

DECEMBER 19, 2016 CC MINUTES

A regular meeting of the City Council of the City of Fort Calhoun, Nebraska, was held in open and public session at 7:03 o'clock p.m., on Monday, December 19th, 2016 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: Dave Romans, Nick Schuler and Bob Prieksat. Randy Magill was not present.

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

The November 21, 2016 minutes were tabled until next month to make a correction.

Member Romans made a motion seconded by Member Schuler to approve the November 28, 2016 *Special Meeting* minutes. With members Prieksat, Romans and Schuler voting "Aye", the motion carried.

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

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

OPPD, 3234.36 utl; MUD, 139.56, utl; Papio M-R NRD, 4870.69, water; Abe's Trash, 40.01, ser; Am. Broadband, 602.37, utl; Caterpillar Financial Srv, 3600.00, equip; Chase Bank, 4065.00, bond; Christenson Lumber Inc, 1549.19, sup; City of Blair, 6143.26, ser; Coleene Robinson, 185.93, reimb; Conoco Fleet, 160.68, sup; Cummins Central Power, 573.22, ser; Data Technologies Inc, 5064.35, fee; Eileen Justus, 11.21, reimb; EMC Insurance, 25938.00, ins; Enterprise Pub, 692.37, ser; Federated Ins., 2946.05, hlth ins; Frosty Pines, 120.00, sup; Hipnar Electric, 1961.44, ser; Jeanne Knight, 600.00, sup; JEO Consulting, 13632.00, ser; JM Web Design, 25.95, fee; Lorraine Lammers, 44.94, reimb; Midwest Coatings Company, 5000.00, ser; Municipal Supply Inc, 743.90, sup; NE Sales Tax, 4569.45, tax; One Call Concepts, 49.92, ser; Kamb & C Enterprises, 60.00, ser; SE Smith, 38.22, sup; The Sign Depot, 45.45, ser; Sprint, 48.67, utl; Talbot & Truhlsen Law Offices, 787.50, ser; Utilities Service Group, 19974.60, ser; VISA(Two Rivers), 1178.67, sup; Wash. Co. Sheriff, 5426.57, exp; Washington Co Roads, 300.00, sup; Welchert Woodworking, 2105.53, ser;

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

The Washington County Sheriff's Office statistics for November 2016 were accepted unanimously. Sheriff Robinson stated that Christmas in Calhoun went very well and the Fun Run went great.

Member Romans made a motion seconded by Member Schuler to accept the November 7, 2016 Planning Commission minutes as presented. With members Schuler, Prieksat and Romans voting "Aye", motion carried.

Member Romans made a motion seconded by Member Schuler to accept the November 14, 2016 Planning Commission *Special Meeting* minutes as presented. With members Schuler, Prieksat and Romans voting "Aye", motion carried.

Member Romans made a motion seconded by Member Schuler to accept the November 28, 2016 Enhancement Committee minutes as presented. With members Romans, Schuler and Prieksat voting "Aye", motion carried.

Member Romans made a motion seconded by Member Schuler to accept the November 29, 2016 Christmas in Calhoun minutes as presented. With members Schuler, Prieksat and Romans voting "Aye", motion carried.

The maintenance report was placed on file.

Public Hearings: None

Dan Mussack, with the Cosmopolitan Club, requested approval of a Special Designated Liquor License for the Wild Game Feed on February 24, 2017 at Schwertly Hall from 5:00-9:00 pm. The Game Feed is a charity event for diabetes research, education, and support. Member Romans made a motion seconded by Schuler to approve the request. With Members Prieksat, Romans and Schuler voting "Aye", the motion carried.

Lynne Kohout with the Nebraska Department of Economic Development presented a Leadership Certified Community award. The award will help the city to successfully move forward in today's economy.

Lisa Scheve, Executive Director with Gateway Development Corporation gave an update on the third quarter report.

RL Grinnell Corporation requested a credit to their account for sewer consumption. They asked that the account be credited for September (\$238.28) and October (\$367.82). The company put down sod causing their water and sewer consumption to be very high. The sewer consumption is based off the water consumption each month for commercial accounts. Member Prieksat made a motion seconded by member Schuler to credit the account. With Members Prieksat, Romans and Schuler voting "Aye", motion carried.

City Engineer, Lucas Billesbach asked the council to consider the bids and authorize the Mayor and Clerk to execute a contract for the 2016 Water System Improvements to Nelson Construction of Lyons, Nebraska in the amount of \$352,435.24 for the base bid and \$11,000.00 for the alternate. Engineering fees are not included in the bid. Member Prieksat made a motion seconded by Member Schuler to approve bids with the alternates and authorize the Mayor and Clerk to execute a contract. With Members Romans, Schuler and Prieksat voting "Aye", motion carried.

