

MARCH 20, 2017 CC MINUTES

A regular meeting of the City Council of the City of Fort Calhoun, Nebraska, was held in open and public session at 7:01 o'clock p.m., on Monday, March 20th, 2017 in the City Council Chambers/Library at the 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.

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 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 into 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.

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

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

Member Prieksat made a motion seconded by Member Lammers to approve the amended February 20, 2017 City Council minutes as presented. With members Prieksat, Fitzgerald, Schuler and Lammers voting "Aye", motion carried.

Member Schuler made a motion seconded by Member Lammers to approve the March 6, 2017 *Special Meeting* minutes. With members Lammers, Prieksat, Schuler and Fitzgerald voting "Aye", the motion carried.

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

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

OPPD, 3,491.33 utl; MUD, 197.97, utl; Papio M-R NRD, 5033.56, water; Abe's Trash, 40.11, ser; Alicia Stevens, 211.68, reimb; Am. Broadband, 594.18, utl; Bomgaars, 255.56, sup; Carpenter Paper 229.52 sup, ser; Chase Bank 7,983.75 wires trans., City of Blair, 5,107.70, ser; Conoco 496.05 fuel, Data Tech 600.00 train., Enterprise Pub, 288.83, ser; Federated Ins., 3,365.96, hlth ins; Corban Helmandollar 11.09 reimb., sup; JEO Consulting, 15,628.75, ser; Eileen Justus 216.11 reimb., Kamb 60.00 pest ser., Keno 2,000 don., Liberty Mutual 1,475.00 bond, Lori Lammers 342.40 reimb., NE Sales Tax, 2069.02, tax; One Call Concepts, 34.02, ser; Postmaster, 116.16, sup; Quill, 162.45, sup; Simplex Grinnel 139.00, ser; SolutionOne, 199.19, sup; Sprint, 48.57, utl; Talbot & Truhlsen Law Offices, 1,704.06, Thiele Geotech 2,758.00 ser; VISA(Two Rivers), 501.09, sup; Wash. Co. Sheriff, 5426.57, exp;

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

Member Fitzgerald made a motion, seconded by member Schuler to accept.

The Washington County Sheriff's Office statistics for February 2017 were accepted unanimously.

Member Prieksat made a motion seconded by Member Lammers to accept the February 27, 2017 Enhancement minutes as presented. Mayor Robinson stated that some of the things that are included in the minutes will be decided upon later in the meeting. With members Fitzgerald, Schuler, Lammers and Prieksat voting "Aye", motion carried.

The February-March maintenance report was placed on file.

Presentation by American Broadband- Pam Adams, Shane Morris, Greg Premer and Mike Starzyk

Pam and Greg met with Deb Sutherland, City Coordinator about a month ago to discuss how service and future upgrade plans were going, we then decided to have ABB come and address the City Council to inform them of their progress and goals. Shane then took over the presentation and addressed the questions given to him by the Tele-com committee. The national trend is that people are getting rid of cable and using more streaming instead, which requires higher internet speeds. ABB surveyed customers about how much they would like to spend to get certain channels and services, so they can negotiate with the bigger companies. The last upgrade to the HUB/core infrastructure was in 2016 that upgraded Fort Calhoun to 10 gig, which increased the available speed to 25mbps, however you must have the newest modem and some customers may need to have your lines in your yard, and in the house checked, to receive it in some areas. ABB asks that if you experience any problems with your service to please contact their tech support team to resolve any issues. Fort Calhoun currently has gel filled copper lines. Fiber is being installed for new construction and eventually a plan to replace the original copper lines will be developed but there is no date set for the near future, estimated cost to put fiber throughout the town is two million.

Mayor Robinson opened the public hearing at 7:54 p.m.

In accordance with the published notice, it is now time to conduct the public hearing relative to hearing support, opposition, criticism, suggestions or observations relating to the adoption of the 2017 Fort Calhoun Comprehensive Plan; and to repeal the 2006 Fort Calhoun Comprehensive Plan

Written Comments- No written comment

Public Comments- Lammers questioned why housing prices were listed? And the terms affordable housing versus moderate priced were being used? Kevin with JEO pointed out that some of the information included in the 2017 Comprehensive Plan was data gathered from the public focus group meetings, so it is based off their perception and that was why it was included that way.

Closed the public hearing at 7:58 p.m.

City engineer Lucas Billesbach gave an update on the 2016 Water Systems Improvement, he anticipates a start date of the last week in May with a partial completion date of October 1, 2017, with total completion of November 1, 2017.

Lucas asked for approval of Pay Application No. 1 in the amount of \$40,742.64 to Husker Engineering for the 2016 West Market Square Park Improvements. There was some discussion of residents wanting to see a picture of the final project but for now there is not one available. Member Schuler asked if this would be ADA compliant and Lucas replied yes. Stanley Gage asked if they would be seeding the whole area, the answer was yes with matting, along with natural grasses. Member Prieksat made a motion seconded by Member Schuler to approve the pay application No. 1 as presented. With members Prieksat, Fitzgerald, Schuler and Lammers voting "Aye", motion carried.

