

APRIL 19, 2021 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, April 19, 2021 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, John Kelly, Andy Bowser, and Bob Prieksat.

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 Schuler to approve the following consent agenda: *March 15, 2021 City Council minutes, Treasures Report for March 2021, April 15, 2021 Planning Commission minutes, April 1, 2021 Park Committee minutes, March 29, 2021 Enhancement Committee minutes, April 7, 2020 Board of Adjustment minutes, Maintenance Report, March 2021 Washington County Sheriff's Statistics*; with members Prieksat, Schuler, Kelly, and Bowser voting "Aye", motion carried.

Mayor Robinson presented the bills and the Acreage Fences invoice. Member Prieksat made a motion seconded by member Schuler to remove the Acreage Fences invoice and approve the following bills: ABE'S TRASH SERVICE, INC. – 207.28, ACCESS SYSTEMS LEASING - 187.44, AFLAC - 206.54, AMERICAN BROADBAND – 512.90, ARBORGROUPTREE CARE – 2400.00, BARCO – 175.48, BLAIR ACE HARDWARE – 45.74, BOMGAARS – 75.19, CITY OF BLAIR- 3483.24, COLONIAL RESEARCH – 1059.88, CONOCO FLEET – 146.14, CUMMINS CENTRAL POWER, LLC – 364.39, EFTPS – 2025.03, EMC INSURANCE COMPANIES – 839.00, ENDICOTT CLAY PRODUCTS COMPANY – 2556.86, ENTERPRISE MEDIA GROUP – 200.70, HENTON TRENCHING, INC. – 2140.00, HOME DEPOT CREDIT SERVICES – 167.45, JDW MIDWEST, LLC – 3193.39, JEO CONSULTING GROUP, INC. – 1732.50, JM ONLINE – 707.40, M.U.D. – 221.65, MICHAEL TODD & COMPANY INC – 1026.50, NE PUBLIC HEALTH ENV LAB – 500.00, NEBRASKA DEPT OF REV – 279.53, NEBRASKA SALES TAX – 3168.11, O.P.P.D. – 3004.53, ONE CALL CONCEPTS, INC – 19.21, PAPIO-MISSOURI RIVER N. R. D. – 4464.43, POSTMASTER - 151.20, ROCKMOUNT RESEARCH & ALLOYS INC – 213.07, S E SMITH & SONS – 534.37, TALBOT LAW OFFICE – 918.16, THE AMERICAN FUNDS GROUP – 1215.80, THE BOOKKEEPING COMPANY – 3000.00, UNITED HEALTHCARE - 4514.42, VERIZON WIRELESS - 123.36, WASHINGTON COUNTY SHERIFF – 18026.22, WASHINGTON COUNTY TREASURER – 3982.42, Total – 67,789.53; with all members voting "Aye", motion carried.

The public hearing relating to ZONING ORDINANCE REVISIONS TO SECTION 7.02 – OFF-STREET AUTOMOBILE SOTRAGE; SECTION 7.03 – SCHEDULE OF MINIMUM OFF-STREET PARKING AND LOADING REQUIREMENTS opened at 7:03 p.m. Lucas Billesbach, City Engineer, explained the parking spot requirements currently used in the zoning regulations should be adjusted to better accommodate the City's jurisdiction. The public hearing closed at 7:06 p.m.

Member Schuler made a motion seconded by member Kelly to approve Pay Application No. 2 for the 2020 Adams Street Corridor Park Improvements – Group B in the amount of \$151,264.50 to Dostals Construction, Inc. With members Kelly, Bowser, Prieksat, and Schuler voting “Aye”, motion carried.

Member Schuler introduced **Resolution 2021-4 – Traffic Control – No Parking on 13th Street** and moved for its passage and adoption. Member Bowser seconded the motion. On roll call the following voted “Aye”: Schuler, 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:

RESOLUTION NO. 2021-4

RESOLUTION FOR TRAFFIC CONTROL

WHEREAS, the City of Fort Calhoun, Nebraska as a Municipal Corporation has the authority to regulate traffic matters within its Corporate Limits; and

WHEREAS, the City of Fort Calhoun, Nebraska is interested in the public health and safety of the citizens of the City; and,

WHEREAS, the City of Fort Calhoun, Nebraska desires to establish the following traffic control, to-wit:

Establishing “No Parking” Regulations on the west side of 13th Street from Stevenson Street to vacated Grant Street

under the City's statutorily granted regulation powers.

