

## **APRIL 16, 2018 CC MINUTES**

A 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 Monday, April 16, 2018, at the Fort Calhoun City Hall, in Fort Calhoun, Nebraska.

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.

Notice of this meeting was also given to the Mayor and all Council Members. Availability of the agenda was communicated in the 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 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 Presiding Officer; 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 any discussion without the permission of the Presiding Officer. Remarks shall be limited to five minutes unless extended or limited and repetitive or cumulative remarks may be limited or excluded by the Presiding Officer.

Please note that the meeting minutes are not approved until the next regular City Council meeting.

On roll call, the following Council Members answered present: Nick Schuler, Lori Lammers, Bob Prieksat, and Terry Fitzgerald.

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

Member Prieksat made a motion seconded by member Schuler to approve the amended March 19, 2018 City Council minutes. With members Lammers, Prieksat, Fitzgerald, and Schuler voting "Aye", motion carried.

Member Prieksat made a motion seconded by member Lammers to approve the Treasurer's Report. With members Fitzgerald, Schuler, Lammers, and Prieksat voting "Aye", motion carried.

Member Prieksat made a motion seconded by member Fitzgerald to approve the following bills for payment:

OPPD, 3491.39, utl; MUD, 226.03, utl; Papio M-R NRD, 4471.75, water; Abe's Trash, 112.83, ser; Aflac, 362.16, ben; Alicia Stevens, 170.12, reimb; Am. Broadband, 606.64, utl; Andy's Mow Town, 103.36, sup; Bomgaars, 221.79, sup; Cedar Const., 4285.00, ser; City of Blair, 4171.49, ser; Cline Williams, 1944.50, ser; Conoco Fleet, 388.72, ser; Deb Sutherland, 17.10, reimb; Duane Gage, 50.00, prize; EFTPS, 1916.36, tax; Enterprise Pub, 1153.41, ser; Home Depot, 370.97, sup; JEO Consulting, 8526.25, ser; Loveland Grass Pad, 153.80, sup; Martin Marietta, 701.78, sup; Municipal Supply, 158.51, sup; NE Dept of Rev (Lotto), 100.00, lic; NE Public Health Env Lab, 500.00, test; NE Dept of Rev, 263.54, tax; NE Sales Tax, 2842.42, tax; One Call Concepts, 42.42, ser; Postmaster, 134.75, ser; Quality Pest Control, 122.50, ser; Ron/Gloria Penas, 75.00, prize; Sensus Metering Systems, 1949.94; SolutionOne, 191.57, sup; Talbot & Truhlsen Law Offices, 2782.50, ser; Ted/Sunny Welchert, 100.00, prize; American Funds, 946.37, bene; Two Rivers Bank, 5086.52, loan; United Health Care, 6402.45, ser; Verizon, 162.15, exp; VISA(Two Rivers), 376.18, sup; Wash. Co. Treasurer, 4001.84, ser;

With members Prieksat, Fitzgerald, Schuler, and Lammers voting "Aye", motion carried.

The Washington County Sheriff's Office statistics for March 2018 was accepted unanimously.

Member Prieksat made a motion seconded by member Lammers to approve the April 9, 2018 Planning Commission minutes. With members Schuler, Lammers, Prieksat, and Fitzgerald voting "Aye", motion carried.

Member Schuler made a motion seconded by member Lammers to approve the March 26, 2018 Enhancement minutes. Member Lammers noted the "Garden Path" Byway Tour will be May 26 and June 2. With members Fitzgerald, Schuler, Lammers, and Prieksat voting "Aye", motion carried.

Member Schuler made a motion seconded by member Lammers to approve the April 5, 2015 Park Board minutes. With members Prieksat, Fitzgerald, Schuler, and Lammers voting "Aye", motion carried.

The March-April maintenance report was placed on file.

The public hearing to consider the request for a CLASS I – BEER, WINE & DISTILLED SPIRITS, ON SALE ONLY, LIQUOR LICENSE APPLICATION FOR SEAN LEWIS-THE AMERICAN LEGION, 1311 COURT STREET, FORT CALHOUN, WASHINGTON COUNTY opened at 7:05 p.m. With no written or public comments, the public hearing closed at 7:06 p.m.

