

**PROCEEDINGS OF THE SUTTON CITY COUNCIL
REGULAR MEETING**

DATE: DECEMBER 12, 2016

**PROCEEDINGS OF THE SUTTON CITY COUNCIL REGULAR MEETING
HELD MONDAY, DECEMBER 12, 2016 AT 8:00 P.M. AT CITY HALL, 107 W.
GROVE STREET.**

Mayor Mau called the meeting to order at 8:00 P.M.

Mayor Mau informed the public about the location of the Open Meeting Act posted on the wall in the back of the Council Chambers and accessible to members of the public.

Roll Call: Present: Mayor Mau, Council Members, Nuss, Plettner, Pedersen, Schelkopf.

Notice of this meeting was given in advanced thereof by publication in the Clay County News on December 7, 2016, a copy of the proof of publication being attached to these minutes. Notice of meeting was simultaneously given to the Mayor and all members of the City Council. Availability of the agenda was communicated in the advanced notice to the Mayor and all members of the City Council of this meeting. All proceedings hereafter were taken while the convened meeting was open to the public.

Departmental Reports: Kevin Finnegan reported that his crew was working on a water leak on the East side of town and a sewer service on the South End of town.

Electric Department working on new service at the Wademan house within Grandview housing sub-division.

Moved by Pedersen and seconded by Schelkopf that the consent agenda be approved for items 2A – 2F. Roll: AYES: Pedersen Schelkopf, Plettner, Nuss. NAYS: None. Motion carried.

Moved by Pedersen and seconded by Schelkopf that the minutes of the previous meeting of November 14th be approved as presented. Roll: AYES: Pedersen, Schelkopf, Plettner, Nuss. NAYS: None. Motion carried.

Moved by Pedersen and seconded by Schelkopf that the treasurer's report for the month of November be adopted as presented. Roll: AYES: Pedersen, Schelkopf, Plettner, Nuss. NAYS: None. Motion carried.

Moved by Pedersen and seconded by Schelkopf that the bills incurred for the month of November be approved for payment as presented. Roll: AYES: Pedersen, Schelkopf, Plettner, Nuss. NAYS: None. Motion carried.

Salaries		\$35,833.18
Federal Withholdings		7,897.04
Action Auto Supply	Supplies/Battery	226.89
All Roads Barricades	Post Brackets	54.97
American Test Center	Equipment Testing	940.00
Ask Supply	Paper Towels and Toilet Paper	144.31
Aspegren Repair	Repairs to Vehicles	296.05
Baker & Taylor	Library books	199.94
BG's Corner	Fuel	56.00
Black Hills Energy	Gas Utilities	595.72
Brown's Store	Cleaning supplies	28.39
Burton Enterprises	Trash pickup	5,728.00
Carol Hendricksen	Refund Marquee Fee	10.00
Catholic Social Services	Refund Deposit	66.34
Chief Supplies	Police Supplies	672.59
City Light and Water	Utilities	5,083.52

Petty Cash Refund	Water Sample Postage	49.30
Clay County Clerk	Deed of Trust	22.00
Clay County News	Publishing	307.65
Consolidated Management	Meals at Academy for Jacobs	68.56
CPI	Fuel and Supplies	803.91
Cummins Power	Battery Charger	813.84
DHHS	Water Testing	60.00
DHHS-Customer Services	Refund	730.00
Dutton Lainson	Belt	24.72
Eakes Office Plus	Supplies	296.45
Ebsco Subscription Services	Library Subscriptions	238.52
Gale Group	Books	19.46
George's 66	Fuel	360.95
Hamilton Telecommunications	Emails	20.75
Hastings Tribune	Subscription Renewal	105.00
Hooker Bros	Road Gravel	528.12
Husker Power Products	4 Wheeler Repairs	70.00
Jackson Service	Mats and Towels	71.50
John Deere Financial	Mower Supplies	236.87
Jordan Wagoner	Refund Deposit	82.27
League of NE Municipalities	Membership	100.00
LeRoy Griess Digging	Grave Openings	780.00
Lexis Publishing	Crime and Traffic Law Books	137.53
Matheson Tri-Gas	Oxygen	77.91
Nationwide	Surety Bond	100.00
NE Library Commission	Overdrive Renewal	500.00
NE Municipal Power Pool	Support Plan 2017	2,213.00
NE Notary Association	Notary Renewal	156.18
NE Public Power	Power	83,338.19
NE Rural Water Association	Conference Registration	375.00
NEDA	Dues	100.00
Nick's Farm Store	Parts	220.91
NMC	Parts	12.31
OfficeNet	Copier Rental	356.80
One Call Concepts	Locate Fees	31.08
Physio-Control, Inc	Lucas Machine Maintenance	247.50
Positive Promotions	Glow Sticks	245.91
Praetorian Digital	Grantfinder Subscription	995.00
Printing MD	Magnetic Signs	227.00
Protex Central	Contract Payment #2	235.00
Quality Red-D-Mix	Concrete	4,017.00
Scott Hohensee	Stump Grinding	50.00
SCPPD	Wheeling for September 2016	5,795.65
Superior iNet	Internet	82.38
Sutton Lumber	Supplies	189.99
Taylor Jacobs	Reimbursement	190.88
Total Funds by Hasler	Utility Mailer	805.01
Van Kirk Bros	Boring	3,000.00
Verizon Wireless	Cell Service	374.33
Windstream	Phone and Fax	921.93
Woodward's Disposal	Dump Construction Debris	682.22

Moved by Pedersen and seconded by Schelkopf to approve the bill from JEO invoice #92799 for Electrical Distribution System Improvements in the amount of \$1,744.00 Roll: AYES: Pedersen, Schelkopf, Plettner, Nuss. NAYS: None. Motion carried.