Lucas stated that there were two bids for the 2016 Sanitary Sewer Rehabilitation Improvements project. He asked that council authorize the mayor and clerk to execute agreements for this project. Member Lammers made a motion seconded by Member Lammers to award the contract to Midlands Contracting Inc. in the amount of \$118,612.20. With members Schuler, Fitzgerald, Lammers and Prieksat voting "Aye", motion carried.

Lucas gave updates on the Washington St. and Cherry Hills Paving districts. He stated in Cherry Hills the driveway approaches will have an 8 foot back concrete approach abutting to an asphalt road and that the cul-de-sacs will be extended per City design standards. Sunset Dr. will be returned to a T-intersection, for safety reasons. He suggested that the Cherry Hills be 6-8-inch asphalt thickness to ensure the life span (20-30 years). He suggested Washington be 7-inch concrete thickness, along with curb and gutter per City standards to get the best life span possible for the roads. He requested the council recommend the thickness for each project so final plans can be finished and a date set for a bid letting sometime in April.

Representing Cherry Hills, Bryan Therkildsen and Dave Cronemiller gave opinions on why they felt 4-inch asphalt was sufficient thickness because that development is a dead end, not used as a thru street, so traffic is basically the residents that live there. Cronemiller pointed out information about Iowa, Wisconsin, Illinois, Minnesota, South Dakota have 3-inch minimum standard. Mayor and council appreciate that the Cherry Hills residents are paying for most initial paving cost of the road, but pointed out the recommendation from the Thiele Geotech study and that once the street is put in, the City becomes responsible for the maintenance of it and that is why the City should follow the engineer's recommendations for thickness. In the past, exceptions to the regulations have been made and the City residents then end up paying for substandard results.

Member Schuler made a motion seconded by Member Fitzgerald to recommend 6-inch asphalt for Cherry Hills and 7-inch concrete for Washington St. With members Schuler, Lammers, Prieksat and Fitzgerald voting "Aye", motion carried.

Mayor Robinson introduced the following ordinance entitled:

AN ORDINANCE OF THE CITY OF FORT CALHOUN, NEBRASKA TO ADOPT THE 2017 FORT CALHOUN COMPREHENSIVE PLAN; TO DECLARE A TIME WHEN THIS ORDINANCE SHALL TAKE FULL FORCE AND EFFECT, TO REPEAL THE 2006 FORT CALHOUN COMPREHENSIVE PLAN AND ALL ORDINANCES IN CONFLICT HEREWITH; AND TO PROVIDE AN EFFECTIVE DATE HEROF.

Member Fitzgerald moved that the statutory rule requiring an ordinance to be fully and distinctly read on three different days be suspended. Member Prieksat seconded the motion to suspend the rules and upon roll call vote, the following Members voted "Aye": Fitzgerald, Schuler, Lammers and Prieksat. The motion to suspend the rules was adopted by all the members elected to the City Council and the statutory rule was declared suspended for consideration of said Ordinance.

Thereupon said **Ordinance No. 722** was then read by title and Member Schuler moved for its final passage, which motion was seconded by Member Fitzgerald. The Mayor stated the question "Shall Ordinance No. 722 be passed and adopted?" Upon roll call, the following voted "Aye": Prieksat, Fitzgerald, Schuler and Lammers.

The passage and adoption of said Ordinance having been concurred in by most all the members of the 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.

Dates for Annual Spring Clean-Up providing Dumpsters at the City Shop: Saturday, April 8 through Sunday, April 23
Note, FCFD Fire Chief Dan Mallory will allow Open Burning with a **BURN PERMIT** during this time. A new program was introduced by the enhancement committee, called Curb Alert which will be on the first weekend April 8th and 9th. Lammers explained the details, you can put out "stuff" you don't want, for others to pick up, thus eliminating dumpster diving. After Sunday night, you are responsible for either taking it back inside or to the dumpster for disposal. This is the first time we will try this program and see how it works!

Member Prieksat made a motion seconded by Member Lammers to approve the dates of the Annual Spring Cleanup and the Enhancement Committee City Wide cleanup day. With members Fitzgerald, Schuler, Lammers and Prieksat voting "Aye", motion carried.

Lammers explained the details of the City Wide cleanup day. It will be held on Saturday, April 22 starting at 9am. Volunteers should bring gloves, rakes, and meet the enhancement committee volunteers at City Hall. Greg Premer with ABB suggested that maybe ABB could set up an electronic recycling that day, he will be contacting the enhancement committee with confirmation. Lammers stressed that volunteers are NEEDED and expressed what a difference half a day can make around town! Taking care of your main street and parks.

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

The Council now went into closed session to address and discuss upcoming negotiations for the City Maintenance Building
Time: 8:42 p.m.

Return to Open Session, Time: 9:12 p.m.

Action Taken during Closed Session about the upcoming negotiations for the City Maintenance Building.

Member Fitzgerald made a motion seconded by Member Prieksat to approve the voluntary acquisition letter to include proposed address of the building. With members Fitzgerald, Schuler, Lammers and Prieksat voting "Aye", motion carried. Mayor Robinson appointed Prieksat and Fitzgerald to the building committee.

Following a motion by Member Fitzgerald, seconded by Member Prieksat and unanimous vote, Mayor Robinson declared the meeting adjourned at 9:16 p.m.

Mitch Robinson, Mayor

ATTEST:

Deb Sutherland, City Coordinator