

# **MINUTES OF THE PONCA CITY COUNCIL MEETING HELD**

## **11.24.25**

**Mayor DJ Smith** called the meeting to order at 7:00 PM on Monday, November 24<sup>th</sup>, 2025, 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. Council members, Kristie Henjes, Josh Blatchford, Dillon Rickett, Dacia Jensen, Eric Bevelhymmer, and Ron Mahler 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**

Mayor Smith stated that the Lighted Holiday Parade is on Wednesday, December 3<sup>rd</sup> at 6:30 PM. The council date is December 22<sup>nd</sup>, and congratulations to Dacia Jensen and family on their new addition.

### **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, General Journal Entry Report, Bank Statements and Check Register Report, and NPAIT statements were included in the Council Meeting Package sent out. A Motion was made by Rickett and a second by Blatchford to approve the Consent Agenda. The following Councilmembers voting "YEA": Henjes, Blatchford, Rickett, Mahler, Jensen. Councilmembers voting "NAY": None. Motion passed 5-0. Abstaining: Bevelhymmer

### **Proclamations, Presentations. Appointments, Affirmations & Introductions**

### **Reports & Updates**

Travis Olander gave an update on the street and admin. He had met with the planning commission 3 times in November and had as many public hearings. The tree in the cemetery has been taken care of, and the playground equipment at Friendship Park is getting installed. The light on Union Street was replaced. He has been getting equipment ready for snow and sheds cleaned out. They had cracked sealed 12 blocks this fall and hope to seal 12 more in the spring. He hosted the streets workshop and will start to get the 1- and 6-year plan ready for next year.

Steve Brinkmann submitted his report.

Omar Crawford gave Code Enforcement update. He has been getting ready for the academy

The library board did not submit a report.

The Volunteer Fire and Rescue submitted their report.

### **City Attorney's Report**

Matt states that he has transitioned from Johnson and Mock to Goosmann Law Firm. Jaime will send out his email to the council. He has helped with questions on zoning and lot splits. He stated that Jaime had sent the termination of contract letters to Gill Hauling and will be looking over the draft of a contract that S2 had submitted and will be discussed in the meeting.

### **Public Hearings**

7:10 PM- Lindsay Eagan spoke about moving the lot line to accommodate the structures that she is wishing to build. The size of the lots will still be within the requirement of Dakota View Estates.

7:12 PM- Travis Olander spoke about the lot split between Koeppel and Foulks due to a retaining wall being over the property line.

7:13 PM- Planning Commission was approached and met about moving setbacks on corner lots from 15ft to 10ft. An ordinance from Hartington was in the packet as a point of reference on what the Planning Commission was suggesting.

7:25 PM- Mayor Smith closed the Public Hearings.

## **Unfinished Business**

None.

## **Agenda Comments/Speakers**

None.

## **New Business**

Mayor Smith received an agenda request from Don Anderson on behalf of the Adam's House, which is part of the Historical Society in Ponca. Don and Jackie Coughlin were present to address the council. They stated that since they are non-profit and the water was shut off for the winter, there is no heat in the building, they should not be charged the base rates for water and sewer. Schweers stated that the ordinances for utilities on all residents' state that the base rate is to be charged since they have service. The yard hydrants are billed the same way. Smith had asked if they had done any fundraising or charged a membership fee. Coughlin stated that members are charged 10 dollars and Anderson stated that they had not been fundraising or asking for donations. Munderloh stated that all residents need to be charged the same, the municipality cannot waive fees for specific residents or entities. As discussion continued, there were ideas about how to help the Adam's House with donations and fundraising. No Action Taken.

Schweers presented Resolution 2025-08; Lot Split on property owned by Lindsay Eagan. Discussion and questions were answered in the Public Hearing at 7:15. No further comments were given. A motion to approve Resolution 2025-09 was made by Bevelhymmer and seconded by Blatchford. Councilmembers voting "YEA": Blatchford, Bevelhymmer, Henjes, Jensen, Mahler, Rickett. Voting "NAY": none. Motion passed 6-0.

