

NOVEMBER 19, 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, November 19, 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: Bob Prieksat, Terry Fitzgerald, Nick Schuler, and Lori Lammers.

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

Member Fitzgerald made a motion seconded by member Prieksat to approve the October 15, 2018 City Council minutes. With members Lammers, Prieksat, Fitzgerald, and Schuler voting "Aye", motion carried.

Member Lammers made a motion seconded by member Schuler to approve the November 7, 2018 amended Special City Council meeting minutes. With members Schuler, Lammers, Prieksat, and Fitzgerald voting "Aye", motion carried.

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

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

OPPD, 2965.25, utl; MUD, 206.60, utl; Papio M-R NRD, 5375.77, water; Abe's Portables, 225.00, ser; Abe's Trash Service, 110.70, ser; Access Systems Leasing, 187.44, sup; Aflac, 241.44, ben; Am. Broadband, 541.93, utl; Ace Hardware, 32.15, sup; Bomgaars, 885.61, sup; City of Blair, 8590.26, ser; Conoco Fleet, 241.96, ser; Core & Main, 239.27, sup; Cornhusker Press, 67.46, sup; Cummins Central Power, 1039.33, sup; Data Tech, 5582.95, lic; EMC Insurance Companies, 893.00, ins; Enterprise Media, 256.44, ser; Fastenal Company, 207.07, sup; Gateway Dev. Corp., 3500.00, annual; Gerst Painting Inc, 3980.00, ser; JEO Consulting, 5743.25, ser; Loveland Grass Pad, 217.95, ser; Menards, 174.02, sup; Mitch Robinson, 25.98, reimb; NE Public Health Env Lab, 15.00, test; NE Sales Tax, 3164.64, tax; One Call Concepts, 49.08, ser; Postmaster, 134.40, ser; Quill, 126.35, ser; SE Smith, 567.46, sup; Shaw, Hull & Navarrette, 197.00, ser; Talbot Law Office, 3142.67, ser; Temple Display, 1802.56, sup; United Healthcare, 6721.22, ins; Verizon, 159.34, exp; VISA(Two Rivers), 4262.39, sup; Washington County Sheriff, 5610.72, ser;

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

Member Schuler made a motion seconded by member Lammers to approve the November 5, 2018 Planning Commission minutes. With members Schuler, Lammers, Prieksat, and Fitzgerald voting "Aye", motion carried.

Member Lammers made a motion seconded by member Schuler to approve the October 29, 2018 Enhancement Committee minutes. With members Fitzgerald, Schuler, Lammers, and Prieksat voting "Aye", motion carried.

The October-November maintenance report was placed on file.

The public hearing to consider PROPOSED STORMWATER REGULATIONS opened at 7:06 p.m. Lucas said they added applicability and the definition of impervious since the first reading of the ordinance. There were no written comments. The public hearing closed at 7:07 p.m.

The public hearing to consider THE REVISED SUBDIVISION REGULATIONS opened at 7:07 p.m. Lucas explained they updated the regulations, so they were in line with the County's, especially in terms of the definition of a lot. With no written or public comments, the public hearing closed at 7:09 p.m.

Member Fitzgerald made a motion seconded by member Prieksat to approve the request for SDL for The Blair Cosmopolitan Wild Game Feed Friday, February 22, 2019 at Schwertly Hall, 5:00 p.m. – 9:00 p.m. With members Prieksat, Fitzgerald, Schuler, and Lammers voting "Aye", motion carried.

Cameron Shaner with the Eagle Scouts withdrew his request for \$5,519.60 in Keno funds for a new play set at the Presbyterian Church.

Member Prieksat made a motion seconded by member Lammers to approve amending Resolution "Sale of Water Tower Lot" from 2018-12 to 2018-13. With members Schuler, Lammers, Prieksat, and Fitzgerald voting "Aye", motion carried.

Member Prieksat made a motion seconded by member Schuler to accept Terry Hurt's sealed bid for a portion of TL 45 (water tower lot) 14-17-12, in the City of Fort Calhoun, Washington County, Nebraska. There was one bid submitted. With members Fitzgerald, Schuler, Lammers, and Prieksat voting "Aye", motion carried.

City Engineer, Lucas Billesbach, discussed the Annexation Study. He explained the summary page, which lists out each "area" with analysis and recommendation of annexation (immediate, short, long). He said annexation is important and believes every community should look at it. Once an area is potentially going to be annexed, it will go to Planning Commission first for a public hearing and recommendation, then to Council for a public hearing and three readings of an ordinance. Member Prieksat made a motion seconded by member Lammers to approve the study with no immediate annexation. With members Prieksat, Fitzgerald, Schuler, and Lammers voting "Aye", motion carried.

Member Fitzgerald made a motion seconded by member Prieksat to approve Change Order No. 2 in the deductive amount of \$1,480.00 for the Fort Calhoun Maintenance Building Project. With members Lammers, Prieksat, Fitzgerald, and Schuler voting "Aye", motion carried.

