

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

**DATE: SEPTEMBER 12, 2016**

**PROCEEDINGS OF THE SUTTON CITY COUNCIL REGULAR MEETING  
HELD MONDAY, SEPTEMBER 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 September 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: Public works is working on street repairs. Electrical department working on maintenance. Alan also stated that JEO should be about down with the design only phase to upgrade the distribution system.

City Administrator, Jeff Hofaker reported that a letter went out to residents along East Hickory St. regarding possible assessments. The library strategic plan is done and has been sent in. Jeff has also had discussion with Dan Baumert for possible incentives for ambulance volunteers. Last of the cameras have been installed at the DLD Park and the new windows installed.

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

Moved by Plettner and seconded by Nuss that the minutes of the previous meeting of August 8<sup>th</sup> be approved as presented. Roll: AYES: Plettner, Nuss, Pedersen, Schelkopf. NAYS: None. Motion carried.

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

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

Salaries		\$53,962.24
Federal Withholdings		11,338.64
10-8 Video LLC	Police – body cam, DVR	2,812.90
A & L Electric	Supplies/couplings, clamps, bowl was	69.18
Action Auto	Air filters, oil/radiator cap, grease guns	244.36
Alan Brown	July – September Cell phone	90.00
All Roads Barricade	Road – stop signs	388.78
Anna Itzen	Police computer set up	160.00
Aqua-Chem	Pool chemicals	608.30
Ask Supply	Paper towels, trash can liners	164.30
Aspegren Repair	Vehicle repairs	2,001.04

Baker & Taylor	Library books	235.66
Best Buy	Police computer	1,1180.25
BG's Corner	Fuel	536.99
BLR	Fair labor standards handbook	536.99
Brown's Store	Cleaning supplies, pool concession	321.26
Burton Enterprises	Trash pickup	5,692.00
Chief Supply	Police uniforms, Piston	1,114.46
City Light & Water	Utilities	9,319.69
Clay County News	Printing/publishing	442.41
Consolidated Mgmt	Police academy meals	436.83
CPI	Fuel	980.20
Cyclonaire	Fire – aluminum tread for ladder truck	160.00
Eakes Office Plus	Office supplies	7.98
Fireguard	Bunker gear, vehicle r/m	2,659.23
Gale Group	Library books	19.46
George's 66	Fuel	868.29
Grafton Oil	Bulk oil	470.25
Hamilton Telecomm.	Email accounts	20.75
Hofmann Guns	Police ammo	1,960.00
Jackson Services	Office rugs, towels	71.50
Janine Russell	Comm. Center deposit refund	200.00
Jeff Hofaker	Mileage/July – Sept. Cell	373.64
Joan Aspegren	Cleaning, fire hall, city hall, comm. Center	300.00
John Deere Financial	Mower repairs	86.03
Kathy Douglas	Comm. Center deposit refund	200.00
Kids Reference	Library books	67.41
Matheson Tri-Gas	Oxygen	74.64
Michael Todd & Co.	Sewer jet nozzle, concrete blades	709.27
Municipal Supply	Water supplies	36.70
Mustang Inc	Website maintenance	594.00
NE Dept. of Ag	License renewal – board dogs Barbee Vet	175.00
NE Law Enforcement	Police training fee – Taylor	95.00
NE Library Commission	CAT express renewals	819.00
NE Public Health	Police blood tests, water testing	181.00
NPPD	Purchased electricity	112,482.78
NMC Exchange	Loader repairs	925.00
OCLC, Inc	Library books	75.69
Officenet	copier rent/paper/supplies	1,475.33
Once Cal Concepts	Locates	33.90
Patch Master	Road r/m	19,182.00
Quality Red D Mix	Road r/m concrete	1,854.00
Sargent Drilling	Well tests	675.00
Source Gas	Utilities	281.12
South Central PPD	Wheeling charges	5,679.65
Sutton Lumber	Paint/caulking/supplies	495.23
SVFD	Fire NSVFA dues	640.00
Taylor Jacobs	Police mileage	156.60
The Thompson Co.	Pool concessions	45.40
Van Kirk Bros.	Storm sewer lid	2,364.00
Verizon Wireless	Cell phones	374.61
VISA	Ceiling fans, CMS fee	765.72
Windstream	Telephone	932.92
Woodward's	Construction debris site	330.92

Moved by Plettner and seconded by Nuss to approve the bill from Shively & Lannin for legal fees in the amount of \$1,530.30. Roll: AYES: Plettner, Nuss, Pedersen, Schelkopf. NAYS: None. Motion carried.