Moved by Pedersen and seconded by Schelkopf to approve the bill from JEO invoice #92858 for Comprehensive Plan and Zoning Regulations in the amount of \$1,910.00 Roll: AYES: Pedersen, Schelkopf, Plettner, Nuss. NAYS: None. Motion carried.

In old business, Moved by Plettner and seconded by Nuss. Discussion on putting a thumb on the backhoe. After review, it was decided a thumb from Amulet may impede the usability of the backhoe for other tasks. It was moved by Plettner, and seconded by Nuss to drop the backhoe issue until further information could be provided. Roll: AYES: Plettner, Nuss, Pedersen, Schelkopf. NAYS: None. Motion carried.

In new business, with reorganization of Council, members Plettner and Nuss recited the Oath of Office.

It was moved by Pedersen and seconded by Schelkopf to appoint Larry T Nuss as council president. Roll: AYES: Pedersen, Schelkopf, Plettner. Abstain: Nuss. NAYS: None. Motion carried.

Moved by Schelkopf and seconded by Plettner to approve the Mayor's appointments of Police Chief – Tracey Landenberger, City Attorney – Don Bottorf, City Clerk/Treas. – Sherrie Bartell, Police Officer - Taylor Jacobs. Roll: AYES: Schelkopf, Plettner, Pedersen, Nuss. NAYS: None. Motion carried. Oaths of offices were given to all appointments.

Moved by Pedersen and seconded by Nuss to appoint Steven A Parr from JEO Consulting Group, LLC as our Street Superintendent for 2017. Roll: AYES: Pedersen, Nuss, Plettner, Schelkopf. NAYS: None. Motion carried.

Moved by Plettner and seconded by Pedersen to approve the Mayor's board appointments as follows: Park Board – Sara Nuss and Danny Russell, Cemetery – Paula Bergen and Kim Griess, Zoning Commission – Alan Quail and Tory Duncan, Board of Adjustment – Amy Skalka and Jim Van Kirk, CRA – Ken Lorenzen, Housing Agency – Tyson Wademan, Library – Harriett Maser, Tree Board – Jeremy Robinson, Citizen Advisory – Ron Fitzke, Economic Development – Tom White. Roll: AYES: Plettner, Pedersen, Schelkopf, Nuss. NAYS: None. Motion carried.

Geneie Andrews with GIS workshop was present to discuss with the council the possibility of using their services for all our GIS needs. Geneie stated that they provide services for Clay County and over 100 communities in the state. This program is web based and would allow the city crew to input information on site and keep track of what is being done on projects and keep an active on-line record of service done to infrastructure. After review and discussion it was moved by Plettner and seconded by Schelkopf to table the matter. Roll: AYES: Plettner, Schelkopf, Pedersen, Nuss. NAYS: None. Motion carried.

Matt Kalin with JEO was present to review the bids that were opened publicly on December 6th at 4:00 p.m. for the Electrical Distribution System Improvements. Six bids were received as follows: Schmader Electric of West Point NE - \$150,039.60, Watts Electric Co. of Waverly NE - \$173,086.33, Great Plains Power of Grand Island - \$193,348.50, Primoris Aevenia of Moorehead MN - \$195,189.31, IESCI of Holdrege NE - \$271,292.62 and Ward Electric of Longmont CO - \$303,175.11. JEO recommends awarding the bid to Schmader Electric of West Point NE. Moved by Schelkopf and seconded by Pedersen to award the 2016 Electric Distribution System Improvements bid to Schmader Electric of West Point NE at bid of \$150,039.60 and to authorize the Mayor's signature on the contract. Roll: AYES: Schelkopf, Pedersen, Plettner, Nuss. NAYS: None. Motion carried.