City Engineer, Lucas Billesbach asked the council to consider the bids and authorize the Mayor and Clerk to execute a contract for the 2016 West Market Square Park Improvements to Husker Engineering of Burwell, Nebraska in the amount of \$79,900.80 for the base bid, \$900.00 for Alternate Item No. 1, \$276.00 for Alternate Item No. 2, and \$3,680.00 for Alternate Item No. 3. Member Schuler made a motion seconded by member Prieksat to approve the bid with all three alternates. With members Schuler, Prieksat and Romans voting "Aye", motion carried.

City Engineer, Lucas Billesbach asked the council to consider and approve a contract with Thiele Geotech in the amount of \$2,758.00 (Cherry Hills: \$1,228 and Washington Street: \$1,530) to perform a geotechnical engineering evaluation of the subgrades for the Cherry Hills paving project and the Washington Street paving project. The company will do a soil analysis to determine the grading that needs to be done before paving/asphalting. Member Prieksat made a motion seconded by Member Schuler to approve the contract. With Members Prieksat, Romans, and Schuler voting "Aye", motion carried.

Member Romans made a motion seconded by Member Schuler to approve the City Engineer to relax the drainage standards for a project under design for the Fort Calhoun Elementary School. The Engineer did not foresee any issues with relaxing the standards in regards to the project. With members Romans, Schuler and Prieksat voting "Aye", motion carried.

Member Schuler made a motion seconded by Member Prieksat to approve the plans and specifications for the 2016 Sanitary Sewer Rehabilitation project and authorize JEO to submit to NDEQ to obtain a construction permit. It was noted that the project is included in the year's budget. With Members Romans, Schuler and Prieksat voting "Aye", motion carried.

Discussion on the upcoming 1 & 6 Road Program by the City's Street Superintendent, Steve Parr of JEO. He asked for input from the Council and Maintenance on the projects in the future.

Member Romans made a motion seconded by Member Schuler to approve the 2017/2018 Crop Year Farm Lease Agreement by C.E.M. Shaner Farms, LLC for \$12,600. With members Schuler and Romans voting "Aye", member Prieksat abstained, motion carried.

The Mayor and Council accepted and placed on file the Certificate of Official Election Results for the November 8, 2016 City of Fort Calhoun Mayor and City Council General Election issued by the Washington County Clerk.

Member Prieksat introduced the following ordinance entitled:

AN ORDINANCE OF THE CITY OF FORT CALHOUN, WASHINGTON COUNTY, NEBRASKA, ADOPTING UNIFORM ADMINISTRATIVE FEES, UTILITY FEES AND PLANNING AND ZONING DEPARTMENT FEES; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

Member Schuler 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": Prieksat, Romans and Schuler. 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. 721** was then read by title and Member Romans moved for its final passage, which motion was seconded by Member Prieksat. The Mayor stated the question "Shall Ordinance No. 721 be passed and adopted?" Upon roll call, the following voted "Aye": Romans, Schuler and Prieksat.

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 normal business hours.

The meeting was adjourned Sine Die at 8:08 p.m. Mayor Robinson excused Dave Romans from the meeting.

Mayor Robinson administered the Oath of Office to Council Member Terry Fitzgerald and Council Member Lori Lammers.

Mayor Robinson reconvened the city council meeting at 8:15 p.m. On roll call, the following Council Members answered present: Bob Prieksat, Nick Schuler, Lori Lammers, and Terry Fitzgerald.

Member Fitzgerald made a motion seconded by Member Lammers to nominate Bob Prieksat as Council President, there were no other nominations. With members Schuler, Fitzgerald and Lammers voting "Aye", and member Prieksat abstaining, motion carried.

Mayor Robinson made the following recommendations for the 2016 appointments: City Clerk-Alicia Stevens, Treasurer-Katie Knight and City Attorney-Edmond E. Talbot III. Member Fitzgerald made a motion seconded by Member Schuler to confirm the designated appointments. With members Lammers, Prieksat, Fitzgerald and Schuler voting "Aye", motion carried.

Mayor Robinson made the following recommendations for the 2016 appointments: Park Commissioner, Nick Schuler; Sewer Commissioner, Lori Lammers; Street Commissioner, Bob Prieksat and Water Commissioner, Terry Fitzgerald. City Engineer, Lucas Billesbach, PE, JEO Consulting Group, Inc.; Street Superintendent: Steve Parr, Principal, JEO Consulting Group, Inc. Member Prieksat made a motion seconded by Member Schuler to confirm the designated appointments. With members Prieksat, Fitzgerald, Schuler and Lammers voting "Aye", motion carried

Future Agenda Items: Special Meeting for a Public Hearing regarding the remonstrance for the sale of Tax Lot 27 was scheduled for January 3, 2016 at 6:00 pm.

Following a motion by Member Prieksat, seconded by Member Fitzgerald and vote, Mayor Robinson declared the meeting adjourned at 8:17 p.m.

Mitch Robinson, Mayor

ATTEST:

Alicia Stevens, City Clerk