

June 11, 2012

The Stromsburg Mayor and City Council met in Regular Session Monday, June 11, 2012 at 6:00 p.m. at the City Office. Advance notice was published in the Polk County News Thursday, June 7, 2012, posted at the City Office, Economy Hometown Market, and the U.S. Post Office Thursday, June 7, 2012, and agendas were hand delivered Friday, June 8, 2012. Members present were Ken Everingham, mayor; Jack Anderson, Doug Lamoree, Dennis Nuttelman, and Pat Powell councilmembers; Nancy Bryan, city clerk/treasurer; and Lenard Schaefer, public works director. Also present were Gary Allen, John Dale, Sherri Georges, Doug Gilliland, Diana Johnson, Kay Kronberg, Dwaine Ladwig, Chris Miller, and Jim Norman. Jim Papik, city attorney; was absent.

Ken Everingham, mayor, called the meeting to order and all present recited the Pledge of Allegiance. Mayor Everingham gave notice that a copy of the Open Meetings Act is posted at the back of the room for anyone interested and that forms are available to complete if someone has a future agenda item. There were no changes to the agenda or citizens present with business not scheduled on the agenda.

Lamoree moved, Anderson seconded, to approve the May 24, 2012 meeting minutes. Anderson, Lamoree, and Nuttelman voted yes, Powell abstained, motion approved.

Dwaine Ladwig, Polk County Sheriff, was present to give the May 2012 police report. Lamoree moved, Nuttelman seconded, to accept the May 2012 police report. Anderson, Lamoree, Nuttelman, and Powell voted yes, motion approved.

Nancy Bryan, city clerk/treasurer, presented the April 2012 treasurer's report. Lamoree moved, Anderson seconded, to accept the April 2012 treasurer's report. Anderson, Lamoree, Nuttelman, and Powell voted yes, motion approved.

Nuttelman moved, Anderson seconded, to approve the electrical bid from IES Commercial, Inc. of Holdrege, Nebraska, for \$159,007.98 for the Elementary Park Subdivision. Anderson, Lamoree, Nuttelman, and Powell voted yes, motion approved.

It was reported Wy-Ad Utility Contractors, Inc. have started work on the Elementary Park Subdivision. The new design places the detention cell in the center of 8<sup>th</sup> Street and allows for a standard driving lane on either side of the cell. Corwin Hengelfelt will be contacted to make sure he has no objections to the City filling in the low ground near 8<sup>th</sup> and Home Streets so that water drains properly to the culvert. It was reported there is a building that is currently in the City's 8<sup>th</sup> Street right-of-way that will need to be moved a minimum of 15 feet south of the property line.

Chris Miller from Miller and Associates was present to give an update on the water treatment project. A rendering of the proposed building was shown. Bids for the water treatment building will be opened on August 21, 2012 with an award being made at the August 27, 2012 city council meeting.

Brief discussion was held about the swimming pool grout issue.

Lamoree moved, Nuttelman seconded, to approve **Resolution Number 2012-24** to declare 213 Exchange Street a nuisance. Anderson, Lamoree, Nuttelman, and Powell voted yes, motion approved.

Lamoree moved, Anderson seconded, to remove 511 East 2<sup>nd</sup> Street from the potential nuisance property list. Anderson, Lamoree, Nuttelman, and Powell voted yes, motion approved.

Lamoree moved, Powell seconded, to approve **Resolution Number 2012-25** to declare 500 East 2<sup>nd</sup> Street a nuisance. Anderson, Lamoree, Nuttelman, and Powell voted yes, motion approved.

Doug Gilliland was present to discuss his property located at 200 Ekeley Street. Mr. Gilliland was told to mow the property, pick up the tree limb if it is still there, and to move the suburban to the driveway. Once this work is completed the property will be removed from the potential nuisance property list.

206 West 3rd Street was removed from the potential nuisance property list.

No action was taken on the potential nuisance property located at 108 West 4th Street. Dennis Nuttelman, councilmember, will talk to Richard Olson and the property will be reviewed at the June 25, 2012 city council meeting.

The property located at 114 East 3rd Street was removed from the potential nuisance property list.

The potential nuisance property at 314 East 3rd Street was reviewed. A contractor is trimming the trees and bushes. The property will be monitored to see that the remaining work is completed.

