

JULY 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 7:02, on Monday, July 15, 2019 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: Bob Priksat, Terry Fitzgerald, Nick Schuler, and Lori Lammers.

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

The consent agenda, was approved, accepted and/or ratified as presented.

(The consent agenda included: June 17, 2019 City Council minutes; June Treasurers Report; July 1, 2019 Planning Commission minutes; June 6, 2019 Park Board minutes; June 24, 2019 Enhancement Committee minutes; Maintenance Report.)

Member Priksat made a motion seconded by member Schuler to approve the following bills:
OPPD, 3478.24, utl; MUD, 85.36, utl; Papio M-R NRD, 6837.94, water; Abe's Trash, 666.60, ser; Access Systems Leasing, 187.44, sup; Aflac, 307.62, ben; Alicia Koziol, 90.48, reimb; Am. Broadband, 534.70, utl; Andy's Mow Town, 13.09, sup; Barco, 517.44, sup; Blair Garden Center, 64.87, sup; Bobcat of Omaha, 39423.00, equip; Bomgaars, 944.88, sup; Chase, 83510.00, bond; City of Blair, 9326.31, ser; Conoco Fleet, 331.76, ser; Core & Main, 182.64, sup; EFTPS, 2314.81, payroll tax; Enterprise Media, 145.35, ser; Fastenal, 103.83, sup; Depot, 147.13, sup; JEO Consulting, 3626.25, ser; John Deere, 244.56, ser; Logos Plus, 34.24, ser; Marsh Creek Concrete, 14294.70, contract; Midwest Coatings Co, 145311.00, contract; Mitch Robinson, 75.48, reimb; My Independence Day, 500.00, refund; NE Dept of Revenue, 2897.29, sales tax; NE Dept of Revenue, 591.40, lottery tax; NE Public Health Env Lab, 515.00, test; One Call Concepts, 57.18, ser; Postmaster, 141.05, ser; Quality Pest Control, 221.93, ser; Quill, 43.93, sup; Shaw Hull Nav, 4625.00, ser; Talbot Law Office, 1102.50, ser; United Healthcare, 6747.74, ins; Verizon, 129.42, exp; VISA(Two Rivers), 1316.18, sup; Washington County Historical Assoc., 750.00, donation; Washington County Sheriff, 5660.72, ser; With all members voting "Aye", motion carried.

Member Fitzgerald made a motion seconded by member Lammers to approve the Washington County Sheriff's Office statistics for June 2019. With members Priksat, Fitzgerald, Schuler, and Lammers voting "Aye", motion carried.

Darin Whatcott, JDW Midwest, gave a presentation of Full Building and Safety Code Department Services. He discussed plan review, inspections, code enforcement, and permits. He will be working with the City Attorney to come up with an agreement.

Kris Richardson, Park Board President, gave a presentation and request for a multi-purpose court at West Market Square Park. They discussed cost and funding options. No action was taken.

Member Priksat made a motion seconded by member Schuler to approve Washington County Historical Association's request for \$750 for sponsorship for the Washington County Heritage Days the first weekend of October. With members Fitzgerald, Schuler, Lammers, and Priksat voting "Aye", motion carried.

Member Fitzgerald made a motion seconded by member Prieksat to approve Sunny Welchert's request to close 16th street from County Road 34 to Windsor Way in Southern Heights for a block party on August 17th from 2:00 pm-Midnight. With members Prieksat, Fitzgerald, Schuler, and Lammers voting "Aye", motion carried.

Liz Sevcik discussed the Splash Pad/Adams Street Corridor committees fundraising efforts for phases II & III of the Adams Street Corridor Project. They plan to have fundraising events and assist the city in finding available grants to apply for. They are working on forming a foundation.

Member Fitzgerald made a motion seconded by member Prieksat to stay with Two Rivers Bank for the City's Depository Bank for all funds. With members Lammers, Prieksat, Fitzgerald, and Schuler voting "Aye", motion carried.

City Engineer, Lucas Billesbach, gave an update on the 2019 Betts Circle Drainage project. Berm is 80-90% complete. We have entered liquidated damages as of June 1st.

Member Prieksat made a motion seconded by member Schuler to approve Pay Application No. 1 for the 2019 Betts Circle Drainage project in the amount of \$14,294.70. With members Schuler, Lammers, Prieksat, and Fitzgerald voting "Aye" motion carried.

City Engineer gave an update on the 2018 Maintenance Building Demolition project. The project has been delayed due to some utility issues with MUD and they are working on resolving it.

City Engineer gave an update on the 2018 Street Sealing and Repairs project. After a walk-thru, it was determined that there are additional repairs needed, that weren't originally bid out.

Member Prieksat made a motion seconded by member Schuler to approve Change Order No. 1 for the 2018 Street Sealing and Repairs project, Group A for a net increase to the contract amount of \$43,375.00 and an increase to the completion time to July 31, 2019. The amount is covered under the current bonding. With members Fitzgerald, Schuler, Lammers, and Prieksat voting "Aye", motion carried.

Member Schuler made a motion seconded by member Fitzgerald to approve Pay Application No. 1 for the 2018 Street Sealing and Repairs project, Group A in the amount of \$145,311.00. With members Prieksat, Fitzgerald, Schuler, and Lammers voting "Aye", motion carried.

City Engineer gave an update on the Trail Feasibility Study and Upcoming grant application. The city is working on a new route and will submit an application in August.

City Engineer gave an update on the NEMA Hazard Mitigation Grant Program Notice of Intent for a flood wall around the city's lift station. It has been identified that it would benefit from additional flood protection. This is state money that goes out to projects that would mitigate future damages.