Member Prieksat made a motion seconded by Member Fitzgerald to approve the Class I Liquor License: Sean Lewis-The American Legion. Sean stated he is opening a sports bar with a pool table, darts, shuffle board, etc., Sunday through Saturday, 4:30 p.m. to 10:00 p.m. (or later depending of sporting events). Food would be provided one weekend day depending upon sporting event. With members Lammers, Prieksat, Fitzgerald, and Schuler voting "Aye", motioned carried.

The public hearing to consider THE DECLARATION OF AN AREA OF THE CITY AS BLIGHTED AND SUBSTANDARD AND IN NEED OF REVELOPMENT PURSUANT TO THE NEBRASKA COMMUNITY DEVELOPMENT LAW opened at 7:08 p.m. With no written or public comments, the public hearing closed at 7:08 p.m.

Member Prieksat introduced Resolution No. 2018 – 2 Blight & Substandard Declaration and moved for its passage and adoption. Motion seconded by Member Schuler. Katie Kock, Cline Williams LLP, gave a general summary on what the Blight and Substandard Declaration means as well as what steps the City needs to take to be able to proceed with the Community Development Law for redevelopment projects within the City. Andy Bowser, 802 Monroe, questioned what the blight area was. Member Lammers gave a quick summary as well. On roll call the following voted "Aye": Fitzgerald, Schuler, Lammers, and Prieksat. The passage and adoption of said Resolution having been concurred by all members of the Council, the Mayor declared the Resolution adopted and, in the presence of the Council, signed and approved the Resolution and the Treasurer attested the passage and approval of the same and affixed her signature thereto:

**A RESOLUTION OF THE CITY COUNCIL OF FORT CALHOUN, NEBRASKA, DECLARING A PORTION OF THE CITY OF FORT CALHOUN, NEBRASKA TO BE BLIGHTED AND SUBSTANDARD.**

**RECITALS**

A. It is desirable and in the public interest of the City of Fort Calhoun, a municipal corporation (the "City"), to undertake and carry-out redevelopment projects in areas of the City that are determined to be substandard and blighted and in need of redevelopment.

B. The Nebraska Community Development Law, Neb. Rev. Stat. §§ 18-2101 et. seq., as amended, prescribes the requirements and procedures for the planning and implementation of redevelopment projects.

C. Marvin Planning Consultants has prepared the Blight & Substandard Study, 2014 (the "Blight and Substandard Study") for a certain portion of the City legally described on the attached Exhibit "A", which is incorporated by this reference (the "Redevelopment Area"), copies of which are on file with the City Clerk of the City of Fort Calhoun.

D. On April 16, 2018, a public hearing of the City Council of the City of Fort Calhoun, Nebraska, was held in order to determine whether a portion of the City should be declared to be substandard and blighted and in need of redevelopment, as defined in and pursuant to the Community Development Law.

E. A notice of public hearing was published for two consecutive weeks, the latter of which was at least ten (10) days prior to the time of the public hearing, which notice described the time, date, place and purpose of the hearing and specifically identified the area to be considered as substandard and blighted and in need of redevelopment;

F. At said Public Hearing, all interested parties were afforded a reasonable opportunity to express their views respecting the designation of such area as substandard and blighted and in need of redevelopment, and the City Council reviewed and discussed the Blight and Substandard Study.

G. Prior to the Meeting and Public Hearing, the City Council submitted the question of whether the area in question is substandard and blighted and in need of redevelopment to the Planning Commission of the City of Fort Calhoun for its review and recommendation, and the City Council reviewed and discussed recommendations received from the Planning Commission.

H. The City Council desires to determine whether the specific area is substandard and blighted and in need of redevelopment in accordance with the Nebraska Community Development Law.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Fort Calhoun, as follows:

A. Substandard Declaration:

The City Council finds that:

1. The conditions set forth in the Blight and Substandard Study demonstrate sufficient evidence of substandard conditions in the Redevelopment Area.
2. The Redevelopment Area contains a strong presence of conditions which endanger life or property by fire or other causes.
3. The Redevelopment Area contains a predominance of buildings and improvements that are in excess of forty (40) years old and therefore constitute aged or obsolescent buildings and structures within the meaning of Neb. Rev. Stat. § 18-2103(10).