Moved by Plettner and seconded by Nuss to approve the bill from JEO in the amount of \$5,343.00 for the Electrical Improvements. Roll: AYES: Plettner, Nuss, Pedersen, Schelkopf. NAYS: None. Motion carried.

Moved by Plettner and seconded by Nuss to approve the bill form JEO in the amount of \$2,500.00 for the East Ash St. sewer project. Roll: AYES: Plettner, Nuss, Pedersen, Schelkopf. NAYS: None. Motion carried.

Moved by Plettner and seconded by Nuss to approve the bill from GSI in the amount of \$788.00 for the East Ash St. sewer project. Roll: AYES: Plettner, Nuss, Pedersen, Schelkopf. NAYS: None. Motion carried.

In new business, Mayor Mau opened the public hearing at 8:05p.m. Purpose of the public hearing was to hear testimony for or against the proposed budget amendment for 2015/2016. Mayor Mau asked for comments from the public. There being no comments, Mayor Mau closed the public hearing at 8:06 p.m.

Council Member Schelkopf introduced Ordinance NO 368 entitled:

**AN ORDINANCE AMENDING ORDINANCE NUMBER 357 OF THE CITY OF SUTTON, NEBRASKA, FOR APPROPRIATING MONEY TO PAY THE NECESSARY EXPENSES AND LIABILITIES OF THE CITY OF SUTTON, NEBRASKA FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2016.**

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

Council Member Schelkopf moved that the statutory rule requiring an ordinance to be fully and distinctly read on three different days be suspended. Council Member Nuss seconded the motion to suspend the rules and upon roll call vote on the motion the following City Council voted YEA: Schelkopf, Nuss, Plettner, Pedersen. 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. 368 was then read by title and thereafter Council Member Schelkopf moved for final passage of the ordinance, which motion was seconded by Council Member Nuss. The Mayor then stated the question was "Shall Ordinance No. 368 be passed and adopted?" Upon roll call vote on the motion the following City Council voted YEA: Schelkopf, Nuss, Plettner, Pedersen. 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.

Mayor Mau opened the public hearing at 8:08 p.m. Purpose of the public hearing was to hear testimony for or against the proposed 2016-2017 budget. Mayor Mau asked for comments from the public. There being no comments from the public Mayor Hale closed the public hearing at 8:09 p.m.

Council Member Schelkopf introduced Ordinance NO 369 entitled:

**AN ORDINANCE TO ADOPT THE BUDGET STATEMENT TO BE TERMED THE ANNUAL APPROPRIATION BILL; TO APPROPRIATE SUMS FOR NECESSARY EXPENSES AND LIABILITIES; TO PROVIDE FOR AN EFFECTIVE DATE:**

**BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF SUTTON, NEBRASKA:**

Council Member Schelkopf moved that the statutory rule requiring an ordinance to be fully and distinctly read on three different days be suspended. Council Member Pedersen seconded the motion to suspend the rules and upon roll call vote on the motion the following City Council voted YEA: Schelkopf, Pedersen, Plettner, Nuss. 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. 369 was then read by title and thereafter Council Member Plettner moved for final passage of the ordinance, which motion was seconded by Council Member Nuss. The Mayor then stated the question was "Shall Ordinance No. 369 be passed and adopted?" Upon roll call vote on the motion the following City Council voted YEA: Plettner, Nuss, Schelkopf, Pedersen. 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 Plettner and seconded by Nuss to approve an additional one percent increase in the Restricted Funds Subject to Limitation. Roll: AYES: Plettner, Nuss, Schelkopf, Pedersen. NAYS: None. Motion carried.

Mayor Mau opened the public hearing at 8:10 p.m. Purpose of the public hearing is to set the final tax request. Mayor Mau asked for comments from the public. There being no comments from the public, Mayor Mau closed the public hearing at 8:11 p.m.

Moved by Schelkopf and seconded by Plettner to adopt Resolution NO 2016-7 to set the final tax request. Roll: AYES: Schelkopf, Plettner, Nuss, Pedersen. NAYS: None. Motion carried.

## RESOLUTION NO. 2016-7

**WHEREAS**, Nebraska Revised Statute 77-1601.02 provides that the property tax request for the prior year shall be the property tax request for the current year for purposes of the levy set by the County Board of Equalization unless the *governing Body of the City of Sutton passes by a majority vote a resolution or ordinance setting the tax request at a different amount; and*

**WHEREAS**, a special public hearing was held as required by law to hear and consider comments concerning the property tax request; and

**WHEREAS**, it is in the best interests of the City of Sutton that the property tax request for the current year be a different amount than the property tax request for the prior year.

