

January 14, 2013

The Stromsburg Mayor and City Council met in Regular Session Monday, January 14, 2013 at 6:00 p.m. at the City Office. Advance notice was published in the Polk County News Thursday, January 10, 2013, posted at the City Office, Economy Hometown Market, and the U.S. Post Office Thursday, January 10, 2013, and agendas were hand delivered Friday, January 11, 2013. Members present were Ken Everingham, mayor; Jack Anderson, Doug Lamoree, Dennis Nuttelman, and Pat Powell, councilmembers; Nancy Bryan, city clerk/treasurer; Jim Norman, planning administrator/building inspector and nuisance officer; and Lenard Schaefer, public works director. Also present were Dawn Anderson, Kathy Hengelfelt, Reed Miller, Dan Spearow, and Larry Steele. 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. Nuttelman moved, Anderson seconded, to approve the December 21, 2012 minutes. Anderson, Nuttelman, and Powell voted yes, Lamoree abstained, motion approved. Lamoree moved, Powell seconded, to accept the November 2012 treasurer's report. Anderson, Lamoree, Nuttelman, and Powell voted yes, motion approved. Lamoree moved, Powell seconded, to approve Pay Request Number Two from Utility Contractors Inc. for the water treatment facility. Anderson, Lamoree, Nuttelman, and Powell voted yes, motion approved. Anderson moved, Lamoree seconded, to introduce **Ordinance Number 1066** to sell a portion of the airport property described as "A tract of land 107' by 665' located in the Northwest Quarter of Section 5, Township 13, North Range 2, West of the 6th P.M., Polk County, Nebraska, and the North 80 feet lying west of the railroad right of way in the Southwest Quarter of Section 5, Township 13 North, Range 2, West of the 6th P.M., Polk County, Nebraska" to Mike Rystrom for \$10,621.00 and waive the three reading rule. Anderson, Lamoree, Nuttelman, and Powell voted yes, motion approved. Lamoree moved, Powell seconded, to approve **Ordinance Number 1066** to sell a portion of the airport property described as "A tract of land 107' by 665' located in the Northwest Quarter of Section 5, Township 13, North Range 2, West of the 6th P.M., Polk County, Nebraska, and the North 80 feet lying west of the railroad right of way in the Southwest Quarter of Section 5, Township 13 North, Range 2, West of the 6th P.M., Polk County, Nebraska" to Mike Rystrom for \$10,621.00. Anderson, Lamoree, Nuttelman, and Powell voted yes, motion approved. Jim Papik, city attorney, arrived at 6:21 p.m. Powell moved, Lamoree seconded, to go into executive session at 6:25 p.m. to protect the public interest due to possible litigation to discuss swimming pool issues. Anderson, Lamoree, Nuttelman, and Powell voted yes, motion approved. Ken Everingham, mayor, restated the reason for the executive session is to protect the public interest due to possible litigation to discuss swimming pool issues. Those present were Jack Anderson, Nancy Bryan, Ken Everingham, Doug Lamoree, Reed Miller, Dennis Nuttelman, Jim Papik, Pat Powell, Lenard Schaefer, and Larry Steele. Nuttelman moved, Lamoree seconded, to come out of executive session at 6:57 p.m. Anderson, Lamoree, Nuttelman, and Powell voted yes, motion approved. Jim Papik, city attorney, will contact the contractor. Lamoree moved, Anderson seconded, to introduce **Ordinance Number 1064** to add Section 5-710 to the municipal code to allow utility type vehicles and mini-trucks on city streets under certain circumstances and waive the three reading rule. Anderson, Lamoree, Nuttelman, and Powell voted yes, motion approved. Nuttelman moved, Powell seconded, to approve

