

## **FEBRUARY 20, 2024 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 Tuesday, February 20, 2024, at the Fort Calhoun Council Chamber, 110 S 14<sup>th</sup> 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.

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, Bob Prieksat, and Andy Bowser.

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.

The following consent agenda items were approved:

*January 22, 2024 City Council minutes; Treasures Report for January; February 1, 2024 Park Committee minutes; February 5, 2024 Planning Commission minutes; Maintenance Report; January 2023 Washington County Sheriff's Statistics.* With members Kelly, Schuler, Prieksat, and Bowser voting "Aye", motion carried.

Mayor Robinson presented the February bills. Member Prieksat made a motion seconded by member Schuler to approve the following bills: *ABE'S TRASH SERVICE, INC. - 318.75 - SER, ACCESS SYSTEMS LEASING - 367.69 - SER, BLIZZARD BOYS LLC - 542.00 - EXP, BOK FINANCIAL - 3170.00 - WIRE, BOMGAARS - 331.36 - SUP, CORE & MAIN - 788.13 - SUP, 1114.60 - SUP, 5355.18 - SUP, COX BUSINESS - 525.50 - UTL, CUMMINS SALES & SERVICE - 377.01 - SER, EMBRIS GROUP, LLC - 2585.00 - PROF, 15248.75 - PROF, EMC INSURANCE COMPANIES - 55792.00 - INS, ENTERPRISE MEDIA GROUP - 9.54 - SER, 86.81 - SER, 9.54 - SER, 44.97 - SER, IDEAL PURE WATER - 25.50 - SER, JDW MIDWEST, LLC - 3179.61 - SER, JEO CONSULTING GROUP, INC. - 1656.45 - PROF, 1070.00 - PROF, KAMB & C ENTERPRISES - 65.00 - SER, M.U.D. - 437.72 - UTL, NE PUBLIC HEALTH ENV LAB - 15.00 - TEST, NEBR RURAL WATER ASSOCIATION - 350.00 - DUES, NEBRASKA SALES TAX - 2394.25 - TAX, O.P.P.D. - 215.88 - UTL, 3658.65 - UTL, ONE CALL CONCEPTS, INC - 6.78 - SER, PAPIO-MISSOURI RIVER N. R. D. - 5121.40 - UTL, 962.58 - UTL, POSTMASTER - 199.28 - EXP, STARNET TECHNOLOGIES - 480.00 - DUES, TALBOT LAW OFFICE - 353.03 - PROF, THIELE GEOTECH, INC. - 392.00 - EXP, 770.00 - EXP, 4008.22 - EXP, VERIZON WIRELESS - 128.64 - SER, VISA - 2383.26 - EXP, WASHINGTON COUNTY REG OF DEEDS - 36.00 - SER, WASHINGTON COUNTY SHERIFF - 6493.76 - SER, WASHINGTON COUNTY TREASURER - 750.00 - EXP, 750.00 - EXP, Total - 126,616.00; with members Kelly, Prieksat, Schuler, and Bowser voting "Aye", motion carried.*

Member Bowser made a motion seconded by member Schuler to approve the Keno request of \$1,500 for the 2024 Friends of Lewis & Clark Bicentennial. With members Schuler, Bowser, Kelly and Prieksat voting "Aye", motion carried.

Member Schuler made a motion seconded by Prieksat to approve the plans, specifications, and opinion of cost for the Fort Calhoun Trail Improvements, Phase 3 & 4. Opinion of cost is a little higher than originally estimated. Pioneer Park

improvements added about \$40,000 to the cost. Group B (watermain replacement) will be bonded. With members Prieksat, Schuler, Kelly, and Bowser voting "Aye", motion carried.

Member Schuler made a motion seconded by Prieksat to authorize Embris Group to begin advertising for the Fort Calhoun Trail Improvements, Phase 3 & 4 and to work with the clerk to establish a bid opening date for the same. With members Bowser, Kelly, Prieksat, and Schuler voting "Aye", motion carried.

Member Prieksat made a motion seconded by member Schuler to approve Pay Application No. 8 in the amount of \$15,454.08 from Sand Creek Construction for the Adams Street Corridor Group B project. After applying and being approved for the CDAA grant, the state denied request for reimbursement, stating that the donated labor is not eligible. The contractors thought they were getting 40% of their donated labor. Now that the state will not be reimbursing them the city would like to make it right and request to pay the contractors. With members Prieksat, Schuler, Kelly, and Bowser voting "Aye", motion carried.

Lucas Billesbach, City Engineer, gave an update on the speed study. The state gave their feedback, but the county has not. The study will be on the March agenda for approval.

Council discussed the vacate of the alley in Block 106. The clerk sent out letters to the adjoining property owners. The school assumes they would be okay giving up their 7.5 feet of the vacate but needed approval from the school board. Some of the council believes all of the vacated area should go to the properties to the north because they are taxpayers (the properties to the south are the Pioneer Learning Center and the post office). Some of the council would like to wait and hear back from the school to give them a chance to respond.

Member Kelly made a motion seconded by member Schuler to approve the first reading of Ordinance 807, with the amended language to give the north properties the vacated property. With member Kelly and Schuler voting "Aye", member Prieksat voting "Nay", and member Bowser abstaining (without conflict), motion failed.

Member Prieksat made a motion to waive the three readings for Ordinance 807, with the amended language to give the north properties the vacated property. With no second the motion failed.

Member Kelly made a motion seconded by member Schuler to approve the purchase of 2023 John Deere mower with trade. With members Kelly, Prieksat, and Schuler voting "Aye", Bowser voting "Nay" 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 land purchase negotiations at 8:12 p.m.

Mayor Robinson declared the meeting in open session at 8:27 p.m. No action was taken.

**Monthly bill review:**

February (Jan bills) – Kelly

March (Feb bills) – Bowser

Following a motion and vote, Mayor Robinson declared the meeting adjourned at 8:28 p.m.

Mitch Robinson, Mayor

ATTEST: Alicia Koziol, City Clerk