

DECEMBER 17, 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 7:01 o'clock p.m., on Monday, December 17, 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 excused.

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

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

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

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

OPPD, 3326.97, utl; MUD, 466.89, utl; Papio M-R NRD, 4837.75, water; Abe's Trash Service, 110.70, ser; Access Systems, 500.00, ser; Access Systems Leasing, 213.44, sup; Advantage Lawn Care, 152.00, sup; Aflac, 241.44, ben; All Makes, 4662.23, ser; Am. Broadband, 506.76, utl; Ace Hardware, 103.49, sup; BOK Financial, 4043.75, wire; Bomgaars, 277.00, sup; Brian's Tree Service, 275.00, ser; Chase Bank, 3412.50, wire; City of Blair, 8772.98, ser; Connie's Bakery, 69.90, CinC; Conoco Fleet, 476.44, ser; Core & Main, 544.17, sup; Deb Sutherland, 169.06, reimb; Enterprise Media, 249.30, ser; Fastenal Company, 377.00, sup; IIMC, 170.00, annual; JDS Services Inc, 918.92, ser; Jensen Shires, 700.00, CinC; JEO Consulting, 10851.00, ser; JM Web Designs, 25.95, annual; Liberty Mutual, 1475.00, bond; Longhorn Bar, 600.00, CinC; Menards, 125.88, sup; NE Public Health Env Lab, 15.00, test; Nebraska DEQ, 15350.61, princ; NE Sales Tax, 2353.14, tax Pam Filmer, 44.93, CinC; Quality Pest Control, 62.50, ser; Quill, 171.00, sup; SE Smith, 91.56, sup; Security Controls Inc, 68.00, sup; Talbot Law Office, 843.50, ser; United Healthcare, 6721.22, ins; Verizon, 159.34, exp; VISA(Two Rivers), 756.99, sup; Washington County Sheriff, 5760.72, ser; Washington County Reg of Deeds, 166.00, ser; Washington County Roads, 600.00, sup; Welchert Woodworking, 61083.26, ser;

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.

Member Prieksat made a motion seconded by member Schuler to approve the December 3, 2018 Planning Commission minutes. With members Schuler, Lammers, and Prieksat voting "Aye", motion carried.

Member Schuler made a motion seconded by member Lammers to approve the November 26, 2018 Enhancement Committee minutes. With members Schuler, Lammers, and Prieksat voting "Aye", motion carried.

Member Prieksat made a motion seconded by member Schuler to approve the November 27, 2018 Board of Adjustment minutes. With members Prieksat, Schuler, and Lammers voting "Aye", motion carried.

Member Lammers made a motion seconded by member Prieksat to approve the November 13, 2018 Christmas in Calhoun minutes. With members Lammers, Prieksat, and Schuler voting "Aye", motion carried.

Member Schuler made a motion seconded by member Lammers to approve the November 27, 2018 Christmas in Calhoun minutes. With members Schuler, Lammers, and Prieksat voting "Aye", motion carried.

The November-December maintenance report was placed on file.

The public hearing to consider ZONING ORDINANCE REVISIONS TO SECTION 2 – DEFINITIONS AND SECTION 4 – GENERAL PROVISIONS opened at 7:06 p.m. There were no written or public comments. The public hearing closed at 7:08 p.m.

Mayor Robinson stated they will acknowledge the winners of the Enhancement Committee's 2018 Christmas Light Contest. Amanda Schrum announced the winners: \$100 – Mike & Kim Szlachetka Residence, 1610 Clay St; \$75 – Ron & Gloria Penas, 309 S. 16th St; \$50.00 – Donald & Jean Welchert Residence, 1614 Windsor Way. Honorable mentions: Anderson Residence, 1302 Monroe St; Smith Residence, 123 S 10th St; and Gage Residence, 301 N 10th Ave.

Member Prieksat made a motion seconded by member Lammers to approve the request for Keno funds to purchase Christmas decorations for the park and the entrances of town: two toy soldiers and one large display. Mayor Robinson stated by doing this, it will hopefully be a Christmas lights destination for people to stop. The City would also like to offer the opportunity in the future, to businesses to sponsor additional displays of their choice, with their name attached. With members Schuler, Lammers, and Prieksat voting "Aye", motion carried. Several public comments were made in favor of this idea.

Ken Halvorsen with NeRWA gave an update on the annual audit conducted by the system for the SRF loan the City received.

FCYSO wrestling request for \$300 in Keno funds was tabled until next month's meeting.

Steve Parr, Street Superintendent with JEO gave an update and answered questions on the 1&6 Year Road Plan. He pointed out the Clay St. from 14th -9th St. project, trail/sidewalk plan if the City receives the grant for the trail extension and the possible paving of the ballfield road were added.

Mayor Robinson introduced Resolution No. 2018-14 and member Prieksat moved for its passage and adoption. Motion seconded by member Schuler. On roll call the following voted "Aye": Schuler, Lammers, and Prieksat. 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:

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA, REGARDING THE ASSESSMENTS IN STREET IMPROVEMENT DISTRICTS NO. 2016-1 AND 2016-2, IN THE CITY OF FORT CALHOUN, NEBRASKA.