Member Prieksat made a motion to approve the final reading of Ordinance 744, Zoning Ordinance Revisions. Member Fitzgerald seconded the motion. With members Lammers, Prieksat, and Fitzgerald voting "Aye", and member Schuler abstaining, motion carried.

Member Prieksat made a motion to approve the final reading of Ordinance 745, Subdivision Regulation Revisions. Member Lammers seconded the motion. With members Lammers, Prieksat, and Fitzgerald voting "Aye", and member Schuler abstaining, motion carried.

Member Prieksat introduced Ordinance 750 entitled:

AN ORDINANCE (AMENDING ORDINANCE 643) EXTENDING THE CORPORATE LIMITS OF THE CITY OF FORT CALHOUN, NEBRASKA, PURSUANT TO THE PROVISIONS OF SECTIONS 17-405.01 ET. SEQ. OF THE REVISED STATUTES OF NEBRASKA, AS AMENDED, BY ANNEXATION THERETO A CERTAIN TRACT OF ADJACENT AND CONTIGUOUS LAND LYING WITHIN THE EXTRATERRITORIAL ZONING AND SUBDIVISION JURISDICTION OF THIS CITY, PRESENTLY ZONED FOR AGRICULTURAL USE AND LEGALLY DESCRIBED AS TAX LOTS 79, 154, AND 172 IN THE NORTHEAST ONE-QUARTER OF SECTION 11, TOWNSHIP 17 NORTH, RANGE 12 EAST OF THE 6TH P.M., WASHINGTON COUNTY, NEBRASKA TOGETHER WITH THE WEST ONE-HALF OF THE ABANDONED RAILROAD RIGHT-OF-WAY ADJOINING SAID TAX LOT 79. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST

CORNER OF SAID TAXLOT 154, ALSO BEING THE INTERSECTION OF THE NORTH LINE OF STEVENSON STREET RIGHT-OF-WAY AND THE EAST LINE OF 13TH STREET RIGHT-OF-WAY, THENCE NORTH 00° 00' 43" EAST (ASSUMED BEARING) FOR 620.97 FEET ALONG SAID EAST RIGHT-OF-WAY LINE; THENCE SOUTH 89°16'57" EAST FOR 208.62 FEET ALONG THE NORTH LINE OF SAID TAXLOT 172; THENCE SOUTH 04°06'48" EAST FOR 333.76 FEET ALONG THE EAST LINES OF SAID TAX LOTS 172 AND THE SOUTHERLY EXTENSION OF SAID EAST LINE, ALSO BEING THE CENTERLINE OF THE ABANDONED CHICAGO AND NORTHWESTERN RAILROAD; THENCE SOUTH 89°52'59" EAST FOR 172.82 FEET ALONG THE NORTH LINE OF SAID TAXLOT 154; THENCE SOUTH 00°00'43" WEST FOR 629.49 FEET ALONG THE EAST LINE OF SAID TAXLOT 154; THENCE NORTH 89°58'17" WEST FOR 40.37 FEET ALONG THE SOUTH LINE OF SAID TAXLOT 154, ALSO BEING THE EASTERLY EXTENSION OF THE NORTH LINE OF VACATED GRANT STREET RIGHT-OF-WAY; THENCE NORTH 00°00'51" WEST FOR 344.35 FEET ALONG THE NORTHERLY EXTENSION OF THE EAST LINE OF 12TH STREET RIGHT-OF-WAY; THENCE NORTH 89°59'54" WEST FOR 364.90 FEET ALONG THE SOUTH LINE OF SAID TAXLOT 154, ALSO BEING THE NORTH LINE OF STEVENSON STREET RIGHT-OF-WAY TO THE POINT OF BEGINNING. ABOVE DESCRIBED PARCEL CONTAINS 4.567 ACRES, MORE OR LESS.

Member Prieksat moved that the statutory rule requiring an ordinance to be fully and distinctly read on three different days be suspended. Member Lammers seconded the motion. With members Fitzgerald, Schuler, Lammers, and Prieksat voting "Aye", motion carried.

Member Schuler made a motion for final approval of Ordinance 750, and member Lammers seconded. With members Prieksat, Fitzgerald, Schuler, and Lammers voting "Aye", motion carried.

Member Prieksat introduced Ordinance 751 entitled:

AN ORDINANCE TO VACATE THE ALLEY IN BLOCK 9 WITHIN THE CORPORATE LIMITS OF THE CITY OF FORT CALHOUN, WASHINGTON COUNTY, NEBRASKA, AS DEPICTED AND LEGALLY DESCRIBED UPON THE ATTACHE MAP, PLAT OR SURVEY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith, AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN FORCE AND EFFECT.

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

Member Schuler made a motion for final approval of Ordinance 751, and member Lammers seconded. With members Schuler, Lammers, Prieksat, and Fitzgerald voting "Aye", motion carried.

Council discussed the Municipal Code Services, Inc quote for \$5,500 to recodify the Fort Calhoun Municipal Code. Member Fitzgerald made a motion seconded by member Lammers to approve the quote for \$5,500 plus the \$200 fee to provide a web-ready format. With members Fitzgerald, Schuler, Lammers, and Prieksat voting "Aye", motion carried.

Following a motion Fitzgerald, second by Prieksat and a vote, Mayor Robinson declared the meeting adjourned at 8:50 p.m.

Mitch Robinson, Mayor

ATTEST: Alicia Koziol, City Clerk