

June 19, 2008

Colleen Paden, Mayor, called a meeting of the Mayor and Council of the City of Stanton, Nebraska to order on June 19, 2008 at 7 p.m. in the City Hall meeting room. The Mayor announced to the public that a current copy of the Open Meetings Act was posted on the wall by the door. Council Members answering roll call: Ray Wolf Jr., Jody Caldwell, Rolland Lorensen, Jay Spence. Also present were: Dennis Patterson, Alberta Lehman, Klint Stewart, Tim Pritchett, Bruce Hoehne, Maureen Kline, Pam Fuerhoff, Con Bernbeck, LaLene Bates, Brandon Remm, Katie Kai, Clint Warneke, Chad Hunt, Kristine Hunt, Tim Stamm, Phil Eckstrom, James Ballantyne, Cory Locke, and Nancy Morfeld (who recorded the minutes).

A motion was duly made by Council Member Wolf to approve the consent agenda. Council Member Spence seconded the motion. Roll call: YEA: Wolf, Caldwell, Spence, Lorensen. Motion carried. The following items were approved: (1) Adopt agenda; (2) Meeting was published in the Stanton Register on June 11, 2008 and the agenda was delivered to the Mayor and Council on June 13, 2008; (3) Approve the minutes of the June 3, 2008 meeting; (4) Accept the minutes from various city boards as received; (5) Approval of the Statement of Fund Balances General Accounts and Utilities; (6) Approval of claims for June 4, 2008 through June 19, 2008; (7) Approve appointment of Tyler Cadwallader as a junior fireman for the Stanton Fire Department.

Water A motion was duly made by Council Member Wolf to approve Resolution 474 to put the question of adding fluoride to the city water system on the November General Election ballot. Council Member Spence seconded the motion. Roll call: YEA: Wolf, Caldwell, Spence, Lorensen. Motion carried.

Zoning The Mayor opened the public hearing at 7:07 p.m. for the purpose of hearing testimony concerning the Comprehensive Plan and the Change of Zoning Application of James Ballantyne for property located Pt NW SE Section 19, Township 23, Range 2 from Transitional Ag to Residential Suburban. LaLene Bates, Zoning Administrator, explained changes to the City Council. The public hearing was closed at 7:17 p.m. Council Member Wolf introduced Ordinance 785 entitled: AN ORDINANCE OF THE CITY OF STANTON, NEBRASKA, TO CHANGE THE ZONING ON PT NE SE 19-23-2 STANTON COUNTY, NEBRASKA, FROM TRANSITIONAL AG TO RESIDENTIAL SUBURBAN; TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF STANTON, NEBRASKA TO SHOW SAID CHANGE OF ZONING; TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM; TO PROVIDE FOR AN EFFECTIVE DATE. Council Member Spence seconded the motion to introduce Ordinance 785 and upon roll call vote on the motion, the following Council Members voted YEA: Lorensen, Wolf, Caldwell, Spence. Motion carried. Council Member Wolf moved that the statutory rule requiring reading on three different days be suspended, Ordinance 785 be moved for final passage, and to authorize publication in pamphlet form. Council Member Spence seconded the motion. Upon roll call vote on the motion, the following Council Members voted YEA: Lorensen, Wolf, Caldwell, Spence. Motion carried. The motion to suspend the rules was adopted by three fourths of the City Council and the statutory rule was declared suspended for consideration of the ordinance. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Mayor declared the ordinance adopted, and the Mayor signed and approved the ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto.

A motion was duly made by Council Member Caldwell to approve Resolution 475 authorizing Ballantyne's lot split of the NE ¼ SE ¼ of Section 19, Township 23N, Range 2 East of the 6th P.M., Stanton County, Nebraska. Council Member Spence seconded the motion. Roll call: YEA: Spence, Lorensen, Wolf, Caldwell. Motion carried.

Golf A motion was duly made by Council Member Wolf to approve the request to waive the city share of the tournament fees for the Juvenile Diabetes Fund Raiser at the Golf Course. Council Member Spence seconded the motion. Roll call: YEA: Lorensen, Wolf, Caldwell, Spence. Motion carried.

Library The Library Board presented their budget request of \$87,968 to the City Council for fiscal year 2008-2009. This would be approximately \$18,000 more than the current budget. The Board also recommended to the Council to increase wages \$1.50 to \$2.00 per hour to meet comparability and cost of living increases. No action was taken by the Council.

Park A consensus was given by the City Council to allow the Fair Board to use the posts and cable that were removed from around the east city park at the fairgrounds.

