

## **May 22, 2017 CC MINUTES**

A regular meeting of the City Council of the City of Fort Calhoun, Nebraska, was held in open and public session at 7:00 o'clock p.m., on Monday, May 22, 2017 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.

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.

On roll call, the following Council Members answered present: Nick Schuler, Lori Lammers, and Bob Prieksat. Member Terry Fitzgerald was absent.

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

Member Schuler made a motion seconded by Member Lammers to approve the April 17, 2017 City Council minutes, contingent on making corrections noted. With members Prieksat, Schuler, and Lammers voting "Aye", motion carried.

Member Schuler made a motion seconded by Member Lammers to approve the May 4, 2017 City Council minutes, contingent on making corrections noted. With members Schuler, Lammers, and Prieksat voting "Aye", motion carried.

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

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

OPPD, 3480.95 utl; MUD, 113.25, utl; Papio M-R NRD, 4854.22, water; A P Plumbing, 150.00, ser; Abe's Trash, 1149.74, ser; Alicia Stevens, 93.10, reimb; Am. Broadband, 588.67, utl; Andy's Mow Town, 24.95, sup; Bomgaars, 1003.95, sup; Boyle Hess & Elliott, 1560.00, ser; City of Blair, 5490.10, ser; Conoco Fleet, 345.90, ser; EMC Insurance, 2086.00, ser; Enterprise Pub, 290.57, ser; Fastenal Co., 32.59, sup; Federated Ins., 3365.96, hlth ins; HD Supply, 2511.07, sup; Home Depot, 165.52, sup; JEO Consulting, 25876.00, ser; JM Web Designs, 30.80, ser; Liberty Mutual, 800.00, bond; Lorraine Lammers, 25.68, sup; Loveland Grass, 535.87, sup; Michael Todd & Co, 173.12, sup; Microfilm Imaging Systems, 150.00, ser; NE Public Health Lab, 15.00, test; NE Sales Tax, 2656.36, tax; One Call Concepts, 54.42, ser; Postmaster, 337.48, sup; Quality Pest Control, 60.00, ser; Ramada Inn, 375.00, trng; SE Smith, 19.45, sup; Sensus Metering Systems, 1893.15, fees; Shaw, Hull & Navarrette, 260.00, ser; SolutionOne, 209.74, sup; Sprint, 49.65, utl; Talbot & Truhlsen Law Offices, 1067.50, ser; VISA(Two Rivers), 921.83, sup; Wash. Co. Sheriff, 5426.57, exp; Wash. Co. Reg. Deeds, 10.00, fee; Wash. Co. Treasurer, 4059.08, tax; Wash. Co. Historical Assoc., 750.00, keno;

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

The Washington County Sheriff's Office statistics for April 2017 were accepted unanimously.

Member Schuler made a motion seconded by Member Prieksat to approve the May 1, 2017 Planning Commission minutes. With members Schuler, Lammers, and Prieksat voting "Aye", motion carried.

Member Prieksat made a motion seconded by Member Schuler to accept the May 4, 2017 Park Board minutes. With members Lammers, Prieksat, and Schuler voting "Aye", motion carried.

Member Lammers made a motion seconded by Member Schuler to accept the April 24, 2017 Enhancement minutes as presented. Member Lammers wanted to recognize the contributions Enhancement member Sue Newman made to the committee over the many years she served. With members Schuler, Lammers, and Prieksat voting "Aye", motion carried.

The April-May maintenance report was placed on file.

Mayor Robinson stated if there was no objection he would like for the Daly Youth Engaged Award presentations be presented at this time; there were no objections.

Jessica Gravert gave her runner-up presentation, "Getting Back to Our Roots".

Tessa Dethlafs gave her first place winning presentation, "A Cooperative Correction".

Following the presentations, Pam Daly presented the students with their award checks.

Julie Ashton, with the Washington County Historical Association, gave an update on the educational offerings from WCHA and partnership efforts with the County Extension Office & Metro Community College. Get greater Omaha area classrooms into the Museum and Fort Atkinson for tours. Offer hands on learning about the pioneer history.

Member Schuler made a motion seconded by Member Lammers to approve WCHA's request for \$10,000 in Keno Funds over four years (2018-2021) for Educational Programming. The money is paid out every year in August. With members Prieksat, Schuler, and Lammers voting "Aye", motion carried.

City Engineer, Lucas Billesbach, requested approval of Pay Application No. 3 and Final in the amount of \$7,580.34 to Husker Engineering for the 2016 West Market Square Park Improvements. Lucas noted that the native grass in the park will take a couple years to come in. He also addressed the drainage issue and stated he has spoken with maintenance to resolve it. Member Schuler made a motion seconded by Member Lammers to approve the Final Pay Application. With members Schuler, Lammers, Prieksat voting "Aye", motion carried.

