

December 7, 2010

Colleen Paden, Mayor, called a meeting of the Mayor and Council of the City of Stanton, Nebraska to order on December 7, 2010 at 7:00 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: Brandon Remm, Jay Spence, Clint Warnke. Absent: Rolland Lorensen.

Also present were: Carol Armbruster, Ron Klinetobe, Alberta Lehman, Marci Suchan, Dennis Patterson, Laura Hess, Mike Ruppert, Chris Carlson, Dale Bohac, Bob Paden, Trina Wagner, Brad Wagner, Cory Locke, and Nancy Morfeld (who recorded the minutes).

A motion was duly made by Council Member Spence to approve the minutes of the November 2, 2010 council meeting. Council Member Warnke seconded the motion. Roll call: YEA: Warnke, Remm, Spence. Motion carried.

A motion was duly made by Council Member Warnke to accept the election certificate for General Election held on November 2, 2010. Council Member Remm seconded the motion. Roll call: YEA: Warnke, Remm, Spence. Motion carried.

The oath of office was given by City Attorney Locke to Mike Ruppert (Ward A), Jay Spence (Ward B) and Colleen Paden (Mayor). Council Members answering roll call: Brandon Remm, Jay Spence, Mike Ruppert, and Clint Warnke.

Brandon Remm made a motion to nominate Jay Spence as Council President. Seconded by Clint Warnke. Roll call: YEA: Warnke, Remm, Spence, Ruppert. Motion carried.

A motion was duly made by Council Member Spence to approve the consent agenda. Council Member Remm seconded the motion. Roll call: YEA: Remm, Spence, Warnke, Ruppert. Motion carried.

The following items were approved: (1) Adopt agenda; (2) Notice of meeting was published in the Stanton Register on December 1, 2010 and the agenda was delivered to the Mayor and Council on December 3, 2010; (3) Accept the minutes from various city boards as received; (4) Approval of the Statement of Fund Balances General Accounts and Utilities; (5) Approval of claims for November 3, 2010 through December 7, 2010; (6) Accept resignation of Pam Fuerhoff from Stanton Library Board and Stanton Rescue; (7) Approve appointment of Kyle Voecks to Stanton Housing Authority Board; (8) Approve renewal of Banner Permit with NE Department of Roads.

A moment of silence was held for past mayor / council member Ray Wolf Jr.

The Mayor introduced Trina and Brad Wagner. Trina and her daughter, Lauri, made a suggestion box for the City to use. The Mayor thanked them, with the box being placed at city hall.

**Park** Chris Carlson, with the Lower Elkhorn NRD, gave the Mayor a check for \$11,700 as payment for the grant the city received for the west park shelter. A motion was duly made by Council Member Spence to approve the NRD Forestry Program funding and city share for removal / planting of trees and shrubs in the west park. Council Member Ruppert advised the council that he had someone that would take the trees and help with removal.

**Sewer** Dale Bohac, JEO, explained the smoke testing results to the council. Also discussed was making a map showing city mains and private sewer mains for the city to use. A camera will be used on the sewer mains in the spring. Discussion was held on repairs to sewer main on Douglas by the bridge, with the study being used to help develop the priorities for repair work.

**NH** No report was given by the Nursing Home.

**Library** Carol updated the council on items for the library, with the metal recycling being a good fundraiser for the Library Foundation.

**Code Issues** Council Member Spence introduced Ordinance 807 entitled: AN ORDINANCE OF THE CITY OF STANTON, NEBRASKA, RELATING TO ALL TERRAIN VEHICLES AND UTILITY TYPE VEHICLES; TO AMEND SECTION 170.71.68 AND 170.71.69 RELATING TO ALL TERRAIN VEHICLES TO INCLUDE UTILITY TYPE VEHICLES; TO ALLOW THE OPERATION OF ALL TERRAIN VEHICLES AND UTILITY TYPE VEHICLES WITHIN THE CORPORATE LIMITS UNDER CERTAIN CIRCUMSTANCES; TO IMPOSE RESTRICTIONS ON THE USE OF ALL TERRAIN VEHICLES AND UTILITY TYPE VEHICLES; TO ESTABLISH PENALTIES FOR VIOLATION; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; TO PROVIDE WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND TAKE EFFECT. Council Member Remm seconded the motion to introduce Ordinance 807 and upon roll call vote on the motion, the following Council Members voted YEA: Ruppert, Warnke, Remm, Spence. Motion carried. Council Member Spence moved that the statutory rule requiring reading on three different days be suspended, Ordinance 807 be moved for final passage, and to authorize publication in pamphlet form. Council Member Warnke seconded the motion. Upon roll call vote on the motion, the following Council Members voted YEA: Ruppert, Warnke, Remm, 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.

