

APRIL 15, 2019 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, April 15, 2018 at the Fort Calhoun Council Chambers, 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: Lori Lammers, Bob Prieksat, and Nick Schuler. Member Terry Fitzgerald was absent.

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

Member Prieksat made a motion seconded by member Lammers to approve the consent agenda as presented. With members Schuler, Lammers, and Prieksat voting "Aye", motion carried.

(The consent agenda included: March 18, 2019 City Council minutes; March Treasurers Report; April 1, 2019 Enhancement Committee minutes; April 1, 2019 Planning Commission; Maintenance Report.)

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

OPPD, 3884.56, utl; MUD, 373.17, utl; Papio M-R NRD, 4468.09, water; Abe's Trash Service, 110.70, ser; Aflac, 241.44, ben; Alicia Koziol, 226.20, reimb; Am. Broadband, 541.63, utl; Andy's Mow Town, 164.86, ser; Cappel Auto Supply, 47.65, sup; City of Blair, 6182.73, ser; Conoco Fleet, 398.96, ser; Crown Trophy, 61.40, ser; Deb Sutherland, 33.99, reimb; Enterprise Media, 211.90, ser; Fastenal Company, 137.15, sup; Henton Trenching, 3334.85, ser; JEO Consulting, 13065.00, ser; Johnson Controls, 135.00, ser; Martin Marietta, 4848.49, sup; NE Public Health Env Lab, 500.00, test; NE Planning/Zoning, 380.00, conf; NE Sales Tax, 2804.11, tax; One Call, 25.55, ser; Postmaster, 141.75, ser; Talbot Law Office, 787.50, ser; Two Rivers Bank, 5086.52, loan; United Healthcare, 7530.42, ins; Verizon, 611.92, exp; VISA(Two Rivers), 2626.71, sup; Washington County Sheriff, 5660.72, ser; Washington County Roads, 600.00, sup; Washington County Treasurer, 3752.05, tax;

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

Member Prieksat made a motion seconded by member Schuler to approve the Washington County Sheriff's Office statistics for October 2018. With members Lammers, Prieksat, and Schuler voting "Aye", motion carried.

The public hearing to consider A CONCURRENT REPLAT OF LOTS 7-11 BLOCK 72 & SOUTH HALF OF THE VACATED ALLEY ADJOINING ON THE NORTH, OF CALHOUN CITY COMPANY'S ADDITION, CITY OF FORT CALHOUN, WASHINGTON COUNTY NEBRASKA opened at 7:05 p.m. There were no written or public comments. The public hearing closed at 7:06 p.m.

The public hearing to consider THE SUBDIVISION REGULATIONS TO SECTION 1.04-DEFINITIONS, SECTION 2.07-ZONING PERMIT, AND SECTION 3.01-PROCEDURES FOR FILING A PRE-APPLICATION PLAN AND DATA opened at 7:06 p.m. There were no written or public comments. The public hearing closed at 7:06 p.m.

The public hearing to consider ZONING ORDINANCE REVISIONS TO SECTION 2.03-DEFINITIONS AND SECTION 4.06-LOT opened at 7:07 p.m. City Engineer, Lucas Billesbach, discussed the proposed revisions. He discussed a grandfather clause which would mean that anyone who has a lot that is accessed through private easement would need to prove they have a filed easement prior to the date of the adoption of this ordinance and they would need to sign a deed restriction, acknowledging emergency services may not be available to them because they have not granted public use of their access. The deed restriction would also not allow them to subdivide their property through administrative or survey processes, but that can replat their property, following subdivision regulations. These revisions are meant to recognize lots that are outstanding, but not create more of those situations in the future. Lucas explained that if the county didn't want to approve/inspect permits that are not accessed from a public road, the city could privately contract with another company to approve and inspect for those specific lots that are accessed from a private easement. The public hearing closed at 7:48 p.m.

Member Prieksat made a motion seconded by member Lammers to approve the request from Sean Lewis for a SDL at The Fort Bar from 6:00 a.m. – 2:00 a.m. for a smoke-off on June 1st. Sean said they might have a band in the evening. With members Schuler, Lammers, and Prieksat voting "Aye", motion carried.

Bob Prieksat spoke on behalf of C.E.M. Shaner Farms LLC regarding the length of term for the current farm lease (5 years vs 1 year). He explained that they were wanting to plant alfalfa but didn't want to spend the money for just a one-year lease, since alfalfa can be expensive. City Attorney, Edmond Talbot, said they could write up a two-year term lease that is then renewed annually. The new lease agreement will be reviewed and approved at the next council meeting.

Member Prieksat made a motion seconded by member Schuler to approve the Adams Street Watermain Extension project and authorized JEO to obtain quotes. The project will be a cost-share with the catholic church. It would be one block in length. The main will run from the east side of 13th and connect to the main on the west side of 12th street. The City's portion will be around \$18,000. With members Prieksat, Schuler, and Lammers voting "Aye", motion carried.