**NOW, THEREFORE**, the Governing Body of the City of Sutton, Nebraska, by a majority vote, resolves that:

1. The 2016-2017 property tax request be set at \$762,866.00.
2. A copy of this resolution be certified and forwarded to the County Clerk on or before October 13, 2016.

Dated this 12<sup>th</sup> day of September, 2016.

\_\_\_\_\_  
Todd Mau, Mayor

**ATTEST:**

\_\_\_\_\_  
Sherrie Bartell, City Clerk/Treas.

Bids for the Nolde ground were opened publically at 11:00 a.m. on September 8<sup>th</sup>. Three bids were received as follows: Lorraine Hofmann of Sutton - \$312,000.00 total for the 3 years, Paul Althouse of Saronville - \$225.00 per acre and Cloet Farms of Sutton - \$33,600.00 for each farm. Each bid contained the \$1,000 down payment. Moved by Schelkopf and seconded by Pedersen to accept the high bid of Lorraine Hofmann in the amount of \$312,000.00 total for the three (3) years. Roll: AYES: Schelkopf, Pedersen, Plettner, Nuss. NAYS: None. Motion carried.

Kelly Gewecke of Nebraska Department of Economic Development was present to speak to the Council on becoming a Leadership Certified Community. Moved by Pedersen and seconded by Schelkopf to adopt Resolution NO. 2016-8

pledging the City of Sutton's full support and cooperation for participation in the Nebraska Department of Economic Development's Leadership Certified Community Program. Roll: AYES: Pedersen, Schelkopf, Nuss, Plettner. NAYS: None. Motion carried.

Moved by Nuss and seconded by Plettner to approve changeorder #1 as recommended by JEO for the East Ash St. Sewer extension for a decrease of \$7,158.56. Roll: AYES: Nuss, Plettner, Pedersen, Schelkopf. NAYS: None. Motion carried.

Moved by Schelkopf and seconded by Plettner to approve pay request #1 and final as recommended by JEO to Van Kirk Brothers in the amount of \$51,477.44 for the East Ash St. sewer extension. Roll: AYES: Schelkopf, Plettner, Nuss, Pedersen. NAYS: None. Motion carried.

Moved by Plettner and seconded by Pedersen to approve the proposal from New Wave Pool to supply and install new filter sand in the amount of \$6,891.00. Roll: AYES: Plettner, Pedersen, Schelkopf, Nuss. NAYS: None. Motion carried.

Moved by Plettner and seconded by Nuss to approve the estimate from Smith Lawn Care to install sprinkler heads on the new soccer field at DLD Park at a cost of \$15,955.00. Roll: AYES: Plettner, Nuss, Schelkopf, Pedersen. NAYS: None. Motion carried.

Special meeting was set for Monday, September 26<sup>th</sup> at 7:00 a.m. to pay the final bills for the 2015/2016 budget year.

Moved by Schelkopf and seconded by Pedersen to cover 100% of the employee and 80% of the dependents for the 2016/2017 budget year with the 106 Gold Option Plan for health insurance coverage and to reduce the H S A City contributions to \$1,600 for Single and \$3,200 for Family. Roll: AYES: Schelkopf, Pedersen, Nuss, Plettner. NAYS: None. Motion carried.

Moved by Plettner and seconded by Pedersen to go into executive session at 8:45 p.m. to discuss personnel evaluations, wages and contracts. Roll: AYES: Plettner, Pedersen, Schelkopf, Nuss. NAYS: None. Motion carried.

Moved by Nuss and seconded by Plettner to go out of executive session at 9:23 p.m. Roll: AYES: Nuss, Plettner, Pedersen, Schelkopf. NAYS: None. Motion carried.

Moved by Schelkopf and seconded by Nuss to increase the regular full time employees that are not on probation by \$.35 per hour, the two salaried employees increase by \$728.00, and the library custodian will increase to \$250 per month. Roll: AYES: Schelkopf, Nuss, Plettner, Pedersen. NAYS: None. Motion carried.

Moved by Schelkopf and seconded by Pedersen to approve the City Administrator contract for one (1) year from October 1, 2016 thru September 30, 2017 at a salary of \$55,000.00 per year. Roll: AYES: Schelkopf, Pedersen, Plettner, Nuss. NAYS: None. Motion carried.

There being no further business, it was moved by Plettner and seconded by Pedersen to adjourn the meeting at 9:25 p.m. Roll: All AYES.

---

Todd Mau, Mayor

ATTEST:

---

Sherrie Bartell, City Clerk, Treas.