

AUGUST 23, 2023 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 Wednesday, August 23, 2023, 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. 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.

Council President 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: Andy Bowser, John Kelly, and Nick Schuler.

Council President Prieksat 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.

Council President Prieksat led those present in the Pledge of Allegiance.

With a quorum present, Council President Prieksat presided, and the treasurer recorded the proceedings.

Member Bowser made a motion seconded by Kelly to approve the following consent agenda: *July 17, 2023 City Council minutes; Treasures Report for July; August 3, 2023 Park Committee minutes; July 31, 2023 Enhancement Committee minutes; August 17, 2023 Christmas in Calhoun minutes; Maintenance Report; July 2023 Washington County Sheriff's Statistics.* With members Kelly, Schuler, and Bowser voting "Aye", motion carried.

Council President Prieksat presented the July bills. Member Bowser made a motion seconded by member Schuler to approve the following bills: ABE'S PORTABLES - 125.00, 290.00, ABE'S TRASH SERVICE, INC. - 318.75, ACCESS SYSTEMS LEASING - 343.17, AFLAC - 118.95, 16.25, 118.95, 16.25, BLAIR ACE HARDWARE - 315.46, BLUECROSS BLUESHIELD OF NE - 3185.33, 3185.33, BOBCAT OF OMAHA - 3500.00, BOMGAARS - 101.55, BOWSER TRANSFER LLC - 104.46, CHASE BANK - 1040.00, 40000.00, CITY OF BLAIR - 2749.04, CLINE WILLIAMS - 690.50, 328.00, CONOCO FLEET - 717.58, CROWN TROPHY & AWARDS - 87.50, CUMMINS SALES AND SERVICE - 779.87, CURZON PROMOTIONAL GRAPHICS - 294.26, EFTPS - 1340.14, 313.42, 756.03, 1346.02, 314.82, 783.08, EMBRIS GROUP, LLC - 1665.00, 1500.00, 3653.75, 3000.00, ENTERPRISE MEDIA GROUP - 9.90, 114.30, 7.21, 25.65, FASTWYRE BROADBAND - 369.70, HOME DEPOT CREDIT SERVICES - 122.03, IDEAL PURE WATER - 48.75, JDW MIDWEST, LLC - 2646.19, JEO CONSULTING GROUP, INC. - 2280.00, 2350.00, JM ONLINE - 78.00, M.U.D. - 88.10, MANGIA ITALIANA - 157.71, MARTIN MARIETTA MATERIALS - 344.63, MICHAEL TODD INDUSTRY SUPPLY - 189.86, MUNICIPAL CODE SERVICES, INC. - 100.00, MUTUAL OF OMAHA - 18.00, 18.00, NE DEPT REV-LOTTERY TAX - 963.00, NE PUBLIC HEALTH ENV LAB - 515.00, NEBRASKA DEPARTMENT OF REVENUE - 341.88, 348.49, NEBRASKA SALES TAX - 2769.99, O.P.P.D. - 3545.08, OMAHA DOOR & WINDOW COMPANY INC - 8554.66, ONE CALL CONCEPTS, INC - 34.32, PAPIO-MISSOURI RIVER N. R. D. - 11883.25, 3257.40, POSTMASTER - 202.56, SAND CREEK CONSTRUCTION CO - 28771.45, 54781.61, TALBOT LAW OFFICE - 560.00, THE AMERICAN FUNDS GROUP - 1684.76, 1745.53, TRAFFIC LOGIX CORPORATION - 1800.00, VERIZON WIRELESS - 128.25, VISA - 1036.60, WASHINGTON CO. REG. OF DEEDS - 10.00, 10.00, WASHINGTON COUNTY BANK - 466.31, WASHINGTON COUNTY SHERIFF - 6493.76, Total - 211970.39; with members Bowser, Kelly, and Schuler voting "Aye", motion carried.

Council President Prieksat presented the August bills. Member Schuler made a motion seconded by member Kelly to approve the following bills: ABE'S PORTABLES - 125.00, 290.00, ABE'S TRASH SERVICE, INC. - 318.75, ACCESS SYSTEMS LEASING - 343.17, AFLAC - 118.95, 16.25, BLUECROSS BLUESHIELD OF NE - 3411.06, BOK FINANCIAL - 2574.00, BOMGAARS - 408.02, CITY OF BLAIR - 2964.22, CLINE WILLIAMS - 366.50, DEB SUTHERLAND - 11.98, EFTPS - 1285.62, 300.66, 734.24, EMBRIS GROUP, LLC - 3975.00, 1875.00, 1295.00, EMC INSURANCE COMPANIES - 548.00, ENTERPRISE MEDIA GROUP - 25.20, 22.25, 22.70, 22.25, 22.25, 22.25, 15.30, 16.20, 7.21, 76.50, 8.10, FASTWYRE BROADBAND - 375.80, IDEAL PURE WATER - 7.00, JDW MIDWEST, LLC - 275.00,