Schweers presented Resolution 2025-09; Lot Split of property owned by Matt Koeppel. No additional questions or comments were presented. A motion to approve Resolution 2025-09 was made by Blatchford and seconded by Rickett. Councilmembers voting "YEA": Bevelhymmer, Blatchford, Henjes, Jensen, Mahler, Rickett. Voting "NAY": none. Motion passed 6-0.

Olander stated that at the Planning Commission Meeting they had approved to direct the council to adopt a version of Hartington's setback ordinance. A motion to direct Matt Munderloh to draft a new setback ordinance that will need to have both Planning Commission and Council approval was made by Blatchford and seconded by Henjes. Councilmembers voting "YEA": Bevelhymmer, Blatchford, Henjes, Jensen, Mahler, Rickett. Councilmembers voting "NAY": none. Motion passed 6-0.

Kehrt presented a changed order from Steve Harris in the amount of (\$4586.62). This is for tools that were owned by the City that were broken and other miscellaneous items that were credited back to the City. A motion was made by Bevelhymmer and seconded by Blatchford to approve the Change order. Councilmembers voting "YEA": Bevelhymmer, Blatchford, Henjes, Jensen, Mahler, Rickett. Councilmembers voting "NAY": none. Motion passed 6-0.

Kehrt presented Pay Estimate 4 to Steve Harris Construction in the amount of \$23,130.84. This is the last pay estimate until the retainer is released. Kehrt states that there are still some items that Steve Harris needs to complete. By the end of December, the council should see the final Pay Estimate. A motion was made by Mahler and seconded by Henjes to approve Pay Estimate 4 to Steve Harris. Councilmembers voting "YEA": Bevelhymmer, Blatchford, Henjes, Jensen, Mahler, Rickett. Voting "NAY": none. Motion passed 6-0.

Schweers presented Ordinance 492, 2025-2026 Utility Ordinance. This has the suggestions from the auditor about having all utility charges on the same Ordinance instead of referencing multiple. A motion was made by Blatchford and seconded by Bevelhymmer to waive the 3-reading rule on Ordinance 492. Councilmembers voting "YEA": Bevelhymmer, Blatchford, Henjes, Jensen, Mahler, Rickett. Councilmembers voting "NAY": none. Motion passed 6-0. A motion was made by Blatchford and seconded by Bevelhymmer to approve Ordinance 492. Councilmembers voting "YEA": Bevelhymmer, Blatchford, Henjes, Jensen, Mahler Rickett. Voting "NAY": none. Motion passed 6-0.

Schweers presented the notes from James Kelly with LARM at this meeting as requested at the previous meeting. Mayor Smith stated that Summer Rec is adamant that there needs to be a playground at the ballfields. Schweers stated that the equipment cannot be used safely. Smith stated that he will reach out to Summer Rec and facilitate a workshop to see what the best options are with the equipment. The council agreed to put up orange fence and a "closed" sign until further notice. No Action Taken.

Schweers presented a drafted contract with S2. She reiterated that S2 does not have contracts with any other municipality and this is a very rough form. After looking at it, Matt had stated that there were a few things that he would like to add. He had asked Jaime to send him an electronic draft. A motion was made by Blatchford and seconded by Bevelhymmer to table this until December. Councilmembers voting "YEA": Bevelhymmer, Blatchford, Henjes, Jensen, Mahler, Rickett. 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, November 24<sup>th</sup> at 7:00 PM.

#### **Adjournment**

A motion to adjourn the meeting was made by Mahler at 8:15 PM and seconded by Bevelhymmer. Councilmembers voting "YEA": Bevelhymmer, Blatchford, Henjes, Jensen, Mahler, Rickett. Voting "NAY": none. Motion passed 6-0.

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Mayor; DJ Smith

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City Clerk- Finance Director; Jaime Schweers