BE IT RESOLVED, that based on the findings listed in paragraphs 1 through 3 above, the City Council hereby declares that the Redevelopment Area is a substandard area in need of redevelopment within the meaning of the Act.

B. Blight Declaration:

The City Council further finds that:

1. The conditions set forth in the Blight and Substandard Study demonstrate sufficient evidence of blighted conditions in the Redevelopment Area.
2. The Redevelopment Area contains a strong presence of faulty lot layout, insanitary or unsafe conditions, deterioration of site or other improvements, and the existence of conditions which endanger life or property by fire or other causes.
3. The average age of residential or commercial structures in the Redevelopment Area is in excess of forty (40) years.

BE IT RESOLVED, that based on the findings in paragraphs 1 through 3 above, the City Council hereby declares that the Redevelopment Area is a blighted area in need of redevelopment within the meaning of the Act and adopts the Blight and Substandard Study.

DATED this 16th day of April, 2018.

CITY OF FORT CALHOUN, NEBRASKA

Mayor

ATTEST:

City Clerk

Following a motion by member Priksat, second by member Lammers and vote, Mayor Robinson declared the meeting adjourned at 7:13 p.m.

## **APRIL 16, 2018 CDA MINUTES**

A regular meeting of the CDA of the City of Fort Calhoun, Nebraska, was held in open and public session at 7:13 o'clock p.m., on Monday, April 16, 2018, at the Fort Calhoun City Hall, in Fort Calhoun, Nebraska.

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.

Notice of this meeting was also given to the Mayor and all Council Members. Availability of the agenda was communicated in the 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 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 Presiding Officer; 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 any discussion without the permission of the Presiding Officer. Remarks shall be limited to five minutes unless extended or limited and repetitive or cumulative remarks may be limited or excluded by the Presiding Officer.

Please note that the meeting minutes are not approved until the next regular City Council meeting.

On roll call, the following Council Members answered present: Nick Schuler, Lori Lammers, Bob Priksat, and Terry Fitzgerald.

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

Member Priksat made a motion seconded by Member Lammers to recommend Council approval of the General Redevelopment Plan. Katie Kock, Cline Williams LLP, stated this plan incorporates the Blight and Substandard Study and is the backbone to the steps needed to do future projects. With members Lammers, Priksat, Fitzgerald, and Schuler voting "Aye", motion carried.

Member Schuler made a motion seconded by Member Fitzgerald to adopt the TIF Application. After further discussion, Member Schuler amended his motion, seconded by Member Fitzgerald to include a 3% administrative fee. With members Priksat, Fitzgerald, Schuler, and Lammers voting "Aye", motion carried.

Following a motion by member Fitzgerald, second by member Priksat and vote, Mayor Robinson declared the CDA meeting adjourned at 7:18 p.m.

## **APRIL 16, 2018 CITY COUNCIL MINUTES**

A regular meeting of the City Council of the City of Fort Calhoun, Nebraska, was held in open and public session at 7:18 o'clock p.m., on Monday, April 16, 2018, at the Fort Calhoun City Hall, in Fort Calhoun, Nebraska.

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.

Notice of this meeting was also given to the Mayor and all Council Members. Availability of the agenda was communicated in the 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 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 Presiding Officer; 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 any discussion without the permission of the Presiding Officer. Remarks shall be limited to five minutes unless extended or limited and repetitive or cumulative remarks may be limited or excluded by the Presiding Officer.

Please note that the meeting minutes are not approved until the next regular City Council meeting.

On roll call, the following Council Members answered present: Bob Prieksat, Terry Fitzgerald, Nick Schuler, Lori Lammers.

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

The public hearing to consider THE ADOPTION OF A REDEVELOPMENT PLAN FOR SAID BLIGHTED AND SUBSTANDARD AREA opened at 7:19 p.m. With no written or public comments, the public hearing closed at 7:19 p.m.