WHEREAS, Notice has been published as provided by law concerning the levy of special assessments in Street Improvement District Nos. 2016-1 and 2016-2, in the Pilot Tribune, a newspaper of general circulation in the City, on July 17, 2018, July 24, 2018, July 31, 2018, August 7, 2018, and August 14, 2018, and a copy of said Notice has been mailed to all resident and nonresident owners of property in said Districts as provided by law, and

WHEREAS, a hearing has been conducted as provided by law relative to the levy of special assessments in said Districts proposed to be levied against said lots and parcels of ground on account of the construction of the improvements hereinbefore described;

WHEREAS, a hearing was held regarding the assessments noted above for the Fort Calhoun cemetery district, and following the public hearing the City Council approves that the City shall pay the assessment for the Fort Calhoun cemetery District;

NOW BE IT RESOLVED, BY THE MAYOR AND COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA, that the special assessments are adjusted as follows: the assessment presented to the Fort Calhoun Cemetery District shall be paid by the City of Fort Calhoun.

PASSED AND APPROVED this 17th day of December 2018.

CITY OF FORT CALHOUN, NEBRASKA
Mitch Robinson, Mayor

ATTEST:

Alicia Koziol, City Clerk

Mayor Robinson introduced the following ordinance entitled:

AN ORDINANCE OF THE CITY OF FORT CALHOUN, NEBRASKA, AMENDING SECTION 8-110 OF THE FORT CALHOUN MUNICIPAL CODE (ORDINANCE NO. 545, May 16, 2005) ADOPTING BY REFERENCE AS OFFICIAL OPERATIVE CODES OF THE MUNICIPALITY THE INTERNATIONAL BUILDING CODES, IN THEIR PRESENT FORM AND AS THEY MAY HEREAFTER BE AMENDED; TO RETAIN CERTAIN OTHER PUBLICATIONS AS OFFICIAL CODES; TO REPEAL ORIGINAL SECTION 8-110 AND ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE FOR SEVERABILITY AND A SAVING PROVISION; AND TO PROVIDE WHEN THIS ORDINANCE SHALL BE FULLY EFFECTIVE.

Thereupon said Ordinance No. 737 was then read by title and Member Schuler moved for its final passage, which motion was seconded by Member Prieksat. The Mayor stated the question "Shall Ordinance No. 737 be passed and adopted?" Upon roll call, the following voted "Aye": Schuler, Lammers, and Prieksat.

Mayor Robinson introduced the following ordinance entitled:

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

Member Prieksat moved that the statutory rule requiring an ordinance to be fully and distinctly read on three different days be suspended. Member Schuler seconded the motion to suspend the rules and upon roll call vote, the following Members voted "Aye": Prieksat, Schuler, and Lammers. 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. 740 was then read by title and Member Prieksat moved for its final passage, which motion was seconded by Member Schuler. The Mayor stated the question "Shall Ordinance No. 740 be passed and adopted?" Upon roll call, the following voted "Aye": Lammers, Prieksat, and Schuler.

Meeting adjourned Sine Die at 7:40 pm.

Edmond Talbot, City Attorney administered the oath of office to Mayor, Mitch Robinson.

Mitch Robinson, Fort Calhoun Mayor administered the oath of office to Bob Prieksat and Nick Schuler.

Roll call was taken, present were Schuler, Lammers and Prieksat.

Meeting called back into session at 7:45pm.

Member Lammers made a motion, second by Schuler to elect Bob Prieksat as City Council President. With members Schuler and Lammers voting "Aye", motion carried.

Council approved the Mayors recommendation for the 2019 appointments:

The commissioner appointments were tabled until next month.

Mayors Robinson made the following recommendations for the 2019 appointments: City Clerk-Alicia Koziol; Treasurer-Katie Knight; City Attorney-Edmond E. Talbot III; City Engineer, Lucas Billesbach, PE, JEO Consulting Group, Inc.; Street Superintendent: Steve Parr, Principal, JEO Consulting Group, Inc.; Member Prieksat made a motion, second by Schuler. With members Prieksat, Schuler and Lammers voting "Aye", motion carried.

Planning Commission: Nate Dougherty (2019-2021); Board of Adjustment: Eric Herbert, Tim Oelke, Paul Oestmann, Mike Robinson, Dave Romans (2019-2021); Park Board: Kris Richardson, Brook Bench (2019-2021); Enhancement Committee: Coleene Robinson, Cheri Oelke, Jean Welchert (2019-2021)

Future agenda items:

**Consent agenda*

**Potentially look into getting a new service provider in town*

**What to do with the 30 plus acres of farm ground down by the wastewater plant*

Following a motion by Prieksat, second by Lammers and vote, Mayor Robinson declared the meeting adjourned at 7:50 p.m.

Mitch Robinson, Mayor

ATTEST:

Deb Sutherland, City Coordinator