

SEPTEMBER 21, 2020 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, on Monday, September 21, 2020 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.

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.

In accordance with Section 84-1412 sub section eight (8) of the Reissue Revised State Statutes of the State of Nebraska 1943, as amended, one copy of all reproducible written material to be discussed is available to the public at this meeting for examination and copying.

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: Nick Schuler, Lori Lammers, and Ritch Nelson. Member Bob Prieksat was absent.

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 led those present in the Pledge of Allegiance.

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 following consent agenda items: *August 17, 2020 City Council minutes, September 16 City Council budget minutes, Treasures Report for August 2020, September 3, 2020 Park Board minutes, August 31, 2020 Enhancement Committee minutes, Maintenance Report*; with members Nelson, Schuler, and Lammers voting "Aye", motion carried.

The Washington County Sheriffs Statistics were separated from the consent agenda. Sheriff Robinson discussed the monthly stats.

Item #21 *Approval of the Law Enforcement Contract renewal for 2020-2022* was moved up. Member Schuler made a motion seconded by Lammers to approve the contract. With members Schuler, Lammers, and Nelson voting "Aye", motion carried.

Member Schuler made a motion seconded by member Nelson to approve the following bills: ABE'S TRASH SERVICE, INC. - 184.21, ACCESS SYSTEMS LEASING - 187.44, AMERICAN BROADBAND - 576.42, BLAIR ACE HARDWARE - 43.57, BOMGAARS - 221.04, BRIAN'S TREE SERVICE - 800.00, 2500.00, CHASE BANK - 6958.75, 55000.00, CITY OF BLAIR - 5553.62, COLONIAL RESEARCH - 743.79, CONOCO - 356.89, CORE & MAIN - 2071.81, ENTERPRISE MEDIA GROUP - 100.73, HOME DEPOT CREDIT SERVICES - 19.80, IHEARTMEDIA - 4364.18, JACKIE HENDERSON - 84.56, JDW MIDWEST, LLC - 275.00, JEO CONSULTING GROUP, INC. - 787.50, JOHNSON SERVICE COMPANY - 1955.75, LONGHORN BAR - 44.00, LORRINE LAMMERS - 588.46, M.U.D. - 84.00, MY INDEPENDENCE DAY - 500.00, NE PUBLIC HEALTH ENV LAB - 15.00, NE SALES TAX - 3665.26, NUTRIEN AG SOLUTIONS - 912.50, OPPD - 2829.60, ONE CALL CONCEPTS, INC - 31.90, PAPIO-MISSOURI RIVER N. R. D. - 13343.59, TALBOT LAW OFFICE - 630.00, TWO RIVERS BANK - 12517.00, UTILITIES SECTION-LEAGUE - 518.00, VERIZON WIRELESS - 123.15, VISA - 4295.54, WASHINGTON CO CHAMBER OF COMMERCE - 250.00, Total - 123133.06; with members Schuler, Lammers, and Nelson voting "Aye", motion carried.

The public hearing relating to AN APPLICATION FOR A CONDITIONAL USE PERMIT TO BUILD A HOUSE ON CC CALHOUN CO ADD (REPLAT 2019-1) LOT 2 IN THE CITY OF FORT CALHOUN, WASHINGTON COUNTY, NEBRASKA opened at 7:06 p.m. With no written or public comments, the hearing closed at 7:07 p.m.

The public hearing relating to WATER RATE SCHEDULE FOR USERS OF THE CITY WATER SYSTEM OF THE CITY OF FORT CALHOUN, NEBRASKA opened at 7:08 p.m. There were no written comments. Council discussed the increase and the Mayor explained the rates have not increased since 2013. City Engineer, Lucas Billesbach, stated that the new rates are fairly competitive with neighboring communities. The hearing closed at 7:11 p.m.

The public hearing relating to SEWER RATE SCHEDULE FOR USERS OF THE CITY SEWER SYSTEM OF THE CITY OF FORT CALHOUN, NEBRASKA opened at 7:11 p.m. With no written or public comments from the council and public, the hearing closed at 7:12 p.m.

The public hearing relating to THE ONE & SIX YEAR STREET PLAN FOR THE CITY OF FORT CALHOUN opened at 7:13 p.m. There were no written comments. City Engineer, Lucas Billesbach, discussed the plan. Reed Smith, 204 N. 16th St, questioned why 16th and Monroe was in the six-year plan and said he was opposed to putting in a private road there. The hearing closed at 7:18 p.m.

Member Schuler made a motion seconded by member Lammers to approve the 1% increase to restricted funds authority. With members Nelson, Schuler, and Lammers voting "Aye", motion carried.

Member Nelson made a motion seconded by member Schuler to approve Mr. Wemhoff, Fort Calhoun High School Principal, request for approval for the next five years (2021-2025) to close 15th Street from Monroe to Lincoln Street for the annual homecoming parade. He explained to council that the school will notify the city of the homecoming date each year. With members Schuler, Lammers, and Nelson voting "Aye", motion carried.

Member Schuler made a motion seconded by member Lammers to adopt the City's Policy on ditch maintenance subject to Section 3-504 of the Fort Calhoun Municipal Code and to approve changes made to the policy that the City Engineer discussed: *a written permit will be required and the City will provide a sign for the residents.* With members Lammers, Nelson, and Schuler voting "Aye", motion carried.

