

## DECEMBER 16, 2024 CITY COUNCIL 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, December 16, 2024, at the Fort Calhoun Council Chamber, 110 S 14th St, 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. The 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: John Kelly, Andy Bowser, Bob Prieksat, and Nick Schuler.

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 Prieksat made a motion seconded by member Bowser to approve the following consent agenda: *November 18, 2024, City Council minutes; Treasures Report for November; November 25, 2024 Enhancement Committee minutes; December 4, 2024 Christmas in Calhoun; Maintenance Report; November 2024 Washington County Sheriff's Statistics.* With members Schuler, Kelly, Bowser, and Prieksat voting "Aye", motion carried.

Mayor Robinson presented the November bills. Motion by Schuler second by Bowser to approve the following bills: A P PLUMBING, LLC - 525.00 - EXP, 1908.00 - EXP, ABE'S TRASH SERVICE, INC. - 325.75 - SER, ACCESS SYSTEMS LEASING - 366.84 - SER, AFLAC - 118.95 - , 16.25 - , BLAIR ACE HARDWARE - 11.99 - SUP, BOK FINANCIAL - 2500.00 - PYMT, 900.00 - PYMT, 176931.25 - PYMT, 9847.50 - PYMT, 6520.00 - PYMT, BRITE IDEAS DECORATING - 1679.84 - SUP, BUDDIES RENTALS - 400.00 - EXP, CENTRAL TAX & BOOKKEEPING SERVICES - 480.00 - SER, CHURCHICH RECREATION - 96.49 - EXP, CITY OF BLAIR - 3311.89 - UTL, CONNIE'S BLAIR BAKERY - 100.00 - EXP, CONOCO FLEET - 298.90 - FUEL, COX BUSINESS - 954.30 - UTL, EMBRIS GROUP, LLC - 680.00 - PROF, 2525.00 - PROF, EMC INSURANCE COMPANIES - 780.78 - INS, ENTERPRISE MEDIA GROUP - 17.27 - SER, 9.54 - SER, 1.37 - SER, 18.63 - SER, 280.35 - SER, 18.18 - SER, IIMC - 220.00 - DUES, JDW MIDWEST, LLC - 2548.72 - SER, JEANNE KNIGHT - 1059.77 - REIMB, JEO CONSULTING GROUP, INC. - 1712.50 - PROF, 150.00 - PROF, JUDY BOYD - 74.28 - EXP, KAMB & C ENTERPRISES - 67.93 - SER, M.U.D. - 248.54 - UTL, NE PUBLIC HEALTH ENV LAB - 30.00 - TEST, NEBRASKA DEQ - 14938.56 - PYMT, 5776.18 - PYMT, NEBRASKA SALES TAX - 2845.93 - TAX, 2813.84 - TAX, O.P.P.D. - 3459.50 - UTL, ONE CALL CONCEPTS, INC - 24.34 - SER, PAPIO-MISSOURI RIVER N. R. D. - 9067.61 - UTL, 1654.66 - UTL, POSTMASTER - 204.40 - EXP, ROCK HARD CONCRETE, INC - 1163.65 - CAPIMP, 1682.50 - EXP, TALBOT LAW OFFICE - 297.50 - PROF, VERIZON WIRELESS - 133.82 - EXP, VISA - 4729.88 - EXP, WASHINGTON COUNTY SHERIFF - 7350.04 - SER, WASHINGTON COUNTY TREASURER - 180.98 - EXP, YOUNG & WHITE LAW OFFICES - 1756.94 - PROF, Total – 275,680.94; with members Kelly, Bowser, Prieksat, and Schuler voting "Aye", motion carried.

At 7:05 p.m., Mayor Robinson stated in accordance with the published notice, it is now time to conduct the public hearing relative to hearing support, opposition, criticism, suggestions or observations relating to AN AMENDMENT TO THE FORT CALHOUN ZONING ORDINANCE OF ARTICLE 5, SECTION 5.06 - LAND USE CATEGORIES/MATRIX AND ARTICLE 9,

SECTION 9.21 - OUTDOOR STORAGE CONTAINERS. There were no written comments. Lucas Billesbach, City Engineer, discussed the amendment. Proposing Conditional Use Permit in TA1, C2, I1, I2. The language will be updated how permits are handled. Permits would be good for one year and automatically renew if no complaints or grievances are filed. Anyone that already has a storage container in I1 and I2 don't need permits because they were previously an allowed use but anyone else will need to get a permit. Mayor Robinson declared the public hearing closed at 7:13 p.m.