Member Prieksat introduced Resolution No. 2018 – 3 Redevelopment Plan and moved for its passage and adoption. Motion seconded by Member Lammers. On roll call the following voted “Aye”: Fitzgerald, Schuler, Lammers, and Prieksat. The passage and adoption of said Resolution having been concurred by all members of the Council, the Mayor declared the Resolution adopted and, in the presence of the Council, signed and approved the Resolution and the Treasurer attested the passage and approval of the same and affixed her signature thereto:

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA, APPROVING A REDEVELOPMENT PLAN OF THE CITY OF FORT CALHOUN.**

**RECITALS**

A. Pursuant to Neb. Rev. Stat. § 18-2114, the Community Development Agency of the City of Fort Calhoun, Nebraska recommended that the City Council of the City of Fort Calhoun, Nebraska approve the 2018 General Redevelopment Plan for the City of Fort Calhoun (the “Redevelopment Plan”), a copy of which is on file and available for public inspection with the Fort Calhoun City Clerk.

B. On April 9, 2018, the Planning Commission of the City of Fort Calhoun, Nebraska reviewed the Redevelopment Plan and subsequently recommended that the Redevelopment Plan be adopted by the City Council for the City of Fort Calhoun, Nebraska.

C. On April 16, 2018, a Meeting of the City Council of the City of Fort Calhoun, Nebraska, was held in order to conduct a public hearing to determine whether the Redevelopment Plan should be approved.

D. The City Council of the City of Fort Calhoun reviewed and discussed the recommendation received from the Planning and Zoning Commission.

E. The City Council has duly considered all statements made and material submitted related to the submitted question.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Fort Calhoun, as follows:

1. The Redevelopment Area is, or will be, in need of redevelopment to remove blight and substandard conditions identified in the Blight and Substandard Study.

2. The Redevelopment Plan will, in accordance with the present and future needs of the City of Fort Calhoun, promote the health, safety, morals, order, convenience, prosperity, and the general welfare of the community in conformance with the legislative declarations and determinations set forth in the Act.
3. The Redevelopment Plan is in conformance with the general plan for development of the City as a whole, as set forth in the City of Fort Calhoun Comprehensive Plan.

BE IT RESOLVED, that pursuant to the provisions of the Act and in light of the findings in paragraphs 1 through 3 above, the City Council does hereby approve and adopt the Redevelopment Plan.

DATED this 16th day of April, 2018.

CITY OF FORT CALHOUN, NEBRASKA

Mayor

ATTEST

City Clerk

Member Fitzgerald made a motion seconded by Member Prieksat to approve the request to close Monroe Street from 12<sup>th</sup> to 11<sup>th</sup> and 11<sup>th</sup> Street from Monroe to Court for the Elementary Track and Field Day, Friday, May 4<sup>th</sup>. With members Schuler, Lammers, Fitzgerald, and Prieksat voting "Aye", motion carried.

Mayor Robinson made the following recommendation to appoint Jackie Henderson to the Enhancement Committee. Member Prieksat made a motion seconded by Member Lammers to approve the Mayor's appointment. With members Lammers, Fitzgerald, Prieksat, and Schuler voting "Aye", motion carried.

Mayor Robinson made the following recommendation to appoint Brook Bench to Park Board. Member Schuler made a motion seconded by Member Lammers to approve the Mayor's appointment. With members Fitzgerald, Schuler, Lammers and Prieksat voting "Aye", motion carried.

After the vote, Mayor Robinson stated for the record, the motion was made, seconded and carried for the council to go into closed session, necessary for the protection of the public interest, to discuss and update real estate negotiations at 7:22 p.m. Treasurer Katie Knight was invited to attend.

Mayor Robinson declared the meeting in open session at 7:46 p.m., with no action being taken.

Following a motion by member Fitzgerald, second by member Prieksat and vote, Mayor Robinson declared the meeting adjourned at 7:47 p.m.

Mitch Robinson, Mayor

ATTEST:

Katie Knight, City Treasurer