Member Schuler made a motion seconded by member Lammers to approve the application for a Conditional Use Permit to build a house on CC Calhoun Co Addition (Replat 2019-1) Lot 2 in the City of Fort Calhoun, Washington County, Nebraska. With members Schuler, Lammers, and Nelson voting "Aye", motion carried.

Member Nelson introduced **Ordinance 769** entitled:

AN ORDINANCE IN COMPLIANCE WITH ARTICLE 3 SECTION 7-301 OF THE REVISED MUNICIPAL CODE OF THE CITY OF FORT CALHOUN, WASHINGTON COUNTY, NEBRASKA, SETTING UTILITY RATES FOR WATER CHARGES APPLICABLE TO ALL USERS OF THE CITY WATER SYSTEM; TO REPEAL ANY OTHER PRIOR RATE SCHEDULES FOR WATER CHARGES; AND TO PROVIDE WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

Member Nelson 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 Schuler, Lammers, and Nelson voting "Aye", motion carried.

Member Nelson made a motion for final approval of Ordinance 769, and member Schuler seconded. With members Nelson, Schuler, and Lammers voting "Aye", motion carried.

Member Nelson introduced **Ordinance 770** entitled:

AN ORDINANCE IN COMPLIANCE WITH ARTICLE 3 SECTION 7-301 OF THE REVISED MUNICIPAL CODE OF THE CITY OF FORT CALHOUN, WASHINGTON COUNTY, NEBRASKA, SETTING UTILITY RATES FOR SEWER CHARGES APPLICABLE TO ALL USERS OF THE CITY SEWER SYSTEM; TO REPEAL ANY OTHER PRIOR RATE SCHEDULES FOR SEWER CHARGES; AND TO PROVIDE WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

Member Nelson 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, Nelson, and Schuler voting "Aye", motion carried.

Member Nelson made a motion for final approval of Ordinance 770, and member Schuler seconded. With members Schuler, Lammers, and Nelson voting "Aye", motion carried.

Member Schuler introduced **Ordinance 771** entitled:

AN ORDINANCE OF THE CITY OF FORT CALHOUN, WASHINGTON COUNTY, NEBRASKA, ADOPTING UNIFORM ADMINISTRATIVE FEES, CITY CLERK/TREASURER FEES, UTILITY FEES, BUILDING PERMIT FEES AND PLANNING & 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 Lammers seconded the motion. With members Schuler, Lammers, and Nelson voting "Aye", motion carried.

Member Schuler made a motion for final approval of Ordinance 771, and member Nelson seconded. With members Nelson, Schuler, and Lammers voting "Aye", motion carried.

Member Schuler introduced **Resolution 2020-7 – Adopting the One and Six Year Street Improvement Plan** and moved for its passage and adoption. Member Lammers seconded the motion. On roll call the following voted "Aye": Lammers, Nelson, and Schuler. The passage and adoption of said Resolution having been concurred by most of all members of the Council, the Mayor declared the Resolution adopted and, 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 true and complete copy of the said Resolution is as follows:

RESOLUTION NO. 2020-7

"WHEREAS, the City Street Superintendent has prepared a One Year and Six Year Plan for Street Improvement Program for the City of Fort Calhoun, and

WHEREAS, a public meeting was held on the 21st day of September 2020, to present this plan and there were no objections to said plan;

THEREFORE, BE IT RESOLVED BY THE Mayor and City Council of Fort Calhoun, Nebraska, that the plans and data as furnished are hereby in all things accepted and adopted."

BE IT FURTHER RESOLVED THAT A CERTIFIED COPY OF SAID PLAN BE FILED WITH THE BOARD OF PUBLIC ROADS CLASSIFICATIONS AND STANDARDS, STATE OF NEBRASKA.

ADOPTED THIS 21st DAY OF SEPTEMBER 2020.

CITY OF FORT CALHOUN, NEBRASKA
Mitch Robinson, Mayor

ATTEST:
Alicia Koziol, City Clerk

Member Schuler introduced **Resolution 2020-8 – Signing of the Municipal Annual Certification of Program Compliance Form 2020** and moved for its passage and adoption. Member Nelson seconded the motion. On roll call the following voted "Aye": Schuler, Lammers, and Nelson. The passage and adoption of said Resolution having been concurred by most of all members of the Council, the Mayor declared the Resolution adopted and, 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 true and complete copy of the said Resolution is as follows:

RESOLUTION 2020-8
SIGNING OF THE MUNICIPAL ANNUAL CERTIFICATION OF PROGRAM COMPLIANCE FORM 2019

Whereas: State of Nebraska Statutes, sections 39-2115, 39-2119, 39-2120, 39-2121, and 39-2520(2), requires an annual certification of program compliance to the Nebraska Board of Public Roads Classifications and Standards; and

Whereas: State of Nebraska Statute, section 39-2120 also requires that the annual certification of program compliance by each municipality shall be signed by the Mayor or Village Board Chairperson and shall include a copy of a resolution of the governing body of the municipality authorizing the signing of the certification form.

Be it resolved that the Mayor of the City of Fort Calhoun is hereby authorized to sign the attached Municipal Annual Certification of Program Compliance form.

Adopted this 21st day of September, 2020 at Fort Calhoun, Nebraska.

ATTEST: Alicia Koziol, City Clerk

Following a motion and vote, Mayor Robinson declared the meeting adjourned at 7:36 p.m.

Mitch Robinson, Mayor

ATTEST: Alicia Koziol, City Clerk