411 East 2nd Street was removed from the potential nuisance property list.

John Dale, Sherri Georges, and Kay Kronberg from the library board and Diana Johnson, library director, were present to review the proposed fiscal year 2012-2013 library budget. The library board is recommending raises for both library employees. The rotting boards on the outside of the building were discussed. Miller and Associates will review the building plans in an effort to determine options for replacing the decorative pieces. If an economical solution cannot be found the pieces may be removed from the building. If an economical solution is found, the library board's budget may need to be changed to work in the replacement cost of the pieces so the total budget request is not increased.

Jim Papik, city attorney, arrived at 7:03 p.m.

Lamoree moved, Powell seconded, to go into executive session at 7:08 p.m. to protect the public interest to discuss the Dennis Ditloff settlement offer. Anderson, Lamoree, Nuttelman, and Powell voted yes, motion approved. Those present during executive session were Jack Anderson, Nancy Bryan, Ken Everingham, Doug Lamoree, Chris Miller, Dennis Nuttelman, Jim

Papik, Pat Powell, and Lenard Schaefer. Mayor Everingham restated the reason for the executive session is to discuss the Dennis Ditloff settlement offer. Powell moved, Anderson seconded, to come out of executive session at 7:21 p.m. Anderson, Lamoree, Nuttelman, and Powell voted yes, motion approved. No action needed to be taken.

Chris Miller from Miller and Associates reported he does not have costs for Change Order Number 1 for the Elementary Park Subdivision. The item was tabled.

The covenants for the Elementary Park Subdivision have not been finalized. The item was tabled.

The following bids were received for the purchase of lots in the Elementary Park Subdivision: Lenard Schaefer, \$28,000 for Lot number 12 and Ty Twarling, \$23,000 for Lot number ~~49~~ 18. Lamoree moved, Powell seconded, to approve the bid from Lenard Schaefer of \$28,000 for lot number 12 and the bid from Ty Twarling of \$23,000 for lot number ~~49~~ 18 in the Elementary Park Subdivision and to authorize entering purchase agreements for said lots. Anderson, Lamoree, Nuttelman, and Powell voted yes, motion approved.

Lamoree moved, Anderson seconded, to go into executive session at 7:24 p.m. to prevent the needless injury to a person to discuss a swimming pool issue. Anderson, Lamoree, Nuttelman, and Powell voted yes, motion approved. Those present during executive session were Jack Anderson, Nancy Bryan, Ken Everingham, Doug Lamoree, Chris Miller, Dennis Nuttelman, Jim Papik, Pat Powell, and Lenard Schaefer. Mayor Everingham restated the reason for the executive session is to discuss a swimming pool issue. Nuttelman moved, Lamoree seconded, to come out of executive session at 7:34 p.m. Anderson, Lamoree, Nuttelman, and Powell voted yes, motion approved. Powell moved, Anderson seconded, to deny pay request number 15 from Christiansen Construction pending results of the grout testing. Anderson, Lamoree, Nuttelman, and Powell voted yes, motion approved.

Lenard Schaefer, public works director, will talk to Allen Russell who owns the property located at 212 East 4<sup>th</sup> Street and instruct him to remove the remaining items on the east side of the building by the June 25, 2012 city council meeting and if they are not removed, the City will have them removed for him. Some of the items are on city property.

Jack Anderson, Pat Powell, and Lenard Schaefer will talk to Jeff Colson, owner of 514 East 3<sup>rd</sup> Street, about what specifically needs to be done to complete the clean up of his property. Jim Norman, assistant building inspector, and Jim Papik, city attorney, will address the garage that is not on a permanent foundation.

The rental agreement with Gary Allen for use of the bus barn/shop at the old high school was reviewed. The City will continue to rent the building on a month-by-month basis as allowed in the agreement.

Discussion was held regarding the request from the Nebraska Department of Economic Development to relinquish CDBG funds. No action taken.

Powell moved, Lamoree seconded, to extend the deadline to December 31, 2012 for having building permits filed to receive a waiver of water and sewer tapping permit fees for residential construction. Anderson, Lamoree, Nuttelman, and Powell voted yes, motion approved.

Passage of Ordinance Number 1052 was tabled.

Lamoree moved, Anderson seconded, to approve the annual drug testing contract with Utility Consultants, Inc. Anderson, Lamoree, Nuttelman, and Powell voted yes, motion approved. No changes were made.

