

City of Fort Calhoun

May 16, 2011

The regular meeting of the City Council of the City of Fort Calhoun, Nebraska, was held in open and public session at 7:00 o'clock p.m., on May 16, 2011 in the City Council Chambers/Library at the City Hall in Fort Calhoun, Nebraska. On roll call, the following Council Members answered present: David Genoways, Dave Romans, LeRoy Nelson and Carrie Halford.

Notice of the meeting was given in advance thereof by publication, said form of notice being a designated method for giving notice, an affidavit of publication being attached to these minutes.

Advance notice of this meeting was also given to the Mayor and all Council Members. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor and Council Members. All proceedings hereafter shown were taken while the meeting was open to the attendance of the public.

With a quorum present, the Mayor presided and the Clerk recorded the proceedings.

Mayor Robinson publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act was available for review and indicated the location of such copy in the room where the meeting was being held.

Mayor Robinson stated persons wishing to address the Governing Body on an agenda item shall wait to be identified by the Mayor; then, after stating their name and address for the record, may proceed to speak. No person, other than the Council and the person having the floor will be permitted to enter into any discussion without the permission of the Mayor.

Member Nelson made a motion seconded by Member Genoways to approve the April 18, May 2 and May 4, 2011 minutes as published. With members Romans, Nelson, Halford and Genoways voting "Aye", motion carried.

Member Genoways made a motion seconded by Member Romans to accept the Treasurer's Report as presented. With members Nelson, Halford, Genoways and Romans voting "Aye", motion carried.

Member Romans made a motion seconded by Member Genoways to approve the following bills as amended for payment:

OPPD, 3,118.03, ult; MUD, 277.40, ult; Papio M-R NRD, 5,014.85, water; Abe's Trash, 103.68, ser; Am. Broadband, 480.36, utl; Asphalt/Concrete, 297.68, sup; Barone, 300.00, ser; Bennington Imp, 45.00, sup; Blue Cross, 1,909.56, hlth ins; Boyle, Hess, 360.00, ser; Calhoun Oil, 1,086.55, fuel; City of Blair, 2,942.20, ser; Corpro, 440.00, ser; Egr, James, 725.00, ser; Enterprise, 770.59, pub; Ford Credit, 799.73, equip; Great Plains Communications, 14.95, ser; Great Plains One-Call, 34.32, fee; Great Southern Bank Visa, 168.48, sup, Home Depot, 796.56, sup; IIMC, 135.00, dues; Loveland, 286.70, sup; Maid/USA, 120.00, ser; Max I. Walkers, 152.04, ser; Meyer Labs, 422.40, sup; NE Dept Rev., 1,994.15, sales tax; PC Services, 116.00, ser; Postmaster, 110.32, sup; Quill, 19.79, sup; Reliable Consulting, 444.00, ser/sup; Solution One, 57.62, sup; Sprint/NEXTEL, 135.18, ser; Wash. Co. Sheriff, 5,534.27, contract; J. Boyd, 210.00, sup; April Payroll, 14,594.83. With members Halford, Genoways, Romans and Nelson voting "Aye"; motion carried.

Washington County Sheriff – no report.

Member Halford made a motion seconded by Member Genoways to accept the May 2, 2011 Planning Commission minutes as presented. With Members Genoways, Romans, Nelson and Halford voting "Aye", motion carried.

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The May 5, 2011 Park Board was cancelled due to the lack of a quorum.

The May 2, 2011 Enhancement Committee meeting was a work meeting for the street planters, there being no business conducted, there were no minutes.

Member Genoways reported he finally heard back from County Supervisor Jeff Quist today, following his contact with the County Clerk last week after an initial attempt to email board committee members on May 3 to arrange a County Road 34 Drainage Ditch discussion; a meeting date is pending.

At 7:05 o'clock p.m., Mayor Robinson stated in accordance with the published notice, it was now time to conduct the public hearing to hear support, opposition, criticism, suggestion or suggestions relating to the application from Memorial Community Hospital Corporation for an Administrative Replat of 1.5 acres of Tax Lot 132 (14-17-12), Fort Calhoun, Nebraska; the proposed Replat will subdivide one lot into two. There were no written comments. Following questions from Member Romans and Stanley Gage, Mayor Robinson closed the public hearing at 7:06 p.m.

Member Romans made a motion seconded by Member Genoways to approve the Administrative Replat of 1.5 acres of Tax Lot 132 (14-17-12) of the 3.356 acres commonly known as 620 South 14th Street (Sheppard/MCH). With Members Romans, Nelson, Halford and Genoways voting "Aye", motion carried.

Appointment of members to the Board of Adjustment was again tabled until the next regularly scheduled meeting, June 20, 2011.

City Attorney Egr had no report, but did have a settlement agreement and release for the mayor's signature; pertaining to the mitigation and finalization of the Knight-Welchert Case previously approved.

City Engineer Woracek reported plans and specifications for Street Improvement Districts Nos. 2011-1 and 2011-2 and Storm Water Sewer District No. 2011-1 have been distributed; bid proposals were advertised to be opened on Tuesday, May 24. Mr. Woracek asked if the mayor and council would mind an extension on the bids if requested. There was no objection.

