrea from NENEDD about the surveys that were presented at the last meeting. The council really needs to look at those and see if there is anything that needs to be added or removed. The city cannot move forward with grants until this survey is completed. He will email Jaime the information again to dispense to the council. The council will not see the surveys that the public fills out. They will send them directly to NENEDD and once the surveys are completed then the council will see the results.

The Library Board submitted their report.

The Volunteer Fire and Rescue submitted their report.

City Attorney's Report

Matt Munderloh spoke about his month. There were Ordinances that he had worked on with Travis and Jaime that would be addressed later in the agenda. He has also helped with the personnel handbook and job descriptions. He was also given a draft copy of the Code book from Jaime and is making any adjustments necessary. The code book draft is due to be back to American Legal by June 21st.

Public Hearings

None

Unfinished Business

Mayor Smith gave an update on the progress of the Dixon County Combined County Office/ Courts/Jail & Justice Center. The bond vote did not pass. The next step is to meet with the County Board of Supervisors on June 11th and determine the next step.

The Community Center Committee is at a standstill. They are waiting to meet with Better Ponca Foundation before starting any fundraising events. They are still within the grant writing process for the building portion of the CCCFF Grant.

Agenda Comments and Speakers

Brenden Callahan, Superintendent of Ponca Public Schools, spoke on behalf of topic 12C. There has been a request for traffic control signs at the 4 intersections that surround the school. The signs would consist of 4 all-way stop signs and 2 no parking signs. He has walked the property with the City Administrator and the Mayor.

Stephanie VonSeggern also spoke on behalf of topic 12C. She is the mother of a student that was hit by a vehicle during track practice at an intersection by the school. It has been 34 days since the incident and is very upset that there have been no changes. Very disappointed in how the situation was handled by the school, the police, the coach, and the city.

Kathy VonSeggern also spoke on behalf of topic 12C. She is the grandmother of the child who was hit by a vehicle. She agrees with all that was said and wants the traffic signs installed as soon as possible. Also suggested that the crosswalks be repainted and have blinking lights at those intersections.

New Business

Beth Ackland spoke to the Council about joining the National Public Gas Association. She handed out packets to the council during her presentation. We are currently part of the NMPP network since we use Power Manager. They are municipally owned, and their goal is to work with suppliers and get municipalities the best rates possible and would enable our gas rates to be set by Ordinance. Matt wanted to look at the current contract that we are in with World Kinect, and we will revisit this topic in June once the council has time to look over all the details. No Action Taken.

Schweers presented an application of SDL for the 755 Pub. It would be for the Fireman's Dance on June 28th, 2024. A motion was made by Blatchford and seconded by Stark to approve the SDL for the Fireman's Dance. Councilmembers voting "YEA": Lowe, Mahler, Rickett, Stark, Blatchford. Councilmembers voting "NAY": none. Bevelhymer abstained. Motion passed 5-0.

Olander presented Resolution 2024-09 that would allow the installation of all way stop signs at the intersections of Court and Third Street, Jefferson and Third Street, Jefferson and Second Street. It also allows the installation of no parking signs on the East side of Washington Street and the South Side of Second Street. A motion was made by Blatchford to approve Resolution 2024-09 and seconded by Mahler. Councilmembers voting "YEA": Mahler, Rickett, Stark, Bevelhymer, Blatchford, Lowe. Councilmembers voting "NAY": none. Motion passed 6-0.

Olander presented the design that Veenstra and Kimm had submitted to a designer for the water tower from the example that Council had suggested in the April Meeting. A motion was made by Bevelhymer and seconded by Blatchford to approve the engineers' design for the water tower. Councilmembers voting "YEA": Rickett, Stark, Bevelhymer, Blatchford, Lowe, Mahler. Councilmembers voting "NAY": none. Motion passed 6-0.

Olander explained to the council that due to the issues in the Water/Sewer Report, more time was needed to get a bid packet ready for the water tower. Veenstra and Kimm were requesting to move the Bid Opening to June 19th at 10am. A motion was made by Rickett and seconded by Mahler to set Bid Opening for June 19th at 10am. Councilmembers voting "YEA": Stark, Bevelhymer, Blatchford, Lowe, Mahler, Rickett. Councilmembers voting "NAY": none. Motion passed 6-0.