Member Prieksat made a motion seconded by member Schuler to approve the request from the Fort Calhoun Post Prom Committee for \$3,500 in Keno funds for post prom on March 22, 2025. With members Schuler, Kelly, Bowser, and Prieksat voting "Aye", motion carried.

Member Kelly made a motion second by Prieksat to approve \$2500 in Keno funds and \$2500 in Sales Tax for Washington County Tourism Campaign. Mike Rooks With members Prieksat, Schuler, Kelly, and Bowser voting "Aye", motion carried.

Member Schuler made a motion seconded by member Prieksat to approve paying \$20,000 out of the Sales Tax fund for the Housing Study. With members Kelly, Prieksat, and Schuler voting "Aye", member Bowser voting "Nay", motion carried.

City Engineer, Lucas Billesbach, gave an update on the West Monroe Street Paving District project. Bids were opened Thursday December 19<sup>th</sup>. The city will have until Feb/March to approve the bid.

City Engineer, Lucas Billesbach, gave an update on the Trail Extensions Phase 3 & 4 project. The contractors were working through punch list items.

Member Schuler introduced **Resolution 2024-9 Signing of Preliminary Engineering Supplemental Agreement** and moved for its passage and adoption. Member Kelly seconded the motion. On roll call the following voted "Aye": Bowser, Prieksat, Schuler, and Kelly. 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:

**Whereas:** City of Fort Calhoun is developing a transportation project for which it intends to obtain Federal funds; and

**Whereas:** City of Fort Calhoun as a sub-recipient of Federal-Aid funding is charged with the responsibility of expending said funds in accordance with Federal, State, and local laws, rules, regulations, policies, and guidelines applicable to the funding of the Federal-aid project; and

**Whereas:** City of Fort Calhoun and JEO Consulting Group, Inc. wish to enter into a Professional Services Agreement to provide Preliminary Engineering Services for the Federal- aid project.

**Be It Resolved:** by the City Council of Fort Calhoun that:

Mitch Robinson, Mayor of Fort Calhoun, is hereby authorized to sign the attached Preliminary Engineering Services Supplemental Agreement No. 1 between City of Fort Calhoun, Nebraska and JEO Consulting Group, Inc.

NDOT Project Number: TAP-89(36) NDOT Control Number: 22926

NDOT Project Description: Fort Calhoun with Safe Transportation Alternatives

Adopted this 16<sup>th</sup> day of December , 2025 at Fort Calhoun, Nebraska.

Member Schuler introduced **Resolution 2024-10 Signing of Environmental Services Supplemental Agreement** and moved for its passage and adoption. Member Kelly seconded the motion. On roll call the following voted "Aye": Kelly, Bowser, Prieksat, 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:

**Whereas:** City of Fort Calhoun is developing a transportation project for which it intends to obtain Federal funds; and

**Whereas:** City of Fort Calhoun as a sub-recipient of Federal-Aid funding is charged with the responsibility of expending said funds in accordance with Federal, State, and local laws, rules, regulations, policies, and guidelines applicable to the funding of the Federal-aid project; and

**Whereas:** City of Fort Calhoun and SRF Consulting Group, Inc. wish to enter into a Professional Services Agreement to provide Environmental Services for the Federal-aid project.

**Be It Resolved:** by the City Council of Fort Calhoun that:

Mitch Robinson, Mayor of Fort Calhoun, is hereby authorized to sign the attached Environmental Services Supplemental Agreement No. 1 between City of Fort Calhoun, Nebraska and SRF Consulting Group, Inc.

NDOT Project Number: TAP-89(36) NDOT Control Number: 22926'

NDOT Project Description: Fort Calhoun with Safe Transportation Alternatives

Adopted this 16<sup>th</sup> day of December, 2025 at Fort Calhoun, Nebraska.

