

City of Fort Calhoun

August 17, 2015

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 Monday, August 17, 2015 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: Randy Magill, Bob Prieksat, Dave Romans and Nick Schuler.

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

Member Romans made a motion seconded by Member Magill to approve the July 20 and the August 13, 2015 minutes as presented. With members Prieksat, Romans, Schuler and Magill voting "Aye", motion carried.

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

Member Romans made a motion seconded by Member Magill to approve the following bills for payment:

OPPD, 3,391.87, utl; MUD, 84.00, utl; Papio M-R NRD, 7,447.33, water; Abe's Trash, 100.86, ser; Am. Broadband, 586.96, A. P. Plumbing, 150.00, ser; Blair Garden Center, 204.00, sup; Bomgaars, 387.22, sup; Brodkey, Peebles, Belmont, 810.00, ser; City of Blair, 3,643.53, ser; Commonwealth Elec, 3,674.07, ser; Conoco Fleet, 585.83, fuel; Daktronics, Inc., 10,424.00; equip; DTTC/Chase Bank, 6,317.50, principal & int; Enterprise Publishing, 112.90, pub;

Federated Ins., 2,694.09, hlth ins; Home Depot, 151.63, sup; JEO Consulting, 262.50, ser; John Deere, 3,157.03, rpr; JM Web Designs, 2,625.00, ser; Loveland, 73.75, sup; Maid/USA, 120.00, ser; Martin Marietta, 256.26, rock; Marvin Planning, 1,475.00, ser; Menards, 160.00, sup; NE Dept. Rev., 2,339.93, sales tax; One Call Concepts, 77.05, ser; PC Services, 116.00, ser; Postmaster, 140.08, postage; Quality Pest, 60.00, ser; S. E. Smith, 41.45, sup; Shaw Hull & Navarrette, 1,658.00, ser; SolutionOne, 86.71, sup; Sprint, 48.87, ser; Thiele Geotech, 4,245.00 ser; VISA (Two Rivers), 336.78, postage, sup; L. Lammers, 101.25, sup; J. Janacek, 76.02, sup; P. Janacek, 1,000.00, misc.; My Independence Day, 500.00, misc.; Wash. Co. Reg. Deeds, 22.00, fee; Wash. Co. Sheriff, 5,428.86, contract; Wash. Co. Treas., 3,175.83, tax; ; July Payroll, 14,387.32. With members Schuler, Magill, Prieksat and Romans voting "Aye", motion carried.

The Washington County Sheriff's Office statistics for July 2015 were accepted unanimously.

Member Romans made a motion seconded by Member Magill to accept the August 3, 2015 Planning Commission meeting minutes as presented. With members Prieksat, Romans, Schuler and Magill voting "Aye", motion carried.

Member Magill made a motion seconded by Member Romans to accept the July 27, 2015 Enhancement Committee minutes as presented. Following comments about low participation in the Farmers Market, members Romans, Schuler, Magill and Prieksat voted "Aye", motion carried.

Member Romans made a motion seconded by Member Magill to accept the August 6, 2015 Park Board meeting minutes as presented. With members Schuler, Magill, Prieksat and Romans voting "Aye", motion carried. Member Schuler announced plans provided by Jeannie Knight for a 32' gazebo have been received – material bids will be forth coming.

Member Romans made a motion seconded by Member Magill to accept the August 11, 2015 Christmas in Calhoun meeting minutes as presented. With members Prieksat, Romans, Schuler and Magill voting "Aye", motion carried. Lori Lammers stated things are shaping up nicely.

The maintenance report was placed on file.

The maintenance building committee had no report.

City engineer, Lucas Billesbach, PE, JEO Consulting Group, Inc. gave an overview: of the progress to date on the 2015 Asphalt Overlay improvements – STR-201 (Task Order No. 121216.05)

Member Romans made a motion seconded by Member Prieksat to approve Pay Application No. 1 from Cedar Construction for STR- 201, 2015 Asphalt Overlay Improvements, \$356,589.15. With members Romans, Schuler, Magill and Prieksat voting "Aye", motion carried.

The JEO Interns assigned to Task Order No. 131216.08 this summer, presented their work on proposed plans for West Market Square Park, improving the topography and appearance of

the park, addressing some ADA issues by removing the bridge as well as replacing the degrading drainage structure under 15<sup>th</sup> Street. The presentation also included the Opinion of Construction Cost. Council complimented and thanked the interns for their work. No action to be taken at this time.

Member Romans made a motion seconded by Member Schuler to approve the revised draft of the Fort Calhoun Strategic Plan (Task Order No. 131216.07), aka the 2015 Vision Implementation Plan. With members Schuler, Magill, Prieksat and Romans voting "Aye", motion carried.

Member Magill made a motion seconded by Member Romans to approve the Master Services Agreement for Professional Services with JEO Consulting Group, Inc for planning services. With members Magill, Prieksat, Romans and Schuler voting "Aye", motion carried.