The City Engineer requested approval of the Certificate of Substantial Completion identifying a substantial completion day of May 15, 2017 for the 2016 West Market Square Park Improvements. Member Schuler made a motion seconded by Member Lammers to approve the certificate. With members Lammers, Prieksat, and Schuler voting "Aye", motion carried.

The City Engineer requested approval of the Recommendation of Acceptance identifying a final completion day of May 15, 2017 for the 2016 West Market Square Park Improvements. Member Schuler made a motion seconded by Member Lammers to approve the change order. With members Schuler, Lammers, and Prieksat voting "Aye", motion carried.

The City Engineer requested approval of Pay Application No. 1 for Nelson Construction in the amount of \$27,218.70 for the 2016 Water System Improvements Project. The Pay Application is for stored materials and the tank demolition. Member Schuler made a motion seconded by Member Lammers to approve the pay application. With members Prieksat, Schuler, and Lammers voting "Aye", motion carried.

Mayor Robinson moved Item 15, Maintenance Building, to the end of the meeting.

Mayor Robinson introduced the following ordinance entitled:

AN ORDINANCE AMENDING SECTION 4-205 OF ARTICLE II OF CHAPTER IV OF THE MUNICIPAL CODE OF THE CITY OF FORT CALHOUN, NEBRASKA, RELATING TO LIQUOR REGULATIONS - HOURS OF SALE; REPEALING SAID SECTION 4-205 OF ARTICLE II OF CHAPTER IV AND ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE; AND PRESCRIBING THE TIME WHEN THIS ORDINANCE SHALL BE IN FORCE AND TAKE 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 to suspend the rules and upon roll call vote, the following Members voted "Aye": Lammers, Schuler, and Prieksat. 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. 723** 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. 723 be passed and adopted?" Upon roll call, the following voted "Aye": Prieksat, Schuler, and Lammers.

The passage and adoption of said Ordinance having been concurred in by most 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.

Mayor Robinson introduced the following ordinance entitled:

AN ORDINANCE ADDING SECTION 8-111, NAMING OF CITY PROPERTY, OF ARTICLE I OF CHAPTER VII OF THE MUNICIPAL CODE OF THE CITY OF FORT CALHOUN, NEBRASKA, RELATING TO BUILDING REGULATIONS; AND PRESCRIBING THE TIME WHEN THIS ORDINANCE SHALL BE IN FORCE AND TAKE EFFECT.

Member Schuler 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 to suspend the rules and upon roll call vote, the following Members voted "Aye": Schuler, Lammers, and Prieksat. 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. 724** was then read by title and Member Schuler moved for its final passage, which motion was seconded by Member Lammers. The Mayor stated the question "Shall Ordinance No. 724 be passed and adopted?" Upon roll call, the following voted "Aye": Lammers, Prieksat, and Schuler.

The passage and adoption of said Ordinance having been concurred in by most 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.

Member Lammers introduced **Resolution No. 2017 - 3** and 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 Treasurer 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 THE FORT CALHOUN PERSONNEL MANUAL, 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 22<sup>nd</sup> DAY OF MAY 2017

MITCH ROBINSON, MAYOR

ATTEST:  
KATIE KNIGHT, TREASURER

Member Prieksat introduced **Resolution No. 2017 - 4** and moved for its passage and adoption. Motion seconded by Member Lammers. On roll call the following voted "Aye": Prieksat, Schuler, and Lammers. 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 Treasurer attested the passage and approval of the same and affixed her signature thereto:

RESOLUTION OF THE MAYOR AND CITY COUNCIL ACCEPTING THE BID FOR THE CONSTRUCTION OF IMPROVEMENTS IN STREET IMPROVEMENT DISTRICT NO. 2016-1 IN THE CITY OF FORT CALHOUN, NEBRASKA.

BE IT RESOLVED, by the Mayor and City Council of the City of Fort Calhoun, Nebraska:

Section 1. That in accordance with plans, specifications, estimates of cost, and form of Notice to Contractors previously prepared by the City's Engineers, JEO Consulting Group, Inc., Wahoo, Nebraska, as filed in the office of the City Clerk, the City had advertised for and received bids for the improvements to be constructed in Street Improvement District Nos. 2016-1.

Section 2. That the Mayor and City Council further find and determine that the bid for the furnishing of labor, tools, materials and equipment required to construct improvements and such other work as may be incidental thereto in Street Improvement District No. 2016-1 in the City of Fort Calhoun, Nebraska, as submitted by the following contractor is the lowest and best bid received as follows:

<u>Name and Address of Bidder</u>	<u>Amount of Bid</u>
<u>Rock Hard Concrete, Inc., 408 Sunset Dr., Fort Calhoun, NE 68023</u>	<u>\$ 181,849.50</u>

AND BE IT FURTHER RESOLVED, that the bid as above set forth, filed with the City Clerk in accordance with the terms of published notice calling for the proposals for furnishing of labor, tools, materials and equipment required to construct said improvements and such other work as may be incidental thereto in Street Improvement District Nos. 2016-1 in the City of Fort Calhoun, Nebraska, be and the same is hereby accepted and all prior actions of the Mayor and City Council, and of the City Clerk and the City's Engineers in the publication of the Notice to Contractors are hereby ratified, confirmed and approved.

