

December 10, 2018

The Stromsburg Mayor and City Council met in Regular Session Monday, December 10, 2018 at 5:35 p.m. at the City Office. Members present were Ken Everingham, mayor; Lois Burke, Doug Lamoree, Terry Larson, and Dennis Nuttelman, councilmembers; Nancy Bryan, city clerk/treasurer; Jim Papik, city attorney; Pat Powell, natural gas commissioner/assistant city Also present were Warren Carlson, Nate Chapman, Terry Galloway, Jeff Guenter, Erin Holtzen, Joel Kaup, Norm Kronberg, Dwaine Ladwig, Keet Redden, and Vern Tallman. Ken Everingham, mayor, called the meeting to order and all present recited the Pledge of Allegiance. Nuttelman moved, Lamoree seconded, to approve the November 26, 2018 minutes. Burke, Lamoree, Larson, and Nuttelman, voted yes, motion approved. Larson moved, Burke seconded, to accept the November, 2018 police report. Burke, Lamoree, Larson, and Nuttelman, voted yes, motion approved. Nuttelman moved, Lamoree seconded, to accept the October, 2018 treasurer's report. Burke, Lamoree, Larson, and Nuttelman, voted yes, motion approved. Ken Everingham, mayor, turned the meeting over to Dennis Nuttelman, council president, as the next item on the agenda pertains to his property. Dennis Nuttelman, council president, opened the hearing on the request from Ken and Pat Everingham to subdivide the following property at 5:44 p.m. "A Tract of Land Comprising A Part of the SE ¼ of the NE ¼ of Section 7, Township 13 North, Range 2 West of the 6th P.M., Polk County, Nebraska Described as Follows: Commencing at the SW Corner of Said NE 1/4; Thence N88°02'45"E, and on the South Line of Said NE ¼, 1830.00 Feet to the Point of Beginning, Said Point Being the SE Corner of Central Bible Seminary Addition to the City of Stromsburg; Thence N01°43'45"W, and on the East Line of Said Central Bible Seminary Addition, 757.63 Feet to the Centerline of Fourth Street; Thence N88°17'16"E, and on the Centerline of said Fourth Street, 662.00 Feet; Thence S01°43'43"E, 754.83 Feet to a Point on the South Line of Said NE ¼; Thence S88°02'45"W, and on the South Line of Said NE 1/4 , 662.00 Feet to the Point of Beginning and Containing 11.49 Acres More or Less of Which 1.11 Acres More or Less is Occupied by County Road R.O.W." also known as 1114 East 4th Street. It was reported Ken Everingham, mayor, has filed Potential Conflict of Interest Statement NADC Form C-2 with the Nebraska Accountability and Disclosure Commission disclosing the property is owned by Mr. Everingham and his wife. No comments were received from the public. The planning commission recommended approval of the subdivision. The hearing was closed at 5:47 p.m. Larson moved, Burke seconded, to approve the request from Ken and Pat Everingham to subdivide property as recommended by the planning commission described as follows: "A Tract of Land Comprising A Part of the SE ¼ of the NE ¼ of Section 7, Township 13 North, Range 2 West of the 6th P.M., Polk County, Nebraska Described as Follows: Commencing at the SW Corner of Said NE 1/4; Thence N88°02'45"E, and on the South Line of Said NE ¼, 1830.00 Feet to the Point of Beginning, Said Point Being the SE Corner of Central Bible Seminary Addition to the City of Stromsburg; Thence N01°43'45"W, and on the East Line of Said Central Bible Seminary Addition, 757.63 Feet to the Centerline of Fourth Street; Thence N88°17'16"E, and on the Centerline of said Fourth Street, 662.00 Feet; Thence S01°43'43"E, 754.83 Feet to a Point on the South Line of Said NE ¼; Thence S88°02'45"W, and on the South Line of Said NE 1/4 , 662.00 Feet to the Point of Beginning and Containing 11.49 Acres More or Less of Which 1.11 Acres More or Less is Occupied by County Road R.O.W." also known as 1114 East 4th Street. Burke, Lamoree, Larson, and Nuttelman, voted yes, motion approved. Ken Everingham, mayor, continued to preside as mayor for the remainder of the meeting. The hearing on the request from Bryan and Diane Myers to vacate streets and alleys was opened at 5:48 p.m. No comments were

