

City of Fort Calhoun

August 6, 2009

A meeting of the Mayor and City Council of the City of Fort Calhoun, Nebraska, was convened in open and public session at 7:00 o'clock p.m. on August 6, 2009, at the Fort Calhoun City Hall, in Fort Calhoun, Nebraska. Present were: Mayor Oestmann, City Clerk Linda Welsher; Council Members: David Genoways, Darin Wilson and Mike Smith. Absent: LeRoy Nelson.

Notice of the meeting was given in advance thereof by newspaper publication, the City's designated method for giving notice, on July 28, 2009, evidence of such notice being attached to these minutes. Notice of the meeting was given to the Mayor and all members of the City Council and a copy of their acknowledgment of receipt of notice and agenda is attached to these minutes. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor and City Council of this meeting. All proceedings hereafter shown were taken while the meeting was open to the attendance of the public.

The Mayor 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.

Member Genoways made a motion seconded by Member Wilson to accept the Engineer's Certificate of Completion of the Wastewater Conveyance Project. With members, Wilson, Smith and Genoways voting "Aye", Nelson absent, motion carried.

Council Member Wilson offered the following resolution and moved its adoption:

RESOLUTION NO. 2009 - 06

WHEREAS, the City of Fort Calhoun, Nebraska did heretofore enter into a contract with Rutjens Construction, Inc., for the construction of wastewater system improvements for the City, said contract was duly approved by the Mayor and City Council and executed in accordance with such action.

WHEREAS, the construction of said wastewater system improvements for the City has now been completed according to the terms and stipulations of the plans and specifications according to the reports and recommendations of the engineer for the City.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Fort Calhoun, Nebraska, that the improvements described in the Final Construction Report from the engineer for the City under the contract referred to above be and hereby are accepted as recommended.

Passed and approved this 6th day of August, 2009.

CITY OF FORT CALHOUN, NEBRASKA
Paul L. Oestmann, Mayor

ATTEST:
Linda Welsher, CMC, City Clerk

Council Member Genoways seconded the motion. The Mayor stated the question "Shall Resolution No. 2009-06 be passed and adopted?" Upon roll call, the following voted YEA: Smith, Genoways and Wilson. ABSENT: Nelson. The following voted NAY: None. The passage and adoption of said Resolution having been concurred in by a majority of all the members of the City Council, the Mayor declared the Resolution adopted.

City of Fort Calhoun

Council Member Smith then introduced Ordinance No. 620 entitled:

AN ORDINANCE OF THE CITY OF FORT CALHOUN, NEBRASKA, AUTHORIZING THE ISSUANCE OF A GENERAL OBLIGATION SEWER BOND IN THE AMOUNT OF THREE MILLION TWO HUNDRED THIRTY-SIX THOUSAND SEVEN HUNDRED DOLLARS (\$3,236,700) FOR THE PURPOSE OF PAYING THE COST OF EXTENDING AND IMPROVING THE CITY'S EXISTING SANITARY SEWER SYSTEM; PRESCRIBING THE FORM OF SAID BOND; PROVIDING FOR THE LEVY OF TAXES TO PAY THE SAME; ENTERING INTO A CONTRACT ON BEHALF OF THE CITY WITH THE REGISTERED OWNER OF SAID BOND; AND PROVIDING FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM

and moved that the statutory rule requiring reading on three different days be suspended. Council Member Genoways seconded the motion to suspend the rules and upon roll call vote on the motion the following Council Members voted YEA: Genoways, Wilson and Smith. ABSENT: Nelson. The following voted NAY: None. 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 said ordinance.

Said ordinance was then read by title and thereafter Council Member Genoways moved for final passage of the ordinance, which motion was seconded by Council Member Smith. The Mayor then stated the question was "Shall Ordinance No. 620 be passed and adopted?" Upon roll call vote, the following Council Members voted YEA: Wilson, Smith and Genoways. ABSENT: Nelson. The following voted NAY: None.0. The passage and adoption of said ordinance having been concurred in by three-fourths of all members of the Mayor and City Council, the Mayor declared 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. A true, correct and complete copy of said ordinance is on file at the city office during normal business hours.

Dick, Betty and Dan Stephens voiced concerns about the 15th Street curb and overlay project in front of 211 South 15th Street. The Mayor and City Council took the concerns under advisement and directed the city engineer to look into a solution with the contractor.

Public Comments: Member Smith voiced concerns expressed to him by Charles Hawkins concerning the overlay.

Member Smith made a motion seconded Member Genoways to adjourn. With all members present voting "Aye" the meeting was adjourned at 7:45 p.m.

The meeting was followed by a short work meeting on the 2009-2010 Budget.

Paul L. Oestmann, Mayor

Attest:

Linda Welsher, CMC, City Clerk