Play Ground bids were opened publicly December 7th at 3:00 p.m. Two companies submitted bids: Creative Site (Burke) and Crouch Recreation as follows:

	Creative Site #1	Creative Site #2	Crouch Recreation
Grand Total #1 with Pour in Place Surface and guaranteed deducts	\$193,648.00	\$207,828.00	\$202,530.00
Grand Total #1 with Pour in Place Surface and extra Deducts	\$187,840.00	\$200,357.00	\$202,530.00
Grand Total #2 with Loose Material Surface w/guaranteed deducts	\$130,100.00	\$146,243.00	\$128,558.00
Grand Total #2 with Loose Material Surface w/extra deducts	\$125,062.00	\$139,472.00	\$128,558.00
Grand Total #3 with Wood Fiber Surface w/guaranteed deducts	\$114,150.00	\$130,293.00	\$110,508.00
Grand Total #3 with Wood Fiber Surface w/extra deducts	\$109,112.00	\$123,522.00	\$110,508.00
Grand Total #4 with Rubberbond	0.00	0.00	\$180,008.00

A grant proposal has been sent to the corporate giving arm of Black Hills for the project. An application to the NDEQ for the recycled tire program will be submitted in January when their grant program opens. In addition, other funding opportunities will be sought when possible, along with local businesses and/or residents that may want to support the project. All these alternative funding options will be pursued in order to help offset the costs of the playground equipment. Concerns were raised with the loose materials long term viability and its upkeep, which pushed the surfacing decision toward the pour-in-place material which would have a concrete base for adhesion and drainage. Keno funds will be used for the purchase of the equipment. Nolde funds will help make up gap funding, if needed. It was moved by Nuss and seconded by Plettner to award the bid to Creative Sites with their #2 design with the Pour in Place surface at a price of \$200,357.00. Roll: AYES: Nuss, Plettner, Pedersen, Schelkopf. NAYS: None. Motion carried.

Moved by Plettner and seconded by Nuss to adopt Resolution NO. 2016-9 setting rates for Ambulance service. Roll: AYES: Plettner, Nuss, Schelkopf, Pedersen. NAYS: None. Motion carried.

RESOLUTION NO. 2016-9

WHEREAS, the Mayor and Sutton City Council desire to establish ambulance fees.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SUTTON, CLAY COUNTY, NEBRASKA:

SECTION 1. That the fee schedule for ambulance service provided by the Sutton Volunteer Ambulance Service shall be as follows:

(a) The rates for any ambulance call to transport or no transport a patient shall be as follows:

- | | |
|--|---------------|
| (1) Basic Life Support (BLS) Emergency to Transport | \$450 |
| (2) Basic Life Support (BLS) Non Transport and or Lift Assists | \$125 |
| (3) Basic Life Support (BLS) Non Transport and or Lift Assists to Assisted Living Facility and Nursing Home. | \$225 |
| (4) Mileage | \$12 per mile |

PASSED AND APPROVED this 12th day of December 2016.

Todd Mau, Mayor

ATTEST:

Sherrie Bartell, City Clerk/Treas.

Council Member Pedersen introduced Ordinance NO. 370 entitled:

AN ORDINANCE TO REPEAL SECTION 72.03 OF THE MUNICIPAL CODE OF SUTTON, NEBRASKA, FOR PARKING AND TO PROVIDE WHEN THIS ORDINANCE SHALL TAKE EFFECT:

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF SUTTON, CLAY COUNTY NEBRASKA.

Council Member Pedersen moved that the statutory rule requiring an ordinance to be fully and distinctly read on three different days be suspended. Council Member Plettner seconded the motion to suspend the rules and upon roll call vote on the motion the following City Council voted YEA: Pedersen, Plettner, Nuss, Schelkopf. The following voted NAY: None. The motion to suspend the rules was adopted by three-fourths of the members elected to the City Council, and the statutory rule was declared suspended for consideration of said Ordinance.

Thereupon said Ordinance No. 370 was then read by title and thereafter Council Member Pedersen moved for final passage of the ordinance, which motion was seconded by Council Member Nuss. The Mayor then stated the question, "Shall Ordinance No. 370 be passed and adopted?" Upon roll call vote on the motion the following City Council voted YEA: Pedersen, Nuss, Plettner, Schelkopf. The following voted NAY: None. The motion having been adopted by three-fourths of the members elected to the City Council as provided by law, was by the Mayor declared passed and adopted and the Ordinance adopted and the Mayor in the presence of the City Council signed and approved the Ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto.

Moved by Nuss and seconded by Plettner to approve Invoice #7342 from Quality Builders for payment for installation of the Handi-Cap door at the library in the amount of \$5,978.43. Roll: AYES: Nuss, Plettner, Pedersen. NAYS: None. ABSTAIN: Schelkopf. Motion carried.

Moved by Pedersen and seconded by Schelkopf to go into executive session at 10:15 p.m. to review an LB840 application by Micah and Randy Veleba. Roll: AYES: Pedersen, Schelkopf, Nuss, Plettner. NAYS: None. Motion carried.

Moved by Schelkopf and seconded by Nuss to come out of executive session at 11:03 p.m. Roll: AYES: Schelkopf, Nuss, Plettner, Pedersen. NAYS: None. Motion carried.

Moved by Schelkopf and seconded by Plettner to deny the LB840 application by Micah and Randy Veleba at this time due to project changes. Roll: AYES: Schelkopf, Plettner, Nuss, Pedersen. NAYS: None. Motion carried.

There being no further business, it was moved by Plettner and seconded by Schelkopf to adjourn the meeting at 11:05 p.m. Roll: All AYES.

Todd Mau, Mayor

ATTEST:

Sherrie Bartell, City Clerk/Treas.