Nuttelman moved, Lamoree seconded, to grant permission to the Stromsburg Woman's Civic Improvement Club to move the statue done by Dana Westring from the Arboretum to the City Park Square. Anderson, Lamoree, Nuttelman, and Powell voted yes, motion approved.

Anderson moved, Lamoree seconded, to approve sending Lenard Schaefer, public works director, and Jim Norman, assistant building inspector, to the ADA Standards for Accessible Design Training June 26, 2012 in Lincoln, Nebraska. Anderson, Lamoree, Nuttelman, and Powell voted yes, motion approved.

Pat Powell and Dennis Nuttelman, councilmembers, reported on the ambulance meeting concerning the handling of ambulance run sheets.

Dennis Nuttelman and Pat Powell, councilmembers, reported on the proposed law enforcement contract. No changes are being recommended at this time. The contract price will likely increase by at least 3%.

Pictures were shown of 1114 East 4<sup>th</sup> Street. Mayor Everingham stated he will have the property cleaned up by July 1, 2012 and requested he receive a letter like other property owners.

Jim Papik, city attorney, reported Butler County RPPD is transitioning to using I-Pads for board packets rather than doing paper copies.

Nancy Bryan, city clerk/treasurer, reported she has been working on the CDBG issue. The insurance agent has contacted the City and stated the south cemetery building is not on the City's policy. The building will be added.

Lenard Schaefer, public works director, reported the lots for sale sign for the Elementary Park Subdivision is done. Plans for a new business in town have been reviewed. Showers in the bathhouse that are malfunctioning will be replaced. Materials for the Cornerstone Bank electrical upgrade have been received and Polk County RPPD will begin the work after the Swedish Festival. The old electrical transformers are too old to be tested but will need to have testing completed before they can be disposed. Polk County RPPD has been contacted to see how they handle issues with old transformers getting tested. Mr. Schaefer stated he is trying to get a bid for boring the sewer line that needs to be fixed at 7<sup>th</sup> and Court Streets. Johnson Service has been out four times in the last few weeks to jet sewer lines. If the fire department

will allow one of the old fire trucks to be modified, the City will look into building their own truck to jet sewer lines. An offer has been received to paint fire hydrants.

Jim Norman, assistant building inspector, reported he has processed two building permits and reviewed plans for a new business.