received from the public. The hearing was closed at 5:53 p.m. Larson moved, Lamoree seconded, to introduce **Ordinance Number 1218** to vacate the following streets and alleys as the streets and alleys are no longer necessary for use as public ways and waive the three reading rule: 1) Third Street from the east line of the Union Pacific Railroad right-of-way to the east line of Central Bible Seminary Addition; 2) Washington Street from the south line of the Union Pacific Railroad right-of-way to the north line of 2nd Street; 3) Home Street from the south line of the Union Pacific Railroad right-of-way to the north line of 2nd Street; 4) the alley between Lot 2 and Lots 3, 4, and 5, Block 3, Central Bible Seminary Addition; 5) the alley intersecting Block 4, Central Bible Seminary Addition; and 6) the alley in Block 5, Central Bible Seminary Addition. Burke, Lamoree, Larson, and Nuttelman, voted yes, motion approved. Lamoree moved, Nuttelman seconded, to approve **Ordinance Number 1218** to vacate the following streets and alleys as the streets and alleys are no longer necessary for use as public ways: 1) Third Street from the east line of the Union Pacific Railroad right-of-way to the east line of Central Bible Seminary Addition; 2) Washington Street from the south line of the Union Pacific Railroad right-of-way to the north line of 2nd Street; 3) Home Street from the south line of the Union Pacific Railroad right-of-way to the north line of 2nd Street; 4) the alley between Lot 2 and Lots 3, 4, and 5, Block 3, Central Bible Seminary Addition; 5) the alley intersecting Block 4, Central Bible Seminary Addition; and 6) the alley in Block 5, Central Bible Seminary Addition. Burke, Lamoree, Larson, and Nuttelman, voted yes, motion approved. The public hearing to annex the following described property was opened at 5:54 p.m. "Tax Lot "H" Located in the SE ¼ of Section 12, Township 13 North, Range 3 West of the 6th P.M., Polk County, Nebraska." The annexation would expand Buckley Park. No public comments were received. The planning commission recommended approval of the annexation. The hearing was closed at 5:55 p.m. **Ordinance Number 1219** to annex the following described property to expand Buckley Park was read for the first time: "Tax Lot "H" Located in the SE ¼ of Section 12, Township 13 North, Range 3 West of the 6th P.M., Polk County, Nebraska". The ordinance will be read for the second time on December 20, 2018. The public hearing to rezone the following described property from AT Agriculture Transitional to CN Conservation and Open Space was opened at 5:56 p.m. "Tax Lot "H" Located in the SE ¼ of Section 12, Township 13 North, Range 3 West of the 6th P.M., Polk County, Nebraska." No public comments were received. The hearing was closed at 5:58 p.m. Nuttelman moved, Lamoree seconded, to introduce **Ordinance Number 1220** to rezone the following described property from AT Agriculture Transitional to CN Conservation and Open Space and waive the three reading rule: "Tax Lot "H" Located in the SE ¼ of Section 12, Township 13 North, Range 3 West of the 6th P.M., Polk County, Nebraska." Burke, Lamoree, Larson, and Nuttelman, voted yes, motion approved. Lamoree moved, Larson seconded, to approve **Ordinance Number 1220** to rezone the following described property from AT Agriculture Transitional to CN Conservation and Open Space: "Tax Lot "H" Located in the SE ¼ of Section 12, Township 13 North, Range 3 West of the 6th P.M., Polk County, Nebraska." Burke, Lamoree, Larson, and Nuttelman, voted yes, motion approved. Lamoree moved, Burke seconded, to accept the Fiscal Year Ending September 30, 2018 audit report. Burke, Lamoree, Larson, and Nuttelman, voted yes, motion approved. Lamoree moved, Nuttelman seconded, to approve **Resolution Number 2018-11** to declare 917 East 4th Street a nuisance. Burke, Lamoree, Larson, and Nuttelman, voted yes, motion approved. Lamoree moved, Nuttelman seconded, to introduce **Ordinance Number 1221** to prohibit the discharge of snow, sleet, ice, mud, or debris including leaves, grass, and branches from private property into city streets and waive the three reading rule. Burke, Lamoree, Larson, and Nuttelman, voted yes, motion