Member Prieksat made a motion seconded by member Schuler to authorize the submittal of the Adams Street Watermain Extension project plans to the Nebraska Department of Health and Human Services to obtain a construction permit and for the clerk to pay the submittal fee of \$224.15. With members Lammers, Prieksat, and Schuler voting "Aye", motion carried.

City Engineer, Lucas Billesbach, gave an update on Bett's Circle Drainage project. They should be starting soon and don't expect anymore delays.

City Engineer gave an update on the Maintenance Building Demolition project. The contractor plans to start the week of April 22nd.

Member Prieksat introduced Resolution No. 2019 – 2 Accepting Replat-Calhoun City Company's Addition and moved for its passage and adoption. Motion seconded by Member Schuler. On roll call the following voted "Aye": Schuler, Lammers, and Fitzgerald. The passage and adoption of said Resolution having been concurred by most of all members of the Council, the Council President declared the Resolution adopted and, 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 that the replat for the property legally described as lots 7-11 block 72 & south half of the vacated alley adjoining on the north, of Calhoun City Company's Addition, City of Fort Calhoun, Washington county, Nebraska, is hereby approved.

Passed this 15th day of April 2019.

Alicia Koziol
City Clerk

CITY OF FORT CALHOUN, NEBRASKA
Mitch Robinson, Mayor

Member Prieksat made a motion to introduce the following ordinance entitled:

AN ORDINANCE OF THE CITY OF FORT CALHOUN, NEBRASKA, TO AMEND SECTIONS OF THE FORT CALHOUN SUBDIVISION REGULATIONS INCLUDING ARTICLE 1 SECTION 1.04 DEFINITIONS; AND ARTICLE 2 SECTION 2.07 ZONING PERMIT; ARTICLE 3 SECTION 3.01 PROCEDURES FOR FILING A PRE-APPLICATION PLAN AND DATA; TO REPEAL ANY AND ALL ORDINANCES IN CONFLICT HEREWITH; AND TO PROVIDE AN EFFECTIVE DATE.

Motion died due to lack of second.

Member Prieksat made a motion to introduce the following ordinance entitled:

AN ORDINANCE OF THE CITY OF FORT CALHOUN, NEBRASKA, TO AMEND SECTIONS OF THE FORT CALHOUN ZONING ORDINANCE INCLUDING ARTICLE 2 SECTION 2.03 DEFINITIONS; AND ARTICLE 4 SECTION 4.06 LOT; TO REPEAL ANY AND ALL ORDINANCES IN CONFLICT HEREWITH; AND TO PROVIDE AN EFFECTIVE DATE.

Motion died due to lack of second.

Member Prieksat made a motion seconded by member Schuler to approve the recommendation to hire Tim Nelson for the Maintenance Tech employee position. With members Schuler, Lammers, and Prieksat voting "Aye", motion carried.

Member Schuler made a motion seconded by member Prieksat to approve \$2,500 in Keno Funds for Enhancement Committee's request to purchase Bike Racks. With members Prieksat, Schuler, and Lammers voting "Aye", motion carried.

Member Prieksat made a motion seconded by member Schuler to approve the purchase of Bobcat E35 Compact Excavator for \$39,423.00 (based off Nebraska state contract #14660). Corban Helmandollar, Maintenance Supervisor, explained they have a lot of ditch work to do this year, and in the upcoming years, and that renting a machine is difficult because they don't know at the time if they will be able to do the work the week they have it rented so that's why it's a better option to purchase. With members Lammers, Prieksat, and Schuler voting "Aye", motion carried.

Council discussed out of town teams using the ballfields and fees for those teams. Mayor Robinson asked Corban to put a sign at the fields stating "Field for Scheduled Use Only". The Park Board to discuss field use and fees.

Council discussed the Triple Crown Sports Agreement for tournaments scheduled June 13-27, 2019; June 11-25, 2020 and June 17- July 1, 2021. Corban discussed the cost of overtime to prep the fields for these games and lock up after. He calculated between \$1000-\$1500 in overtime. He doesn't see how they could break even, even by charging Triple Crown more. Member Schuler made a motion seconded by member Prieksat to approve the agreement for one year (2019 season) and \$100 per game. With members Schuler, Lammers, and Prieksat voting "Aye", motion carried.

Presentation and possible action regarding JDW Municipal Code Consulting Services was tabled.

Council discussed the Interlocal Agreement between the City and Washington County Planning & Zoning. Member Prieksat made a motion seconded by member Schuler to approve the agreement with modifications. The two modifications are: 1.) If any fees have been received by the County, they will be returned to Fort Calhoun if the County is not providing building-related permits 2.) The agreement will begin on the date both entities have signed the Interlocal Agreement. With members Prieksat, Schuler, and Lammers voting "Aye", motion carried.

Following a motion by Prieksat, second by Lammers and vote, Mayor Robinson declared the meeting adjourned at 8:38 p.m.

Mitch Robinson, Mayor

ATTEST:
Alicia Koziol, City Clerk