Ordinance Number 1064 to add Section 5-710 to the municipal code to allow utility type vehicles and mini-trucks on city streets under certain circumstances. Anderson, Lamoree, Nuttelman, and Powell voted yes, motion approved. Lamoree moved, Anderson seconded, to introduce **Ordinance Number 1065** to amend Section 8-301.01 of the municipal code to eliminate the deposit requirement when grinding curbs and waive the three reading rule. Anderson, Lamoree, Nuttelman, and Powell voted yes, motion approved. Powell moved, Anderson seconded, to approve **Ordinance Number 1065** to amend Section 8-301.01 of the municipal code to eliminate the deposit requirement for grinding curbs. Anderson, Lamoree, Nuttelman, and Powell voted yes, motion approved. Powell moved, Lamoree seconded, to accept the December 2012 police report. Anderson, Lamoree, Nuttelman, and Powell voted yes, motion approved. Jack Anderson, councilmember, was excused at 7:20 p.m. Nuttelman moved, Powell seconded, to make the following changes to utility billing policies: budget billing customers will be given until the final day in the utility disconnection notice to pay their bills rather than the end of the month; landlords will be sent new agreements for each rental property to be signed to inform the city if utilities should be left on or turned off when tenants move out of the properties; and landlords will be sent third-party agreements to complete if they wish to receive disconnection notices for their rental properties. Lamoree, Nuttelman, and Powell voted yes, Anderson absent, motion approved. Nuttelman moved, Powell seconded, to approve **Resolution Number 2013-1** to amend Sections 5.22, 7.6, 8.1, 8.3, and 8.6 of the personnel handbook, to delete Section 8.4 from the handbook, and to add Section 8.16 to the handbook pertaining to various forms of paid time off for employees and on-call requirements. Lamoree, Nuttelman, and Powell voted yes, Anderson absent, motion approved. Powell moved, Lamoree seconded, to allow the ambulance department to bill for services in 2013 per Nebraska Statute 35-901. Lamoree, Nuttelman, and Powell voted yes, Anderson absent, motion approved. Powell moved, Lamoree seconded, to go into executive session at 8:09 p.m. to protect the reputation of an individual who has not requested a public meeting to discuss submitting a Victim Impact Statement to the probation office. Lamoree, Nuttelman, and Powell voted yes, Anderson absent, motion approved. Ken Everingham, mayor, restated the reason for the executive session is to protect the reputation of an individual who has not requested a public meeting to discuss submitting a Victim Impact Statement. Those present were Nancy Bryan, Ken Everingham, Doug Lamoree, Dennis Nuttelman, Jim Papik, Pat Powell, and Lenard Schaefer. Lamoree moved, Powell seconded, to come out of executive session at 8:17 p.m. Lamoree, Nuttelman, and Powell voted yes, Anderson absent, motion approved. A Victim Impact Statement will not be sent. Lamoree moved, Nuttelman seconded, to approve the claims. Lamoree, Nuttelman, and Powell voted yes, Anderson absent, motion approved. Claims approved were **January 2, 2013 NET PAYROLL-\$10,877.59; GENERAL & UTILITIES-\$221,380.75** as follows: Gary Allen, rent-\$500.00; Craige Allison, lease-\$306.00; American Legion Post 132, su-\$49.00; Ameritas Life Insurance Corp., se-\$419.92; Ascensus, 401(k) plan contributions-\$1,446.55; Baird Holm LLP, se-\$905.55; Bascom-Turner Instruments, Inc., se-\$608.08; Blue Cross & Blue Shield of Nebraska, ins-\$3,839.01; Glen Bower, Jr., re-\$30.00; Lois Burke, re-\$60.00; Phil Burke, re-\$75.00; Cardmember Services, su-\$9.95; Carl's Skrap, se-\$330.00; Casey's General Stores, Inc., su-\$917.78; City of Stromsburg, se-\$5,845.76; Cooperative Benefit Administrators, re & se-\$58.93; Cornerstone Bank, HSA contributions-\$1,442.50; Cross County Community School, re-\$3,100.00; Steve Dubas, se-\$35.00; Eakes Office, su-\$71.72; Economy Hometown Market, Inc., su-\$45.74; EFTPS, withholding tax-\$3,371.27; EMP Emergency Medical Products, Inc., su-\$170.65; EMS Billing Services, Inc., se-\$593.69; Ericson Cash Hardware, su-\$228.85; Kenneth

Everingham, re-\$30.00; Angel Ewing, officer pay-\$100.00; First Health Part D, ins-\$25.10; Gary's Plumbing, se-\$1,230.00; Great Plains Pest Management, inc., se-\$199.50; Groebner & Associates, inc., su-\$868.44; Harless Oil Co., su-\$999.00; HD Supply Waterworks, Ltd., su-\$532.82; Herb's Window Service, se-\$30.00; Heritage Bank, se-\$73.58; Industrial Sales Company, Inc., su-\$1,039.77; Jackson Services, Inc., se-\$481.30; John Deere Financial, se & su-\$47.76; Diana Johnson, ins-\$199.54; Kriz-Davis Company, su-\$1,694.00; Marsden's Auto Clinic, su-\$16.55; Mead Lumber & Rental-York, su-\$42.00; Midwest Laboratories, Inc., se-\$8.51; Midwest Service & Sales Co., su-\$115.00; Miller & Associates, se-\$9,515.80; Nebraska Department of Revenue, withholding tax-\$816.25; Nebraska Public Health Environmental Laboratory, se-\$83.00; Nebraska Public Power District, se-\$41.45; C.J. Norman, re-\$171.53; Perry Noyd dba Perry Noyd Repair, se & su-\$179.39; NRECA, ins admin fees-\$58.24; NRECA Group Benefits Trust, ins-\$580.74; One Call Concepts, Inc., se-\$15.85; Tim Pallas, re-\$75.00; James Papik dba Papik Law, se-\$1,085.00; Erik Peterson, re-\$30.00; Polk County Clerk, contract-\$5,650.08; Polk County News, LLC se-\$297.07; Polk County RPPD, se-\$26,023.09; Postmaster, se-\$164.36; Prairie Creek Family Medicine, se-\$130.00; Public Safety Center, su-\$108.97; Rally Auto Parts, su-\$328.38; RVW, Inc., se-\$134.00; Servi-Tech, Inc., se-\$133.25; Connie Sperling, se-\$460.00; The Nyberg Group, se-\$2,432.00; Dave Tompkins, re-\$90.00; UCI Utility Consultants, Inc., se-\$90.00; United Farmers Cooperative, su-\$350.89; Unlimited Welding, su-\$7.50; US Cellular, se-\$226.26; USA Blue Book, su-\$777.24; Utility Contractors, Inc., se-\$136,618.45; Utility Safety and Design, Inc., se-\$1,275.20; Scott Walgren, rent-\$30.00; Craig Wilson, se & su-\$408.48; and Windstream, se-\$799.46. No further business appearing, Powell moved, Nuttelman seconded, the meeting be adjourned. Lamoree, Nuttelman, and Powell voted yes, Anderson absent, meeting adjourned at 8:40 p.m. The next meeting of the Stromsburg Mayor and City Council will be Monday, January 28, 2013 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:

City Clerk/Treasurer

Mayor