**Code Issues** Council Member Spence introduced Ordinance 808 entitled: AN ORDINANCE OF THE CITY OF STANTON, NEBRASKA, TO AMEND SECTION 170.71.10 OF THE NEBRASKA BASIC CODE, LOCAL LEGISLATION OF STANTON, NEBRASKA PERTAINING TO CHANGING THE DESIGNATED TRUCK ROUTES; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; TO PROVIDE WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND GO INTO EFFECT. Council Member Warnke seconded the motion to introduce Ordinance 808 and upon roll call vote on the motion, the following Council Members voted YEA: Warnke, Remm, Spence, Ruppert. Motion carried. Council Member Spence moved that the statutory rule requiring reading on three different days be suspended, Ordinance 808 be moved for final passage, and to authorize publication in pamphlet form. Council Member Remm seconded the motion. Upon roll call vote on the motion, the following Council Members voted YEA: Ruppert, Warnke, Remm, 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.

**Sewer** A motion was duly made by Council Member Remm to accept the insurance estimate for

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repair of the roof at the sewer plant in the amount of \$5440.77. Council Member Spence seconded the motion . Roll call: YEA: Warnke, Remm, Spence, Ruppert. Motion carried. A motion was duly made by Council Member Remm to accept the bid from BRK in the amount of \$5495.00 to repair the sewer plant roof. Council Member Spence seconded the motion. Roll call: YEA: Remm, Spence, Ruppert, Warnke. Motion carried.

**Admin** A motion was duly made by Council Member Spence to accept the 2011 meeting / holiday schedule and appointments. Council Member Warnke seconded the motion. Roll call: YEA: Spence, Ruppert, Warnke, Remm. Motion carried.

**Code Issues** Council Member Spence introduced Ordinance 809 entitled: AN ORDINANCE TO REVISE ALL THE ORDINANCES OF THE CITY OF STANTON, NEBRASKA, BY ADOPTING THE NEBRASKA BASIC CODE OF ORDINANCES, 2010, TO REPEAL PRIOR ORDINANCES; TO REQUIRE FILINGS; AND TO PROVIDE AN EFFECTIVE DATE. Council Member Remm seconded the motion to introduce Ordinance 809 and upon roll call vote on the motion, the following Council Members voted YEA: Ruppert, Warnke, Remm, Spence. Motion carried. Council Member Spence moved that the statutory rule requiring reading on three different days be suspended, Ordinance 809 be moved for final passage, and to authorize publication in pamphlet form. Council Member Warnke seconded the motion. Upon roll call vote on the motion, the following Council Members voted YEA: Ruppert, Warnke, Remm, 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.

**Code Issues** Council Member Spence introduced Ordinance 810 entitled: AN ORDINANCE OF THE CITY OF STANTON, NEBRASKA, TO AMEND SECTION 170.93.40 OF THE NEBRASKA BASIC CODE, LOCAL LEGISLATION OF STANTON, NEBRASKA PERTAINING TO LICENSE AND TAX REQUIRED; EXEMPTION; TAGS; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; TO PROVIDE WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND TAKE EFFECT. Council Member Warnke seconded the motion to introduce Ordinance 810 and upon roll call vote on the motion, the following Council Members voted YEA: Ruppert, Warnke, Remm, Spence. Motion carried. Council Member Spence moved that the statutory rule requiring reading on three different days be suspended, Ordinance 810 be moved for final passage, and to authorize publication in pamphlet form. Council Member Remm seconded the motion. Upon roll call vote on the motion, the following Council Members voted YEA: Ruppert, Warnke, Remm, 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.

