

## City of Fort Calhoun

September 14, 2009

A special 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 Monday, September 14, 2009, in the City Council Chambers/Library at the City Hall in Fort Calhoun, Nebraska. The meeting was called to order by Mayor Paul Oestmann. On roll call, the following Council Members answered present: David Genoways and LeRoy Nelson. Wilson and Smith were absent.

Notice of the meeting was given in advance thereof by publication or posting, said forms of notice being designated methods for giving notice, an affidavit of publication or a certification of posting 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.

Mayor Oestmann presided and the Clerk recorded the proceedings.

Mayor Oestmann 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.

Without a quorum present the Fire Department/Fort Calhoun Jaycee's request for a SDL for the Boxing Smoker on October 3, 2009 was tabled to Wednesday, September 16, 2009 at 7:00 p.m.

Waiting until 7:10 p.m., Mayor Oestmann stated in accordance with the published notice, it was now time to conduct the public hearing relative to hearing support, opposition, criticism, suggestions or observations of taxpayers relating to the 2008/2009 Budget Amendment. There was no public present and no written comments received; therefore, the public hearing was closed at 7:12 p.m.

At 7:20 p.m., Mayor Oestmann stated in accordance with the published notice, it was now time to conduct the public hearing relative to hearing support, opposition, criticism, suggestions or observations of taxpayers relating to the proposed 2009/2010 budget and to set the final tax request. There was no public present and no written comments received; therefore, the public hearing was closed at 7:21 p.m. and the meeting was recessed until 7:00 p.m. Wednesday, September 16, 2009.

The special meeting of the City Council of the City of Fort Calhoun, Nebraska, was reconvened in open and public session at 7:00 o'clock p.m. on Wednesday, September 16, 2009, in the City Council Chambers/Library at the City Hall in Fort Calhoun, Nebraska. The meeting was called to order by Mayor Paul Oestmann. On roll call, the following Council Members answered present: David Genoways, Darin Wilson, LeRoy Nelson and Mike Smith.

Notice of the recess and reconvening of the meeting was given in advance thereof by posting, said form of notice being a designated method for giving notice, a certification of posting 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.

Mayor Oestmann presided and the Clerk recorded the proceedings.

## City of Fort Calhoun

Mayor Oestmann 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 Smith to approve the SDL request from Michael R. Smith representing the Fort Calhoun Fire & Rescue for a Boxing Smoker, scheduled for Saturday, October 3, 2009 at the Community Building. With members Smith, Genoways, Nelson and Wilson voting "Aye", motion carried.

Member Genoways introduced the following RESOLUTION NO. 2009-11 and moved for its passage and adoption. Motion seconded by Member Nelson. On roll call, the following voted "Aye": Genoways, Wilson, Nelson and Smith; motion carried.

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

### RESOLUTION NO. 2009 -11

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 Fort Calhoun, Nebraska passes by 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 interest of the City of Fort Calhoun, Nebraska 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 Mayor and City Council of the City of Fort Calhoun, Nebraska, by majority vote, resolves that:

1. The 2009-2010 personal and Real Property Tax request be set at \$125,876.25 for Principal and Interest on Bonds and \$301,143.26 for All Other Purposes, for a total of \$427,019.51.
2. A copy of this resolution be certified and forwarded to the Washington County Clerk on or before September 21, 2009.

PASSED AND APPROVED this 16<sup>th</sup> day of September 2009

CITY OF FORT CALHOUN NEBRASKA  
Paul L. Oestmann, Mayor

ATTEST:

Linda Welscher, City Clerk/Treasurer

Member Genoways introduced the following Ordinance 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.

Said Ordinance was designated as ORDINANCE NO. 627 and the title thereof were approved.

Member Genoways moved that the statutory rule requiring an ordinance to be fully and distinctly read on three different days be suspended. Member Nelson seconded the motion to suspend the rules and upon roll call vote on the motion the following Council Members voted "Aye":

## City of Fort Calhoun

Wilson, Nelson, Smith and Genoways. The following voted "Nay": NONE. The motion to suspend the rules was adopted by the required three-fourths of the members elected to the Council and the statutory rule was declared suspended for consideration of said Ordinance.

Thereupon said ORDINANCE NO. 627 was read by title and thereafter Member Genoways moved for final passage of the ordinance, which motion was seconded by Member Smith. On roll call, the following voted "Aye": Nelson, Smith, Genoways and Wilson. The following voted "Nay": NONE. The motion having been adopted by the required three-fourths of the members elected to the Council as provided by law was by Mayor Oestmann declared passed and adopted, and in the presence of the Council signed and approved the Ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto.

A true and complete copy of ORDINANCE NO. 627 is on file at city hall and can be reviewed during normal business hours.

Member Genoways introduced the following Ordinance entitled:

AN ORDINANCE TO ADOPT THE AMENDED BUDGET STATEMENT TO BE TERMED THE AMENDED 2008-2009 APPROPRIATION BILL; TO AMEND SUMS FOR NECESSARY EXPENSES AND LIABILITIES IN FISCAL YEAR 2008-2009; TO PROVIDE FOR AN EFFECTIVE DATE.

Said Ordinance was designated as Ordinance No. 628 and the title thereof was approved.

Member Genoways moved that the statutory rule requiring an ordinance to be fully and distinctly read on three different days be suspended. Member Nelson seconded the motion to suspend the rules and upon roll call vote on the motion the following Council Members voted "Aye": Nelson, Smith, Genoways and Wilson. The following voted "Nay": NONE. The motion to suspend the rules was adopted by the required three-fourths of the members elected to the Council and the statutory rule was declared suspended for consideration of said Ordinance.

Thereupon said Ordinance No. 628 was read by title and thereafter Member Smith moved for final passage of the ordinance, which motion was seconded by Member Genoways. On roll call, the following voted "Aye": Genoways, Wilson, Nelson and Smith. The following voted "Nay": NONE. The motion having been adopted by the required three-fourths of the members elected to the 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 Council signed and approved the Ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto.

A true and complete copy of Ordinance No. 628 is on file at city hall and can be reviewed during normal business hours.

Public Comments: None

Member Wilson made a motion seconded by Member Nelson to adjourn. With all members voting "Aye", the meeting was adjourned at 7:12 p.m.

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Paul L. Oestmann, Mayor

Attest:

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Linda Welscher, CMC, City Clerk