Member Genoways made a motion seconded by Member Romans to schedule a special meeting on Tuesday, May 31, 2011 at 5:30 p.m. to accept bids for construction of Street Improvement Districts Nos. 2011-1 and 2011-2 and Storm Water Sewer District No. 2011-1. With members Halford, Genoways, Romans and Nelson voting "Aye", motion carried.

Economic Development Report: Gateway will hopefully complete the Certified Community Application in the near future. The Fort Calhoun application should be submitted before Blair's as Fort Calhoun's web site meets the requirements of the application.

Member Genoways made a motion seconded by Member Nelson to approve the full-time employee designation for Joy Ruma, Zoning Administrator/Utility Clerk/Assistant, increasing vacation and sick-time time accrual rates; the mayor speaking in favor of the request. Following comments by Member Halford on efficiency audits and other community surveying she had done and questions from Member Romans, members Genoways and Nelson voted "Aye", members Halford and Romans voted "No"; there being a tie, Mayor Robinson voted "Aye", motion carried.

Member Romans introduced Resolution No. 2011 - 11 and moved its passage and adoption. Motion seconded by Member Genoways. On roll call the following voted "Aye": Romans, Nelson, Halford and Genoways. There were no "No" votes. The passage and adoption of said Resolution having been concurred in by a majority of all member of the Council, the Mayor declared the Resolution adopted and the Mayor, in the

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presence of the Council, signed and approved the Resolution and the Clerk attested the passage and approval of the same and affixed her signature thereto.

A true and complete copy of the said Resolution is as follows:

RESOLUTION NO. 2011 – 11

RESOLUTION INFORMATIONAL/IDENTIFICATION SIGNS

WHEREAS, the City of Fort Calhoun, Nebraska as a Municipal Corporation has the authority to regulate street signage within its Corporate Limits; and

WHEREAS, the City of Fort Calhoun, Nebraska is interested in the public health and safety of the citizens of the City; and,

WHEREAS, the City of Fort Calhoun, Nebraska desires to establish the identification and directional information, to-wit:

Installation of directional signs in the Right-of-Way at the NW corner of Clay Street and North 14th Street (HWY 75), directing the public to the Fort Calhoun Cemetery; and for the installation of a Library sign in the Right-of-Way of South 14th Street (HWY 75) between 108 and 110 South 14th Street, directing the public to the Fort Calhoun Library

under the City's statutorily granted regulation powers.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

1. The following Identification and/or informational signs are adopted, to-wit:

Two directional signs (back to back) consisting of an arrow and the word "Cemetery" to be installed in the Right-of-Way at the NW corner of Clay Street and North 14th Street (HWY 75), and

Two signs (back to back) consisting of the universal picture representing a Library to be installed in the Right-of-Way of South 14th Street (HWY 75) between 108 and 110 South 14th Street.

2. The effective date of the aforesaid informational/identification signage will be as follows; to-wit: June 1, 2011.
3. The City of Fort Calhoun will own, and the city maintenance department employees will erect and be responsible for the maintenance of the aforesaid informational/identification signage.
4. All Resolutions or parts of Resolutions in conflict herewith are hereby repealed.

PASSED AND APPROVED May 16, 2011

ATTEST:

Mitch Robinson, Mayor

Linda Welsher, CMC, City Clerk

Member Halford addressed the proposed "No Tobacco Use" Ordinance she has been working on, she also spoke on the idea of having "designated smoking areas". The information was not ready for the proposed

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Ordinance to be introduced. There were comments by Member Halford, Sheri McGovern, Sherry Brooks and other council members, there was no action.

Member Genoways stated he did not have the draft "Dog" Ordinance prepared for review at this time.

Mayor Robinson appointed Carrie Halford, David Genoways and Sam Ruma to the 2011-2017 Capital Improvement Program Committee; Member Halford was directed to find a Park Board representative and Zoning Administrator Ruma is to find another Planning Commission member. A work meeting will be scheduled as soon as possible.

Mayor Robinson directed the clerk to continue work in revising the 1988 Resolution, regulating public speaking during meetings.

Member Genoways made a motion seconded by Member Romans to approve the clerks request to attend the 2011 Municipal Accounting and Finance Conference in Kearney, June 15 – 17. With members Halford, Genoways, Romans and Nelson voting "Aye", motion carried.

Mayor Robinson announced the Three Rivers Clerks Association Mayor/Council Forum on "Nuisance Abatement" on July 21, at 7:00 p.m. to be held in the Senior Center at Christensen Field in Fremont. Members were advised to contact the clerk before July 11 if they are interested in attending the forum.

There was a general consensus to request community service and restitution on the victim's statement for the second youth charged in the attempted criminal mischief (graffiti in the parks) in October 2010.

Public Comments: None

Member Genoways made a motion seconded by Member Romans to adjourn. With all members voting "Aye", the meeting adjourned at 7:37 p.m.

Mitch Robinson, Mayor

ATTEST:

Linda Welsher, CMC, City Clerk