**Zoning** A public hearing was opened at 7:49 pm on vacating alley in Block 65, Original Town, Stanton, Nebraska. Notice of hearing was read by Mayor Paden. No comments were received at the hearing. No comments were received by the City Clerk. The public hearing was closed at 7:51 pm.

Council Member Spence introduced Ordinance 812 entitled: AN ORDINANCE OF THE CITY OF STANTON, NEBRASKA, TO AUTHORIZE THE VACATING OF ALLEY IN BLOCK 65, ORIGINAL TOWN TO THE CITY OF STANTON, NEBRASKA; TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF STANTON, NEBRASKA TO SHOW CHANGE IN SAID BLOCK; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; TO PROVIDE WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND TAKE EFFECT. Council Member Remm seconded the motion to introduce Ordinance 812 and upon roll call vote on the motion, the following Council Members voted YEA: Ruppert, Warnke, Remm, Spence. Motion carried. Council Member Spence moved that the statutory rule requiring reading on three different days be suspended, Ordinance 812 be moved for final passage, and to authorize publication in pamphlet form. Council Member Remm seconded the motion. Upon roll call vote on the motion, the following Council Members voted YEA: Ruppert, Warnke, Remm, 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.

**Code Issues** Council Member Spence introduced Ordinance 811 entitled: AN ORDINANCE OF THE CITY OF STANTON, NEBRASKA, TO AMEND TITLE 170, CHAPTER 33, SECTION 04 OF THE NEBRASKA BASIC CODE, LOCAL LEGISLATION OF STANTON, NEBRASKA PERTAINING TO MEETINGS; SETTING NEW MEETING TIMES FOR CITY COUNCIL; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; TO PROVIDE WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND TAKE EFFECT. Council Member Warnke seconded the motion to introduce Ordinance 811 and upon roll call vote on the motion, the following Council Members voted YEA: Ruppert, Warnke, Remm, Spence. Motion carried. Council Member Spence moved that the statutory rule requiring reading on three different days be suspended, Ordinance 811 be moved for final passage, and to authorize publication in pamphlet form. Council Member Remm seconded the motion. Upon roll call vote on the motion, the following Council Members voted YEA: Ruppert, Warnke, Remm, 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.

**Street** A motion was duly made by Council Member Spence to approve the emergency snow plan policy and route map. Council Member Warnke seconded the motion. Roll call: YEA: Spence, Ruppert, Warnke, Remm. Motion carried.

**Admin** A motion was duly made by Council Member Warnke to accept the bid from Prime Sanitation in the amount of \$120 per month, starting January 1<sup>st</sup>, for city garbage pickup. Council Member Remm seconded the motion. Roll call: YEA: Ruppert, Warnke, Remm, Spence. Motion carried.

**Street** A motion was duly made by Council Member Spence to table discussion on the 1 & 6 Street

plan program until the next council meeting. Council Member Ruppert seconded the motion. Roll call: YEA: Warnke, Remm, Spence, Ruppert. Motion carried. It was mentioned to add the area of 10<sup>th</sup> Street by Casey's to the plan.

**Street** A motion was duly made by Council Member Spence to table parking along 10<sup>th</sup> Street by the Methodist Church until the next meeting. Council Member Warnke seconded the motion. Roll call: YEA: Remm, Spence, Ruppert, Warnke. Motion carried.

A motion was duly made by Council Member Spence to introduce Resolution 506 authorizing parking on south side of street only on Kingwood between 8<sup>th</sup> and 10<sup>th</sup> Streets. Council Member Warnke seconded the motion. Roll call: YEA: Spence, Ruppert, Warnke, Remm. Motion carried.

**Street** Discussion was held on removing dead trees to the south behind houses on Elm Street. The Mayor will work on this item.