approved. Nuttelman moved, Lamoree seconded, to approve **Ordinance Number 1221** to prohibit the discharge of snow, sleet, ice, mud, or debris including leaves, grass, and branches from private property into city streets. Burke, Lamoree, Larson, and Nuttelman, voted yes, motion approved. Nuttelman moved, Lamoree seconded, to approve the claims. Burke, Lamoree, Larson, and Nuttelman, voted yes, motion approved. Claims approved were **December 3, 2018 NET PAYROLL-\$14,903.76; GENERAL & UTILITIES-\$76,257.60** as follows: Ameritas Life Ins., ins-\$571.56; Ascensus, 457(b) contr -\$2,674.54; BCBS, ins-\$11,538.36; Border States Ind., su-\$276.66; Burg Auto Repair, re-\$81.61; Ron Carson, reim-\$133.00; Casey's, su-\$810.56; Central Community College, se-\$2,716.00; City of Stromsburg, se & loan pymt-\$8,930.55; Cornerstone Bank, se & HSA contr. & se-\$280.00; Depository Trust, bond pymt.-\$8,112.50; Steve Dubas, se-\$35.00; Eakes, su-\$26.68; Economy, su-\$27.48; EFTPS, p/r tax-\$4,604.07; EMS Billing Services, se-\$1,099.87; Ericson Cash Hardware, su-\$330.17; Jennifer Graham, se-\$460.00; Harless Oil, su-\$695.00; Heritage Bank, se-\$47.98; HSA Bank, HSA contr-\$60.00; Jackson Services, se-\$519.51; Klein's Blue River Outdoor Power, su-\$388.21; NDEQ-\$10,486.07; Nebr. Dept. of Rev., p/r tax-\$1,228.09; NeRWA, se-\$175.00; NRECA, se-\$86.81; NRECA Group Benefits Trust, ins-\$782.19; One Call Concepts, se-\$10.56; Osceola Implement, equip-\$5,380.00; Papik Law, se-\$1,423.50; Pavers, su-\$177.80; Polk Co. Clerk, se-\$6,622.01; Polk Co. News, se-\$187.69; Polk Co. Treasurer, r/e taxes-\$851.12; Postmaster, se-\$615.76; Rally Auto Parts, su-\$334.21; RC Construction, re-\$2,370.92; State Electrical Division, se-\$250.00; US Cellular, se-\$183.19; USA BlueBook, su-\$239.23; Windstream, se-\$381.40; and York Ace Hardware, su-\$52.74. No further business appearing, Larson moved, Lamoree seconded, the meeting be adjourned. Burke, Lamoree, Larson, and Nuttelman, voted yes, meeting adjourned at 7:16 p.m. Ken Everingham, mayor, called the annual reorganizational meeting to order at 7:17 p.m. Mayor Everingham gave notice that a copy of the Open Meetings Act is posted at the back of the room for anyone interested. Members present were Ken Everingham, mayor; Lois Burke, Doug Lamoree, and Dennis Nuttelman, councilmembers; Nancy Bryan, city clerk/treasurer; Jim Papik, city attorney; and Lenard Schaefer, public works director/city supervisor. Jim Papik, city attorney, swore in Ken Everingham as mayor; Lois Burke as north ward councilmember; and Joel Kaup as south ward councilmember. Lamoree moved, Burke seconded, to elect Dennis Nuttelman as council president. Burke, Kaup, Lamoree, and Nuttelman, voted yes, motion approved. Nuttelman moved, Kaup seconded, to elect Doug Lamoree as council vice president. Burke, Kaup, Lamoree, and Nuttelman, voted yes, motion approved. Lamoree moved, Nuttelman seconded, to approve the following appointments as recommended by Ken Everingham, mayor: Public Works Director/City Supervisor, Assistant Planning Administrator/Building Inspector, and Assistant Nuisance Officer-Lenard Schaefer; Assistant City Supervisor, Nuisance Officer, and Gas Commissioner-Pat Powell; City Clerk/Treasurer-Nancy Bryan; Deputy Clerk/Treasurer-Kathy Hengelfelt; Library Director-Monica Tidyman; Electric/Park/Street Commissioner and Planning Administrator/Building Inspector-Jeff Branting; Water/Sewer Commissioner-Mike Graham; Floodplain Administrator-Chris Hays; Chief of Police-Dwaine Ladwig; City Attorney-James Papik; Street Superintendent-LeRoy Gerrard; City Engineer-Miller and Associates; City Physician-Dr. David Jameson; Board of Health-Ken Everingham, Dr. David Jameson, Dennis Nuttelman, and Dwaine Ladwig; Council Committees: Finance-Doug Lamoree and Dennis Nuttelman; Electric-Doug Lamoree and Dennis Nuttelman; Gas-Lois Burke and Doug Lamoree; Water, Sewer, Landfill-Lois Burke and Joel Kaup; Streets and Park-Joel Kaup and Lois Burke; and Public Safety-Joel Kaup and Dennis Nuttelman; Board of Adjustments-Terry Larson; and

LB840 Committee-Marv Wadell. Burke, Kaup, Lamoree, and Nuttelman, voted yes, motion approved. Nuttelman moved, Lamoree seconded, to approve the contracts with the following: Living Word Church; Craige Allison for truck parking; and Jenny Graham for cleaning services. Burke, Kaup, Lamoree, and Nuttelman, voted yes, motion approved. Lamoree moved, Burke seconded, to approve the contract with Cody's Computer Repair Service for IT services. Burke, Kaup, Lamoree, and Nuttelman, voted yes, motion approved. Lamoree moved, Nuttelman seconded, to approve compensating employees for an additional year of service with full-time employees receiving \$200 and part-time employees receiving \$100. Burke, Kaup, Lamoree, and Nuttelman, voted yes, motion approved. No further business appearing, Lamoree moved, Kaup seconded, the meeting be adjourned. Burke, Kaup, Lamoree, and Nuttelman, voted yes, meeting adjourned at 7:50 p.m.

ATTEST:

APPROVED:

City Clerk/Treasurer

Mayor