Member Prieksat made motion seconded by member Lammers to approve Pay Application No. 3 and Final in the amount of \$61,083.26 for the Fort Calhoun Maintenance Building Project. With members Schuler, Lammers, Prieksat, and Fitzgerald voting "Aye", motion carried.

Member Prieksat made a motion seconded by member Lammers to approve Change Order No. 2 for the 2018 Sanitary Sewer Rehabilitation Project. The city engineer explained that they needed a longer extension because of the high ground water levels, which makes the contractors unable to complete the job. With members Fitzgerald, Schuler, Lammers, and Prieksat voting "Aye", motion carried.

Member Schuler made a motion seconded by member Lammers to approve an agreement in the amount of \$76,350.00 to Marsh Creek Concrete, Inc. of Gretna, NE for the 2018 Betts Circle Drainage Project and authorized the mayor to execute the same. With members Prieksat, Fitzgerald, Schuler, and Lammers voting "Aye", motion carried.

Member Fitzgerald made a motion seconded by member Schuler to approve the Bid Documents for the 2018 Maintenance Building Demolition Project. Lucas said the cost of the demolition will be about \$50,000. With members Lammers, Prieksat, Fitzgerald, and Schuler voting "Aye", motion carried.

Member Fitzgerald made a motion seconded by member Schuler to authorize JEO to work with the clerk to set a bid opening date and time and begin advertising for bids for the 2018 Maintenance Building Demolition Project. The opening date will be sometime in January, after the holidays. With members Schuler, Lammers, Prieksat, and Fitzgerald voting "Aye", motion carried.

Member Schuler made a motion seconded by member Prieksat to approve Task Order No. 131216.23 for the 10% Adams Street Corridor Park Design. Lucas explained the first step will be to topo the site. He discussed the community involvement and public engagement that will help develop this project. A Steering Committee will be created. A life cycle analysis will be done for the splash pad, to figure the cost each year for the flow vs treated. With members Fitzgerald, Schuler, Lammers, and Prieksat voting "Aye", motion carried.

Member Prieksat made a motion seconded by member Fitzgerald to approve JEO to develop a grant for GIS mapping, which will digitally map the City's water and sewer systems. With members Prieksat, Fitzgerald, Schuler, and Lammers voting "Aye", motion carried.

City Engineer discussed modifying assessment for cemetery lot. He explained that they assumed the City owned the cemetery, rather than a separate board. He said we will re-advertise for a public hearing to discuss the assessment at the December meeting.

Member Schuler made a motion seconded by member Lammers to approve the second reading of Ordinance 737 – Stormwater Management Regulations. With members Lammers, Prieksat, Fitzgerald, and Schuler voting "Aye", motion carried.

Mayor Robinson introduced 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 2.03 APPLICABILITY; ARTICLE 2 SECTION 2.04 ADDITIONAL APPLICABILITY IN EXTRA TERRITORIAL JURISDICTION; ARTICLE 3 SECTION 3.05 FINAL PLAT SPECIFICATIONS; ARTICLE 3 SECTION 3.07 REPLATS; ARTICLE 5 SECTION 5.22 STORM SEWER SYSTEM; ARTICLE 6 SECTION 6.06 DRAINAGE; TO REPEAL ANY AND ALL ORDINANCES IN CONFLICT HEREWITH; AND TO PROVIDE 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 Fitzgerald seconded the motion to suspend the rules and upon roll call vote, the following Members voted "Aye": Schuler, Lammers, Prieksat, and Fitzgerald. 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. 738 was then read by title and Member Schuler moved for its final passage, which motion was seconded by Member Fitzgerald. The Mayor stated the question "Shall Ordinance No. 738 be passed and adopted?" Upon roll call, the following voted "Aye": Fitzgerald, Schuler, Lammers, and Prieksat.

Mayor Robinson introduced the following ordinance entitled:

AN ORDINANCE TO VACATE ALL OF 13TH STREET LYING NORTH OF THE SOUTH LINE OF BLOCKS 107 AND 108 AND THE NORTH LINE OF WASHINGTON STREET (BEING A 66 FOOT RIGHT-OF-WAY) AND SOUTH OF THE NORTH LINE OF BLOCKS 107 AND 108 ALSO BEING THE SOUTH HALF OF JEFFERSON STREET, ALL IN THE CITY OF FORT CALHOUN, WASHINGTON COUNTY, NEBRASKA, AS DEPICTED AND LEGALLY DESCRIBED UPON THE ATTACHED 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 to suspend the rules and upon roll call vote, the following Members voted "Aye": Prieksat, Fitzgerald, 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. 739 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. 739 be passed and adopted?" Upon roll call, the following voted "Aye": Lammers, Prieksat, Fitzgerald, and Schuler.

Mayor Robinson noted that the January and February council meetings fall on federal holiday's. The new meeting dates will be: Wednesday, January 23rd & Tuesday, February 19th.

Following a motion by Fitzgerald, second by Prieksat, and a vote, Mayor Robinson declared the meeting adjourned at 8:14 p.m.

Mitch Robinson, Mayor

ATTEST:

Alicia Koziol, City Clerk