Member Schuler introduced **Resolution 2024-11 Year-End Certification of City Street Superintendent** and moved for its passage and adoption. Member Kelly seconded the motion. On roll call the following voted "Aye": Schyler, Kelly, Bowser, and Prieksat. 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:

**Whereas:** State of Nebraska Statutes, sections 39-2302, and 39-2511 through 39-2515 details the requirements that must be met in order for a municipality to qualify for an annual Incentive Payment; and

**Whereas:** The State of Nebraska Department of Transportation (NDOT) requires that each incorporated municipality must annually certify (by December 31st of each year) the appointment(s) of the City Street Superintendent(s) to the NDOT using the Year-End Certification of City Street Superintendent form; and

**Whereas:** The NDOT requires that each certification shall also include a copy of the documentation of the city street superintendent's appointment, i.e., meeting minutes; showing the appointment of the City Street Superintendent by their name as it appears on their License (if applicable), their License Number (if applicable), and Class of License (if applicable), and type of appointment, i.e., employed, contract (consultant, or interlocal agreement with another incorporated municipality and/or county), and the beginning date of the appointment; and

**Whereas:** The NDOT also requires that such Year-End Certification of City Street Superintendent form shall be signed by the Mayor or Village Board Chairperson and shall include a copy a resolution of the governing body authorizing the signing of the Year-End Certification of City Street Superintendent form by the Mayor or Village Board Chairperson.

**Be it resolved** that the Mayor of Fort Calhoun is hereby authorized to sign the attached Year-End Certification of City Street Superintendent form.

Adopted this 16<sup>th</sup> day of December, 2025 at Fort Calhoun, Nebraska.

Member Prieksat introduced Ordinance 812 entitled:

AN ORDINANCE OF THE CITY OF FORT CALHOUN, NEBRASKA, TO AMEND THE FORT CALHOUN ZONING ORDINANCE OF ARTICLE 5, SECTION 5.06 - LAND USE CATEGORIES/MATRIX AND ARTICLE 9, SECTION 9.21 - OUTDOOR STORAGE CONTAINERS; TO REPEAL ANY AND ALL ORDINANCES IN CONFLICT HEREWITH; AND TO PROVIDE AN EFFECTIVE DATE

Member Prieksat made a motion to waive the three readings. Member Schuler seconded the motion. With all members voting "Aye", motion carried. Member Prieksat made a motion for final approval and member Schuler seconded. With members Prieksat, Schuler, and Kelly voting "Aye", Bowser voting "Nay", motion carried.

The meeting was adjourned Sine Die at 7:53 p.m.

Mayor Robinson administered the Oath of Office to John Kelly and Kris Richardson.

Mayor Robinson reconvened the City Council meeting at 7:59 p.m. On roll call, the following Council Members answered present: Nick Schuler, John Kelly, Kris Richardson, and Bob Prieksat.

Member Kelly nominated Bob Prieksat as City Council President.

Mayor Robinson made the following 2025 appointments: City Clerk-Alicia Koziol; Treasurer-Katie Knight; Code Enforcement Officer-Dan Kougias; City Attorney-Edmond E. Talbot III; Park Commissioner-Kris Richardson; Sewer Commissioner-Nick Schuler; Street Commissioner-John Kelly; Water Commissioner-Bob Prieksat; City Engineer, Lucas Billesbach, Embris Group.; Street Superintendent: Steven Parr, Principal, JEO Consulting Group, Inc.; Planning Commission: Jason Prieksat (2025-2027); Park Board: Sara Ruthven, James Totten (2025-2027); Enhancement Committee: Cheri Oelke, Beth Dietman, Amanda Donahoe, Jackie Henderson (2025-2027); Board of Adjustment: Eric Herbert, Dave Romans, Paul Oestmann, Mike Smith (2025-2027)

Member Schuler made a motion seconded by member Kelly to approve Keno funds in the amount \$1,679.84 to pay for the animated starbursts on Main Street. With members Richardson, Prieksat, Schuler, and Kelly voting "Aye", motion carried.

After a vote, Mayor Robinson stated for the record, the motion was made, seconded and carried for the council to go into closed session, necessary for the protection of the public interest, to discuss property negotiations at 8:06 p.m.

Mayor Robinson declared the meeting in open session at 8:20 p.m. No action was taken.

Following a motion and vote, Mayor Robinson declared the meeting adjourned at 8:22 p.m.

Mitch Robinson, Mayor

ATTEST: Alicia Koziol, City Clerk