Member Romans made a motion seconded by Member Magill to approve Task Order No. 151046.01 for the update of the City's Comprehensive Plan, with the project kick off late this year or early 2016, for the lump sum of \$32,000.00. With members Prieksat, Romans, Schuler and Magill voting "Aye", motion carried.

A Special/Budget Work meeting was scheduled for Thursday, August 27, 2015 at 5:00 p.m. to be held at the City Hall. The meeting is open to the public.

Member Romans introduced the following Ordinance entitled:

THIS IS AN ORDINANCE GRANTING A NON-EXCLUSIVE FRANCHISE TO HUNTEL CABLEVISION, INC., A NEBRASKA CORPORATION, ITS SUCCESSORS AND ASSIGNS TO OPERATE, AND MAINTAIN A CABLE TELEVISION SYSTEM IN THE CITY OF FORT CALHOUN NEBRASKA, SETTING FORTH CONDITIONS ACCOMPANYING THE GRANT OF THE FRANCHISE PROVIDING FOR CITY REGULATION AND USE OF THE CABLE TELEVISION SYSTEM, REPEALING ALL ORDINANCES OR PART OF ORDINANCE IN CONFLICT HEREWITH, AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT

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

Thereupon said **Ordinance No. 705** was then read by title and Council Member Romans moved for its final passage, which motion was seconded by Council Member Magill. The Mayor stated the question "Shall **Ordinance No. 705** be passed and adopted?" Upon roll call, the following voted "Aye": Magill, Prieksat, Romans and Schuler.

The passage and adoption of said Ordinance having been concurred in by a majority of 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 no Member Romans introduced the following Ordinance entitled:

Member Romans introduced **Resolution No. 2015-7** and moved for its passage and adoption. Motion seconded by Member Magill. On roll call the following voted "Aye": Prieksat, Romans, Schuler and Magill. The passage and adoption of said Resolution having been concurred by a majority of all members of the Council, the Mayor declared the Resolution adopted and the Mayor, in the 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.

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA, THAT CHAPTER 4, RECRUITMENT AND SELECTION, BE AMMENDED AS ATTACHED, ADOPTED, AND INCLUDED IN THE FORT CALHOUN PERSONNEL MANUAL; THEREFORE, ADOPTING THE DOCUMENT AS THE FULLY REVISED PERSONNEL MANUAL AS OF THIS DATE.

BE IT FURTHER RESOLVED THAT A COPY OF SAID REVISED MANUAL BE FILED IN THE CITY OFFICE AND COPIES PROVIDED TO CURRENT AND FUTURE CITY EMPLOYEES.

ADOPTED THIS 17<sup>th</sup> DAY OF AUGUST, 2015

MITCH ROBINSON, MAYOR

ATTEST:

LINDA WELSHER, CMC, CITY CLERK

Member Romans made a motion seconded by Member Magill to approve the Water Department's request to purchase a HURCO SD 800 BOOM W/Standard Head and Valve wrench for \$9,149.22 and a Spin Doctor 14HP Electric Start Power Pack for \$4,450.78 from HD Supply Waterworks, LTD. Following discussion of the other two bids, member Romans, Schuler, Magill and Prieksat voted "Aye", motion carried.

Member Romans made a motion seconded by Member Magill to give local approval on the Nebraska Liquor Control Commission Manager Application for Jane E. Goodin in connection with the Taylor Quik-Pik located at 211 North 14<sup>th</sup> Street in Fort Calhoun. With members Schuler, Magill, Prieksat and Romans voting "Aye", motion carried.

Discussion was tabled on the renewal of the contract with Nebraska Sweeping, Inc. for an additional five years for Annual Street cleaning, to the next meeting.

Discussion was tabled on the request to use Lottery Funds to purchase Christmas Lights from Brite Ideas Decorating Inc. for Town Center to a special work meeting for the budget, in order to verify information.

Member Magill made a motion seconded by Member Prieksat to approve the revised Interlocal agreement with Washington County for the issuance and processing of building related permits and inspections. Following discussion and clarifications, members Prieksat, Romans, Schuler and Magill voted "Aye", motion carried.

Public Comments: A "Consent Agenda" will be implemented next month.

Future Agenda Items: Consider agreement with the Friends of the Jeanette Hunt Animal Shelter for impound services.

Member Romans made a motion seconded by Member Magill to go into closed session, necessary for the protection of the public interest; to have an informational session on litigation filed against the PMR-NRD and to discuss land acquisition and/or sale of city owned property. With members Romans, Schuler, Magill 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 conduct an informational session on litigation filed against the PMR-NRD and to discuss land acquisition and/or sale of city owned property, declared the meeting in closed session at 8:47 p.m., allowing Linda Welsher, City Clerk/Treasurer to sit in.

Mayor Robinson declared the meeting in open session at 9:15 p.m.

With no action being necessary, the meeting adjourned at 9:15 p.m.

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Mitch Robinson, Mayor

ATTEST:

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Linda Welsher, CMC, City Clerk