WHEREAS, Resolution 2021-3 incorrectly stated Grant Street instead of Webster Street

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

1. The following traffic regulation and/or regulating device is adopted, to-wit:

Install “No Parking” signs on the west side of 13th Street from Stevenson Street to vacated Grant Street; signs to be in conformance with MUTCD Regulations

The effective date of the aforesaid traffic regulation and/or regulatory device will be as follows; to-wit: April 19, 2021

2. All Resolutions or parts of Resolutions in conflict herewith, including specifically 2021-3, are hereby repealed.

PASSED AND APPROVED April 19, 2021

ATTEST:

Alicia Koziol, City Clerk

CITY OF FORT CALHOUN, NEBRASKA
Mitch Robinson, Mayor

Member Schuler introduced **Resolution 2021-5 – Accepting Annexation** and moved for its passage and adoption. Motion died due to lack of a second. Member Prieksat motioned to table until next month, seconded by Member Bower. The council wanted time to research costs involved versus additional taxes gained. Mayor requested that each council member send him their questions individually in the next week, so the information could be gathered.

Lucas Billesbach, City Engineer presented and answered questions about the four areas recommended by the planning commission. He explained that annexation is for planned growth of city boundaries and additional income for maintenance for the expansion of the city's infrastructure and services provided. Clint Lewis asked where the current sewer connections are located, and would they be extended in any of these proposed areas. Lucas said that there are several ways for infrastructure when it is approved but it would be based on how many people are serviced, some costs can be accessed to the homeowner it all depends on the situation. Member Bowser asked what benefit there would be versus cost to take on these areas. Lucas stated that there would be additional property taxes, city sales tax and highway allocation funds. Corban Helmandollar, City maintenance Supervisor pointed out that you must weigh the pros and cons of taking on an area, such as responsibility for the roads, water, and sewer service, but that the city is not required to put in additional infrastructure. Member Schuler pointed out that anyone living outside the city limits do not pay taxes to help maintain the infrastructure, streets, parks, and police presence which are benefits that they enjoy, but the maintenance of these services is subsidized by the citizens within the city limits. Member Kelly said that the 2010 Annexation study that was done by Schemers had also pointed out these areas for annexation and asked why nothing had ever moved forward. Member Prieksat asked what the additional maintenance costs would be on each those areas. Lucas stated that there would be additional property taxes, city sales tax and highway allocation funds. Mayor Robinson pointed out that the areas that were identified make the most sense to annex based on their location to the city. Member Bowser asked why Clay street was west not looked at to annex. Member Kelly brought up that each property should be looked at individually so if one does not pass, so he questioned do the rest die or can they be approved with the current resolution. City attorney replied that however the motion is made for the ordinance at final approval is what areas would be annexed. Member Kelly asked what costs are incurred to continue with this process. Member Bowser asked if this is the right time to extend the boundaries when there is still infrastructure needed within town.

Member Prieksat introduced **Ordinance 776** entitled:

AN ORDINANCE OF THE CITY OF FORT CALHOUN, NEBRASKA, TO AMEND SECTIONS OF THE FORT CALHOUN ZONING ORDINANCE INCLUDING SECTION 7.02 – OFF-STREET AUTOMOBILE STORAGE; SECTION 7.03 – SCHEDULE OF MINIMUM OFF-STREET PARKING AND LOADING REQUIREMENTS; TO REPEAL ANY AND ALL ORDINANCES IN CONFLICT HEREWITH; AND TO PROVIDE AN EFFECTIVE DATE

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 Bowser, Prieksat, Schuler, and Kelly voting "Aye", motion carried.

Member Prieksat made a motion for final approval of Ordinance 776, and member Schuler seconded. With members Kelly, Bowser, Prieksat, and Schuler voting "Aye", motion carried.

Corban Helmandollar, maintenance supervisor discussed the bid from OPPD to move existing overhead power poles and to relocate the service underground at Adams Street Corridor, prior to the trail being put in. Member Kelly made a motion to approve the bid for \$11,227.00. Motion seconded by Member Prieksat. With members Kelly, Prieksat, and Schuler voting "Aye", Member Bowser voting "Nay", motion carried.

Corban Helmandollar and Deb Sutherland discussed approval for OPPD's Decorative Lighting Program which would replace the light poles at Adams Street Corridor to include lighting the trail throughout the park. Deb said they had picked the globe lights to match the existing lights at the Catholic church. Member Kelly made a motion to approve, seconded by member Bowser. With members Prieksat, Schuler, Kelly, and Bowser voting "Aye", motioned carried.

Mayor presented the names that were decided by the naming committee for the new park on 12th and Adams. Frontier Family Plaza or Adams Street Plaza. After some discussion by council, motion was made by Member Prieksat to choose Adams Street Plaza, Motion seconded by member Kelly. With members Kelly, Bowser, and Prieksat voting "Aye", member Schuler voting "Nay", motion carried.

Member Schuler made a motion seconded by member Kelly to approve the use of Keno funds in the amount of \$7,689.00 to purchase an animated toy train adding to the Christmas decorations in the park. With members Kelly, Prieksat, and Schuler voting "Aye", motion carried. Member Bowser voted "Nay".

Following a motion and vote, Mayor Robinson declared the meeting adjourned at 8:26 p.m.

Mitch Robinson, Mayor

ATTEST: Katie Knight, City Treasurer