Schweers presented to the council an information packet about investing the money from the sale of the old fire truck with a company called NPAIT. Their interest rate is competitive and the highest on return at this point in time. Also, the money can be accessed at any time, it does not have to be locked in for a certain time frame. A motion was made by Rickett and seconded by Bevelhymer to invest the money from the surplus sale with NPAIT. Councilmembers voting "YEA": Bevelhymer, Blatchford, Lowe, Mahler, Rickett, Stark. Councilmembers voting "NAY": none. Motion passed 6-0.

Schweers presented Resolution 2024-08, Enabling the City of Ponca to Invest with NPAIT. This Resolution is needed by NPAIT to approve the application for investment. A motion was made Bevelhymer and seconded Blatchford to approve Resolution 2024-08; Enabling the City of Ponca to Invest with NPAIT. Councilmembers voting "YEA": Blatchford, Lowe, Mahler, Rickett, Stark, Bevelhymer. Councilmembers voting "NAY": none. Motion passed 6-0.

Schweers presented the renewals for LIGHT insurance for 7/1/2024- 6/30/2025. The rate did increase by 9% but was still the better option for the city cost-wise. A motion was made by Blatchford and seconded by Rickett to approve renewal for LIGHT insurance from 7/1/2024-6/30/2025. Councilmembers voting "YEA": Lowe, Mahler, Rickett, Stark, Bevelhymer, Blatchford. Councilmembers voting "NAY": none. Motion passed 6-0.

Schweers also presented a dental option that was now being offered within LIGHT. Since the renewal is in the middle of the City's fiscal year, there was discussion on how the premium would be paid. After discussion, a motion was made Blatchford and seconded by Mahler to allow employees to enroll in dental but to pay the premium themselves and revisit the cost share for the next fiscal year. Councilmembers voting "YEA": Mahler, Rickett, Stark, Bevelhymer, Blatchford, Lowe. Councilmembers voting "NAY": none. Motion passed 6-0.

Smith presented an applicant, Ashley Karrer, for the position of Billing Clerk/ Assistant to the Administrator. Mayor Smith informed the Council of all that she has accomplished since being employed part time since 2023. A motion was made by Lowe and seconded by Blatchford to approve the applicant for Billing Clerk/Assistant to the Administrator. Councilmembers voting "YEA": Rickett, Stark, Bevelhymer, Blatchford, Lowe, Mahler. Councilmembers voting "NAY": none. Motion passed 6-0.

Olander presented an applicant, Chris Bevelhymer, for the Part Time Maintenance position. He also stated that since the departure of other employees, the city has hired 3 Seasonal Part Time positions to weed eat, mow, and read meters if needed. A motion was made by Lowe and seconded by Rickett to accept the applicant for Part Time Maintenance. Councilmembers voting "YEA": Stark, Blatchford, Lowe, Mahler, Rickett. Councilmembers voting "NAY": none. Bevelhymer abstained. Motion passed 5-0.

Olander presented a bid from Bevelhymer Construction to pave the area at Chief Standing Bear Park between the shelter house and the sidewalk. A motion was made by Lowe and seconded by Stark to approve the submitted bid. Councilmembers voting "YEA": Blatchford, Lowe, Mahler, Rickett, Stark. Councilmembers voting "NAY": none. Bevelhymer abstained. Motion passed 5-0.

Olander presented Ordinance 473 for Third and Final Reading. A motion was made by Rickett and seconded by Bevelhymer to approve Ordinance 473; Flood Plain Ordinance. Councilmembers voting "YEA": Bevelhymer, Blatchford, Lowe, Mahler, Rickett, Stark. Councilmembers voting "NAY": none. Motion passed 6-0.

Olander presented an issue regarding the height of pool fences. There have been quite a few inquiries at city hall about the height of pool fences. The city has conflicting information. After discussion and noting that after adoption of Standard Building Codes at the previous meeting that pool fences are required to be 48" in height. A motion to accept the height of pool fences at 48" was made by Rickett and seconded by Lowe. Councilmembers voting "YEA": Blatchford, Lowe, Mahler, Rickett, Stark, Bevelhymer. Councilmembers voting "NAY": none. Motion passed 6-0.