Passed this 22<sup>nd</sup> day of May 2017.

CITY OF FORT CALHOUN, NEBRASKA

Mitch Robinson, Mayor

ATTEST:  
Alicia Stevens, City Clerk

Member Prieksat introduced **Resolution No. 2017 - 5** and 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 Treasurer attested the passage and approval of the same and affixed her signature thereto:

RESOLUTION OF THE MAYOR AND CITY COUNCIL ACCEPTING THE BID FOR THE CONSTRUCTION OF IMPROVEMENTS IN STREET IMPROVEMENT DISTRICT NOS. 2016-2 IN THE CITY OF FORT CALHOUN, NEBRASKA.

BE IT RESOLVED, by the Mayor and City Council of the City of Fort Calhoun, Nebraska:

Section 1. That in accordance with plans, specifications, estimates of cost, and form of Notice to Contractors previously prepared by the City's Engineers, JEO Consulting Group, Inc., Wahoo, Nebraska, as filed in the office of the City Clerk, the City had advertised for and received bids for the improvements to be constructed in Street Improvement District Nos. 2016-2.

Section 2. That the Mayor and City Council further find and determine that the bid for the furnishing of labor, tools, materials and equipment required to construct improvements and such other work as may be incidental thereto in Street Improvement District No. 2016-2 in the City of Fort Calhoun, Nebraska, as submitted by the following contractor is the lowest and best bid received as follows:

<u>Name and Address of Bidder</u>	<u>Amount of Bid</u>
<u>M.E. Collins Contracting Co., Inc., 980 25<sup>th</sup> St., Wahoo, NE 68066</u>	<u>\$ 324,094.74</u>

AND BE IT FURTHER RESOLVED, that the bid as above set forth, filed with the City Clerk in accordance with the terms of published notice calling for the proposals for furnishing of labor, tools, materials and equipment required to construct

said improvements and such other work as may be incidental thereto in Street Improvement District Nos. 2016-2 in the City of Fort Calhoun, Nebraska, be and the same is hereby accepted and all prior actions of the Mayor and City Council, and of the City Clerk and the City's Engineers in the publication of the Notice to Contractors are hereby ratified, confirmed and approved.

Passed this 22<sup>nd</sup> day of May 2017.

CITY OF FORT CALHOUN, NEBRASKA  
MITCH ROBINSON, MAYOR

ATTEST:  
ALICIA STEVENS, CITY CLERK

Mayor Robinson made the recommendation to appoint Corban Helmandollar to the Washington County Rural Water Advisory Board. Member Prieksat made a motion, seconded by Member Lammers to approve the request. With Members Lammers, Prieksat, and Schuler voting "Aye", motion carried.

Amanda Schrum requested to close Monroe Street from 14<sup>th</sup> Street to 13<sup>th</sup> Street then south on 13<sup>th</sup> Street to the alley for Nebraska's 150<sup>th</sup> Anniversary-Street Dance & Cook-off on August 12<sup>th</sup>, 2017. Amanda explained that they are trying to get a band and want it to be a low maintenance, fun time for the community. Member Prieksat made a motion seconded by Member Lammers to approve the street closure. With members Schuler, Lammers, and Prieksat voting "Aye", motion carried.

City Engineer, Lucas Billesbach, gave a presentation on the City Maintenance Building Project. He gave a brief history of what the Building Committee considered for different options such as various properties, facilities to remodel, and lots to purchase. After much review, the Building Committee decided on a property within the Welchert Knight Development. He then explained the details of The Land Purchase Agreement. The purchase amount for the property and building is \$604,281.40. The Memorandum of Understanding between the City of Fort Calhoun and Welchert Woodworking was approved by previous Council in June of 2016, which enters us into an agreement and required a \$30,000 earnest deposit. There was discussion between council regarding different types of buildings and locations. Lucas stated the previous Building Committee looked into all of that and it didn't meet size and setback requirements. Council member Schuler stated that the reason he is ready to move forward with this is because all the possible options have been looked at and considered. Bob Lammers, 120 N 14<sup>th</sup>, feels that there has not been enough public discussion on this matter. The Mayor stated that they have researched and looked at all the options, this property and location was the best decision long term and it will hold its value, will last the next 20 years with no improvements, and has the appropriate storage space needed. He said that the building has been on the agenda many times and has been ongoing for over eight years. Member Schuler made a motion to proceed with the purchase agreement including the exhibits. No second was made.

Following a motion by Member Prieksat, seconded by Member Schuler and vote, Mayor Robinson declared the meeting adjourned at 8:47 p.m.

Mitch Robinson, Mayor

ATTEST:  
Alicia Stevens, City Clerk