Sewer Pollard Pumping ran a camera through the line on Douglas Street east of the bridge. The pictures showed a couple small holes in the pipe, grease buildup in the line which was removed

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with the cutter and approximately 20' of line that sloped. The Sewer Commissioner will get an estimate to have the line repaired.

Discussion was held on a complaint received regarding replacement of a customer's service line and the crossing of another customer's property, along with damage done to trees and electric dog fence. A motion was duly made by Council Member Caldwell to reimburse Al Jenkins \$25 for an impound fee for his dog due to the repair work. Council Member Loresen seconded the motion. Roll call: YEA: Wolf, Caldwell, Loresen, Spence. Motion carried. This was a private line on private property and was the plumber's responsibility to repair / replace to original condition.

Code Issues A complaint was received regarding the installation of a transmission main by Stanton County Public Power and the removal of a tree in the way of the line. Utilities are allowed to use the utility easements placed on each property as needed. The SCPPD and the customer will work on this issue.

Street Homeowners should remove all standing water on their property to help with the control of mosquitoes in the community. The city employees are working on cleaning out culverts so the water will drain away.

Code Issues The Building Inspector inspected the properties at 407 10th Street and 1006 Douglas. Both structures are to be demolished by August 15, 2008 and October 1, 2008, respectively.

Agreement Colleen Paden, Mayor, turned the meeting over to Council President, Ray Wolf Jr. Discussion was held on the agreement with US Cellular to place a repeater antenna on the railing of the city water tower to facilitate better reception in the city. A motion was duly made by Council Member Caldwell to reject the agreement with US Cellular because of the sentence which reads "If the tower is damaged for any reason, other than by reason of the willful misconduct or gross negligence of Tenant or its agents, so as to render it substantially unusable for Tenant's intended use, Base Rent shall abate until Landlord, at Landlord's expense, restores the Tower to its condition prior to such damage; provided, however, in the event Landlord fails to repair the Tower within seven (7) days following the date of such damage, Tenant shall have the right to terminate this Lease by giving Landlord written notice thereof, as long as Tenant has not resumed operations upon the Premises." Council Member Loresen seconded the motion. Roll call: YEA: Loresen, Wolf, Caldwell. NAY: Spence. Motion carried. Council President, Ray Wolf Jr., turned the meeting back over to Mayor Paden.

Pool Con Bernbeck advised the council that he is working on the purchase of a large slide for use at the pool. The Council advised that he needed to work with the Park Board on this project as they were discussing either repairing the current facility or construction of a new pool. The Engineers have been contacted about starting the process for a study regarding which would be feasible for the city. The money raised for the pool slide is in the Trust Fund (\$7086.01) of the city until needed for a slide project at the pool.

Street Discussion was held on looking into the purchase of a payload for the street department. Specifications will be drawn up for council approval.

Signs will be placed on Cedar Street between 8th and 10th stating "No Trucks". This street needs to be repaired due to the heavy traffic on it. 10th Street by Casey's also needs to be repaired. Also needing repair is the alley east of 10th Street by Jerry / Lori Webster property.

Water Council Member Loresen questioned the water report and having all valves working in the water system.

Zoning LaLene Bates updated the City Council on zoning issues regarding draft policies on cell phone regulations, wind turbine regulations and updating the zoning maps. Inspections are being performed on new construction for commercial and residential projects.

Personnel A motion was duly made by Council Member Spence to go into executive session at 9:37 pm to discuss personnel issues and results of physicals taken by employees. Only the Council, Mayor and City Attorney were in attendance. Council Member Wolf seconded the motion. Roll call: YEA: Caldwell, Spence, Loresen, Wolf. Motion carried. A motion was duly made by Council Member Spence to adjourn from executive session at 10:15 pm. Council Member Wolf seconded the motion. Roll call: YEA: Caldwell, Spence, Loresen, Wolf. Motion carried.

A motion was duly made by Council Member Wolf to adjourn the meeting at 10:16 pm. Council Member Caldwell seconded the motion. Roll call: YEA: Loresen, Caldwell, Spence, Wolf. Motion carried.

I, the undersigned Clerk, hereby certify that the foregoing is a true and correct copy of the proceedings had and done by the City Council at the June 19, 2008 meeting; that all of the subjects included in the foregoing proceedings were contained in the Agenda for the meeting, held continually

current and available for inspection at the Office of the City Clerk, that such subjects were contained in the agenda for at least twenty-four hours prior to said meeting, that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by the members of the public; that said minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said Body; that all news media notification concerning meetings of said Body were provided notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Nancy A Morfeld, City Clerk

Colleen M. Paden, Mayor

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