**Code Issues** Discussed cleanup at 308 Kingwood, Kerbel porch is covered at 10<sup>th</sup> and Kingwood.

**Water** Coliform testing completed and tests all clear.

**Street** No funding received for snow removal last winter.

**Admin** An update on auditors unable to complete audit until all paperwork is received from golf course. A special meeting will be set for December 16<sup>th</sup> at 6 pm with the Golf Board, Clubhouse Board, City Council, City Attorney and City Auditor to discuss course funding.

**Park** A meeting with the park board will be scheduled in January.

**Admin** A council work session will be scheduled on January 4<sup>th</sup> at the Uptown beginning at 5pm followed by the council meeting at 7 pm. Discussed possible changes on budgeting by boards.

**Street** Discussed the possibility of purchasing a sewer jet machine to help save costs, sell old air compressor and need for bidding.

A motion was duly made by Council Member Warnke to adjourn the meeting at 9:00 p.m. Council Member Spence seconded the motion. Roll call: YEA: Warnke, Ruppert, Remm, Spence. 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 December 7, 2010 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

**2011 appointments (approved at December 7, 2010 meeting)**

City Attorney – Cory Locke

City Engineer – JEO Engineering

Licensed City Superintendent – JEO Engineering, Terry J. Mead

City Clerk, Deputy Treasurer - Nancy Morfeld

City Treasurer, Deputy Clerk - Alberta Lehman

Water Commissioner, City Supervisor – Ron Klinetobe

Sewer Commissioner - Dennis Patterson

Park Superintendent – Tim Pritchett

Zoning Administrator – LaLene Bates

Police Chief - Mike Unger, Sheriff

Fire Chief – Dallas Hinnerichs

Library Board Member (4 yr term) – Vacant (was Pam Fuerhoff)

Planning Commission Member (3 yr term) – Kurt Aaberg, Bill Locke

Park Board Member (1 yr term) - Jim Campbell

Kyle Voecks

Rhonda King

Vacant position

Jeff Flood

Golf Board Member (1 yr term) - James Dorsey

George Godel

Bob Paden

Jon Erickson

Jesse Vogel

Nursing Home Board Member (5 yr term) – Dave Kment

Housing Rehabilitation Board Member (3 yr term) – Dave Kment

Housing Authority (5 yr term) – Kyle Voecks

Board of Adjustment (3 yr term) – Russ Johnson, Shane Patterson

Stanton Community Foundation Board (3 yr term) – Judy Throener, Vacant position

Appoint City Clerk with authority to submit Special Designated Liquor Licenses to Liquor Commission

Fire Members: Alan Aaberg, Kevin Armbruster, Brian Benson, Bret Burtwistle, Rick Daniel, Wyatt Daniel, Ron Gadeken, Jeremy Gill, Randall Hansen, Robert Hartl, Dallas Hinnerichs, Jeremy Kerbel, Kory Krutz, Carl Ludemann, Eddie Myrick, Tim Pritchett, Aaron Rang, Arthur Reed, Kevin Reese, Brandon Remm, Mike Ruppert, Timm Stamm, Shawn Wiedeman, Allen Wolverton, Rod Zoubek

Rescue Members: Kevin Armbruster, Nicholas Bentz, Stephen Bentz, Colleen Butterfield, Jeremy Gill, Jeremy Goeken, Todd Jochum, Russell Johnson, AJ Kluthe, Rolland Lorensen, Delbert Mendlik, Tyrone Muhs, Alicia Oja, Melissa Webb, Michael Unger, Kirk Van Pelt, Lori Webster, DJ Mendlik, Aubrey Vogel, Shawnette Tomka, Traci Hilbers, Michaela Wurdinger, Chris Oja, Joel Putters

Council Representative Appointments:

Northeast Nebraska Solid Waste Coalition – Jay Spence

Goldenrod Joint Housing Authority – Brandon Remm

Northeast Nebraska Economic Development District – Clint Warnke

Elkhorn Valley Economic Development Council – Mike Ruppert

Council Committee Appointments:

Nursing Home / Zoning – Jay Spence

Public Safety (Fire, Rescue, Police, Civil Defense) – Mike Ruppert

Recreation (Park, Pool, Library, Golf) – Brandon Remm

Streets / Water / Sewer – Clint Warnke

Wellhead Protection Committee – Jay Spence