Nuttelman moved, Lamoree seconded, to approve the claims. Anderson, Lamoree, Nuttelman, and Powell voted yes, motion approved. Claims approved were **June 1, 2012 NET PAYROLL- \$15,072.34; GENERAL & UTILITIES- \$134,192.63** as follows: AccuCut, su-\$75.99; Juanita Ackerman, re-\$30.00; Gary Allen, rent-\$500.00; Tim Alvis, se-\$500.00; Ameritas Life Insurance Corp., ins-\$457.88; Ascensus, 401(k) plan contributions & se-\$1,822.57; Baker & Taylor, su-\$259.92; Barco Municipal Products, Inc., su-\$111.64; Belson Outdoors, Inc., su-\$4,020.50; Best Care Employee Assistance Program, se-\$376.75; Blue Cross Blue Shield of Nebraska, ins-\$4,581.32; Brimar Identification & Safety Products, su-\$64.40; Elizabeth Broderick, re-\$37.76; Burg Auto Repair, Inc., se-\$69.81; Cardmember Services, su-\$19.90; Kiley Carey, re-\$37.76; Ron Carson, re-\$499.50; Casey's General Stores, Inc., su-\$1,485.38; City of Stromsburg, se-\$4,411.96; Connecting Point, se & su-\$265.99; Consolidated Plastics Company, Inc., su-\$861.25; Cooperative Benefit Administrators, se-\$13.00; Cornerstone Bank, HSA contributions-\$340.00; Cornerstone Bank Trust Dept., pension plan contribution-\$7,000.00; Cornhusker State Industries, su-\$43.23; Deterdings, su-\$493.94; Steve Dubas, se-\$35.00; Dutton-Lainson Company, su-\$1,710.97; Eakes Office, su-\$119.81; Economy Hometown Market, Inc., su-\$845.36; EFTPS, withholding tax-\$3,880.45; Oriana Elgin, re-\$43.95; EMS Billing Services, Inc., se-\$881.70; Ericson Cash Hardware, su-\$2,135.66; First Health Part D, ins-\$25.10; Fastenal Company, su-\$59.70; Gardener Publishing, su-\$152.95; Great Plains Pest Management, Inc., se-\$199.50; Gregg Johnson Ent., se-\$900.00; Groebner & Associates, Inc., su-\$4,538.29; Jenni Harrington dba Harmony Nursery and Daylily Farm, se & su-\$720.53; Hawkins, Inc., su-\$2,068.07; Heritage Bank, se-\$49.00; Amy Hengelfelt, re-\$37.76; Homestead Funds, 457 Plan-\$304.81; In the Swim, su-\$464.40; Industrial Sales, su-\$5,835.48; Jackson Services, Inc., se-\$597.03; Diana Johnson, ins & re-\$230.34; Johnson Service Company, se-\$911.40; Kriz-Davis Company, su-\$2,759.03; Kassandra Lamoree, re-\$37.76; Kylie Lamoree, re-\$37.76; Lincoln City Libraries, se-\$400.00; Arika Lindsley, re-\$37.76; Lookout Books, su-\$113.79; Matheson Tri-Gas, Inc., su-\$57.59; Mead Lumber & Rental-York, su-\$68.48; Menards-Columbus, su-\$1,206.78; Morgan Mickey, re-\$37.76; Midwest Tape, su-\$136.44; Miller Seed & Supply, Inc., su-\$63.75; Naber's Locksmith Service, su-\$52.20; Nebraska Department of Environmental Quality, loan payment-\$5,814.23; Nebraska Department of Revenue, withholding tax-\$851.71; Nebraska Public Health Environmental Laboratory, se-\$201.00; Nebraska Sweeping, Inc., se-\$1,648.00; Taylor Nienhueser, re-\$37.76; C.J. Norman, se-\$93.24; NRECA, ins admin fees-\$55.62; NRECA Group Benefits Trust, ins-\$561.44; OfficeNet, se-\$1,423.47; Robert Orsborn dba Chem-Dry of Stromsburg, se-\$25.00; Orschlen's Farm & Home, su-\$16.37; Osceola Implement & Supply, Inc., su-\$128.85; Overland Ready Mixed, su-\$237.25; James Papik, Attorney at Law, se-\$1,365.00; Polk County Clerk, contract-\$5,716.48; Polk County Clerk, se-\$6.00; Polk County News, se-\$1,022.00; Polk County RPPD, se-\$12,659.62; Stacy Portwine dba Blue River Outdoor Power, su-\$62.97; Postmaster, se-\$168.28; McKenna Powell, re-\$37.76; Pro Crane Service, LLC, se-\$7,140.00; Quality Sound & Communications, Inc., se-\$155.00; Quill Corp., su-\$165.69; Rally Auto Parts, su-\$613.99; Recreonics, su-\$316.10; Susan Rosenbaum, se-\$75.00; RVW, Inc., se-\$6,812.32; Peters Distributing, Inc. dba Safe-N-Secure Security

Equipment, su-\$1,376.00, Connie Sperling, se-\$460.00; Sperling Tree Service, se-\$685.00; Crystal Stratman, re-\$37.76; T&R Electric, su-\$4,832.00; UCI Utility Consultants, Inc., se-\$695.00; United Farmers Cooperative, su-\$389.80; US Cellular, se-\$232.02; USA Blue Book, su-\$138.14; Van Diest Supply Company, su-\$265.30; Sandra Waller, re-\$44.95; WAW Construction, Inc., se-\$13,657.50; Wesco, su-\$1,278.65; Ashley Westring, re-\$37.76; Windstream, se-\$821.70; York Area Solid Waste Agency, se-\$1,059.00; York Electronics, su-\$8.39; Clark Yungdahl, se-\$535.00; and Zee Medical Service Company, su-\$91.70.

No further business appearing, Powell moved, Lamoree seconded, the meeting be adjourned. Anderson, Lamoree, Nuttelman, and Powell voted yes, meeting adjourned at 8:57 p.m. The next meeting of the Stromsburg Mayor and City Council will be Monday, June 25, 2012 at 6:00 p.m., such meeting being open to the public. An agenda, kept continuously current, is available for public inspection at the office of the City Clerk.

ATTEST:

APPROVED:

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City Clerk/Treasurer

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Mayor