JEO CONSULTING GROUP, INC. - 3630.00, 1703.75, KATE'S COMPLETE LAWN CARE - 300.00, LEAGUE OF NEBR. MUNICIPALITIES - 4941.00, M.U.D. - 92.00, MICHAEL TODD INDUSTRY SUPPLY - 58.60, 379.52, MY INDEPENDENCE DAY - 500.00, NE PUBLIC HEALTH ENV LAB - 30.00, NEBRASKA DEPARTMENT OF REVENUE - 325.63, NEBRASKA GAME & PARKS - 375.00, O.P.P.D. - 3483.69, ONE CALL CONCEPTS, INC - 49.82, PAPIO-MISSOURI RIVER N. R. D. - 12695.77, 2926.17, POSTMASTER - 213.69, ROCK HARD CONCRETE, INC - 965.00, UTILITIES SECTION-LEAGUE - 592.00, VERIZON WIRELESS - 129.57, VISA - 2312.60, WASHINGTON COUNTY SHERIFF - 6493.76, WOODHOUSE FORD CHRY - 113.42, Total - 49154.98, Total – 76,510.59; with members Schuler, Bowser, and Kelly voting “Aye”, motion carried.

Member Kelly made a motion seconded by member Schuler to approve \$1,250 in Keno funds for Fort Calhoun Community Schools Foundation alumni weekend. With members Kelly, Schuler, and Bowser voting “Aye”, motion carried.

Member Bowser made a motion seconded by member Kelly to accept Zig Drywall Inc, FCYSO, and Fort Calhoun High Schools donation of a scoreboard with sponsor panel for the softball field with "Zig Drywall Inc" logo, and to approve additional signage at the complex for Jeremy Zeigler. President Prieksat stated they should come back to Park Board and Council with a design. With members Bowser, Kelly, and Schuler voting “Aye”, motion carried.

Member Bowser made a motion seconded by member Schuler to approve a firework display after the Homecoming football game on October 6th. With members Schuler, Bowser, and Kelly voting “Aye”, motion carried.

City Engineer, Lucas Billesbach, gave an update on the Transportation Alternatives Grant. The city was awarded the grant. It is an 80% funded grant with no maximum. The city share is 20% and will use the City Sales Tax fund. The grant is about \$2.7 million.

Lucas reviewed the draft of the 1&6 Year Road Plan prepared by Steve Parr of JEO Consulting Group. He told council to let him know if they have any comments in the next month. The plan will be presented at the next meeting for adoption.

Lucas presented Task Order 131216.32 from JEO Consulting Group to conduct a speed study. The council discussed the different options and locations for the speed study. Lucas stated that NDOT will be updating speed and volume counts within the next year. NDOT study wouldn't be as detailed as if the city had it done. Some of the north will be looked at within TAP grant project but not lot for the south. Member Schuler made a motion seconded by member Kelly to approve Task Order 131216.32 to conduct a speed study which includes highway 75 and Clay St for \$21,400. With members Schuler and Kelly voting “Aye”, and Bowser voting “Nay”, motion carried.

The second reading of **Ordinance 804 Zoning Amendments (Sections 5.06, 5.12.07, 7.02, 9.10, 9.12, 9.15, 9.24)** was tabled.

Member Schuler introduced **Resolution 2023-12 No Smoking – Ballfields, with amendments**, and moved for its passage and adoption. Member Bowser seconded the motion. On roll call the following voted “Aye”: Kelly, Bowser, and Schuler. The passage and adoption of said Resolution having been concurred by most of all members of the Council, the Council President 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.

RESOLUTION NO. 2023-12

A RESOLUTION OF THE CITY OF FORT CALHOUN, NEBRASKA TO PROHIBIT TOBACCO USE, INCLUDING CIGARETTES, ORAL TOBACCO PRODUCTS (“SPIT TOBACCO”), AND E-CIGARETTES, IN AND ON THE GROUNDS OF SPECIFIED CITY OWNED PROPERTIES:

WHEREAS, the City Council is desirous of prohibiting all persons, including employees and visitors, from the use of tobacco products, including cigarettes, oral tobacco products (“spit tobacco”), and e-cigarettes at the city ballfields during scheduled practices and games.

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

Section 1. The City Council hereby prohibits all persons, including employees and visitors, from the use of tobacco products, including cigarettes, oral tobacco products (“spit tobacco”), and e-cigarettes, at the city ballfields during scheduled practices and games. Tobacco-free signs shall be posted at the ballfields.

PASSED AND APPROVED AUGUST 23, 2023.

THE CITY OF FORT CALHOUN, NEBRASKA
Bob Prieksat, Council President

ATTEST:
Alicia Koziol, City Clerk

Member Schuler made a motion seconded by member Kelly to approve the purchase of a plow for \$8,587.05 for the F250. With all members voting "Aye", motion carried.

Following a motion and vote, Mayor Robinson declared the meeting adjourned at 8:17 p.m.

Bob Prieksat, Council President

ATTEST: Alicia Koziol, City Clerk