

## **DECEMBER 20, 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, December 20, 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: Andy Bowser, Nick Schuler, and Bob Prieksat. Member John Kelly 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 Prieksat made a motion seconded by member Bowser to approve the following consent agenda items: *November 15, 2021 City Council minutes, November 29, 2021 Enhancement Committee minutes, Maintenance Report, November 2021 Washington County Sheriff's Statistics, and to separate the Treasurers Report and Christmas in Calhoun minutes*; with members Prieksat, Schuler, and Bowser voting "Aye", motion carried.

Member Schuler noted a correction on the Treasurers Report for the Sales Tax. The ending balance should be \$272,859.91. Member Schuler made a motion seconded by member Prieksat to approve the Treasurers Report with the correction. With members Bowser, Prieksat, and Schuler voting "Aye", motion carried.

Mayor Robinson discussed Christmas in Calhoun and the donations received from the event and the traveling grinch. Member Prieksat made a motion seconded by member Bowser to separate the November 29, 2021 Christmas in Calhoun minutes. With member Schuler, Bowser, and Prieksat voting "Aye", motion carried.

Mayor Robinson moved to item *10b – Discussion and approval for the purchase of a new sheriff's vehicle (2022 Ford PUV Interceptor)*. Council discussed the purchase of a new sheriff's vehicle (2022 Ford PUV Interceptor) and whether or not to trade in the Tahoe. The price of the new vehicle is \$46,075.29. Member Bowser made a motion seconded by member Prieksat to purchase the 2022 Ford without trading-in the Tahoe right now. With members Bowser, Prieksat, and Schuler voting "Aye", motion carried.

Mayor Robinson presented the bills. Member Schuler made a motion seconded by member Prieksat to approve the following bills: ABE'S TRASH SERVICE, INC. - 302.26, ACCESS SYSTEMS LEASING - 187.44, AFLAC - 166.83, 39.71, ALICIA KOZIOL -66.88, AMERICAN BROADBAND - 511.96, BOBCAT OF OMAHA - 102.30, BOK FINANCIAL - 1353.33, 2700.00, 2045.00, BOMGAARS - 927.94, CHASE BANK - 2062.50, CITY OF BLAIR - 2870.82, CONOCO FLEET - 365.39, CORE & MAIN - 216.96, 21.79, DEB SUTHERLAND - 45.46, EFTPS - 1391.04, 325.32, 916.64, ENTERPRISE MEDIAGROUP - 8.10, 15.30, 81.45, 7.20, HOSE & HANDLING, INC. - 18.02, IDEAL PURE WATER - 23.99, IIMC - 175.00, JEANNE KNIGHT - 600.00, JENSON SHIRES - 750.00, JEO CONSULTING GROUP, INC.- 1940.00, 150.00, 536.25, 1000.00, 112.50, JOHN DEERE FINANCIAL - 729.48, JUDY BOYD - 168.78, LOGOS PLUS - 359.52, M.U.D. - 199.50, NE MUNICIPAL POWER POOL - 5265.00, NE PUBLIC HEALTH ENV LAB - 15.00, NEBRAKSA DEQ - 15166.61, 115.00, 115.00, 115.00, NEBRASKA DEPT OF REV - 389.48, NEBRASKA SALES TAX - 2074.11, O.P.P.D. - 2480.48, ONE CALL CONCEPTS, INC - 23.07, PAPIO-MISSOURI RIVER N.R. D. - 4285.09, 1343.22, QUILL CORPORATION - 43.98, 21.58, TALBOT LAW OFFICE - 406.00, THE AMERICAN FUNSD GROUP - 1555.61, THE SIGN DEPOT - 190.00, VERIZON WIRELESS - 123.06, VISA - 5149.06, WASHINGTON CO. REG. OF DEEDS - 160.00, WASHINGTON COUNTY SHERIFF - 6160.35, Total – 68691.36; with member Schuler, Bowser, and Prieksat voting “Aye”, motion carried.

Member Schuler made a motion seconded by member Prieksat to approve Pay Application No. 1 and Final from Midwest Excavating Services, LLC in the amount of \$26,451.07 for the 2020 14th Street Headwall Improvements. With member Schuler, Bowser, and Prieksat voting “Aye”, motion carried.

Member Schuler made a motion seconded by member Prieksat to approve final acceptance of the 2020 14th Street Headwall Improvements. With members Prieksat, Schuler, and Bowser voting “Aye”, motion carried.

Member Schuler made a motion seconded by member Prieksat to approve **Resolution 2021-18 Year-End Certification of City Street Superintendent**. On roll call the following voted “Aye”: 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:

#### **RESOLUTION NO. 2021-18**

**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 31<sup>st</sup> of each year) the appointment of the City Street Superintendent to the NDOT using the Year-End Certification of City Street Superintendent; and

**Whereas:** The NDOT requires that such certification shall also include a copy of the documentation of the city street superintendents 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 of 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 20<sup>th</sup> day of December 2021 at Fort Calhoun, Nebraska.

Attest: Alicia Koziol, City Clerk

Council reviewed the street sweeper bids. There were five bids total. Member Schuler made a motion seconded by member Bowser to award the contract to the lowest bidder, Midwest Machinery Co, for \$75,000. The sweeper is a 2007 Elgin Pelican with a John Deere diesel engine and has 2200 hours. With members Prieksat, Schuler, and Bowser voting "Aye", motion carried.

Member Schuler made a motion seconded by member Prieksat to approve the Release of Utility Easements on Lots 5 & 6 in Welchert-Knight Commercial Park Addition. With members Prieksat and Schuler voting "Aye", Bowser voting "Nay", motion carried.

Cox Communications presented. Member Schuler made a motion seconded by member Prieksat to approve the Franchise Agreement with Cox Communications and include a 5% franchise fee. Installation would start in the summer and take about 12 months. All lines will be underground. With members Bowser, Prieksat, and Schuler voting "Aye", motion carried.

Member Schuler made a motion, second by Bowser to elect Bob Prieksat as City Council President. With members Bowser and Schuler voting "Aye", member Prieksat abstaining, motion carried.

Mayor Robinson made the following 2022 appointments: City Clerk-Alicia Koziol; Treasurer-Katie Knight; City Attorney-Edmond E. Talbot III; Park Commissioner-John Kelly; Sewer Commissioner-Andy Bowser; Street Commissioner-Bob Prieksat; Water Commissioner-Nick Schuler; City Engineer, Lucas Billesbach, PE, JEO Consulting Group, Inc.; Street Superintendent: Steven A Parr (License number: S-859, Class A, contract), Principal, JEO Consulting Group, Inc; Planning Commission: Nate Dougherty (2022-2024); Park Board: Kris Richardson; James Totten; Sara Ruthven (2022-2024); Enhancement Committee: Cheri Oelke; Jackie Henderson; Beth Dietman (2022-2024); Board of Adjustment: Eric Herbert; Dave Romans; Paul Oestmann; Mike Smith (2022-2024).

Following a motion and vote, Mayor Robinson declared the meeting adjourned at 7:39 p.m.

Mitch Robinson, Mayor

ATTEST: Alicia Koziol, City Clerk