Olander presented Ordinance 475; Establishing Rules and Regulations Governing Private Swimming Pools. A motion was made to waive the Three Reading Rule by Rickett and seconded by Bevelhymer. Councilmembers voting "YEA": Lowe, Mahler, Rickett, Stark, Bevelhymer, Blatchford. Councilmembers voting "NAY": none. Motion passed 6-0. A separate motion to approve Ordinance 475 was made by Bevelhymer and seconded by Blatchford. Councilmembers voting "YEA": Bevelhymer, Blatchford, Lowe, Mahler, Rickett, Stark. Councilmembers voting "NAY": none. Motion passed 6-0.

Olander presented Ordinance 476; Repealing Ordinance 447; the confirmed sale of certain real estate belonging to the city. This ordinance was created due to the sale not being completed. The ordinance was approved but the payment was never made by the buyer. A motion to waive the Three Reading Rule was made by Rickett and seconded by Blatchford. Councilmembers voting "YEA": Blatchford, Lowe, Mahler, Rickett, Stark, Bevelhymer. Councilmembers voting "NAY": none. Motion passed 6-0. A motion was made to approve Ordinance 476 by Lowe and seconded by Rickett. Councilmembers voting "YEA": Lowe, Mahler, Rickett, Stark, Bevelhymer, Blatchford. Councilmembers voting "NAY": none. Motion passed 6-0.

Schweers presented Ordinance 477; Establishing Rules and Regulations for Peddlers, Solicitors, and Itinerant Merchants. A motion to waive the Three Reading Rule was made by Lowe and seconded by Bevelhymer. Councilmembers voting "YEA": Mahler, Rickett, Stark, Bevelhymer, Blatchford, Lowe. Councilmembers voting "NAY": none. Motion passed 6-0. A motion was made by Lowe and seconded by Rickett to approve Ordinance 477. Councilmembers voting "YEA" Rickett, Stark, Bevelhymer, Blatchford, Lowe, Mahler.

Schweers presented a utility bill that has been past due and disconnected. Per the Ordinance passed about delinquent utility bills, a lien is to be placed. A motion was made by Bevelhymer and seconded by Blatchford to place a lien on said property. Councilmembers voting "YEA": Stark, Bevelhymer, Blatchford, Lowe, Mahler, Rickett. Councilmembers voting "NAY": none. Motion passed 6-0.

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 June 24th at 7:00PM.

Adjournment

A motion was made by Blatchford and a second by Lowe to adjourn the meeting at 8:31 PM. The following councilmembers voting "YEA": Bevelhymer, Blatchford, Lowe, Mahler, Rickett, Stark Voting "NAY": none. Motion passed 6-0.

MAYOR'S MEETING

Mayor Smith called the meeting to order at 8:32 PM. Councilmembers Eric Bevelhymer, Josh Blatchford, Ron Mahler, Dillon Rickett, and Andy Stark were present.

Mayor Smith presented Marcus Burki for appointment to replace Kari Lowe as Councilmember. A motion was made Bevelhymer and seconded by Rickett to appoint Marcus Burki as Councilmember. Councilmembers voting "YEA": Rickett, Stark, Bevelhymer, Blatchford, Mahler. Voting "NAY": none. Motion passed 5-0.

Mayor Smith and Matt Munderloh opened discussion on amending the previous vote for the Part Time Police Officer's hours. At the May 9th Special Meeting, the vote was to approve up to 31 hours of training to keep with part time hours. The discussion was to allow Bill Persinger to work full time hours (40) while being a Part Time Police Officer trainee while working on reciprocity. Smith noted that Persinger did put in an application for Police Chief but does not qualify until reciprocity is completed. A motion to amend the 31 hours to 40 hours was made by Blatchford and seconded by Bevelhymer. Councilmembers voting "YEA": Mahler, Rickett, Stark, Bevelhymer, Blatchford. Councilmembers voting "NAY": none. Motion passed 5-0.

Adjournment

A motion was made by Rickett and a second by Mahler to adjourn the meeting at 8:35 PM. The following councilmembers voting "YEA": Stark, Bevelhymer, Blatchford, Mahler, Rickett. Voting "NAY": none. Motion passed 5-0.

Mayor; DJ Smith

City Clerk- Finance Director; Jaime Schweers