

JULY 15, 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 7:02, on Monday, July 15, 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. 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: Bob Prieksat, Nick Schuler, and John Kelly. Member Andy Bowser 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 Schuler made a motion seconded by member Kelly to approve the following consent agenda: *June 17, 2024, City Council minutes; Treasures Report for June; June 24, 2024 Enhancement Committee minutes; Maintenance Report; June 2024 Washington County Sheriff's Statistics.* With members Prieksat, Schuler, Kelly voting "Aye", motion carried.

Mayor Robinson presented the July bills. Member Prieksat made a motion seconded by member Schuler to approve the following bills ABE'S TRASH SERVICE, INC. - 325.75 - SER, ACCESS SYSTEMS LEASING - 366.84 - SER, AFLAC - 118.95 - , 16.25 - , BERGER, ELLIOTT & PRITCHARD - 3980.00 - PROF, BLUECROSS BLUESHIELD OF NE - 3411.06 - , BOBCAT OF OMAHA - 3500.00 - SER, BOMGAARS - 949.93 - SUP, CHASE BANK - 40520.00 - PYMT, CITY OF BLAIR - 3676.04 - UTL, CONOCO FLEET - 508.96 - FUEL, COX BUSINESS - 524.76 - UTL, DAVE WESTERHOLT - 300.00 - EXP, DEB SUTHERLAND - 29.41 - REIMB, EFTPS - 1526.96 - , 357.10 - , 870.27 - , EMBRIS GROUP, LLC - 5590.00 - PROF, 1862.50 - PROF, ENTERPRISE MEDIA GROUP - 9.54 - SER, 21.36 - SER, 17.72 - SER, 477.00 - SER, 137.26 - SER, 9.54 - SER, FORT CALHOUN COMMUNITY SCHOOLS - 685.00 - REIMB, HOME DEPOT CREDIT SERVICES - 245.97 - EXP, IDEAL PURE WATER - 58.65 - SER, JDW MIDWEST, LLC - 3221.71 - SER, JEO CONSULTING GROUP, INC. - 875.00 - PROF, 2461.95 - PROF, JM ONLINE - 78.00 - SER, LARS ERICKSON - 300.00 - EXP, LORRINE LAMMERS - 121.98 - REIMB, M.U.D. - 96.00 - UTL, MUNICIPAL SUPPLY, INC./NE - 442.20 - EXP, NE DEPT REV-LOTTERY TAX - 1424.00 - , NE PUBLIC HEALTH ENV LAB - 515.00 - TEST, NEBRASKA DEPARTMENT OF REVENUE - 383.80 - , NEBRASKA SALES TAX - 2577.68 - TAX, O.P.P.D. - 4106.54 - UTL, ONE CALL CONCEPTS, INC - 29.48 - SER, PAPIO-MISSOURI RIVER N. R.D. - 11018.86 - UTL, 1462.88 - UTL, POSTMASTER - 198.75 - EXP, TALBOT LAW OFFICE - 560.00 - PROF, TESSIE ALLEN - 50.00 - EXP, THE AMERICAN FUNDS GROUP - 2216.81 - , VISA - 3261.71 - EXP, WCB - 486.91 - TIF WASHINGTON COUNTY SHERIFF - 6493.76 - SER, WASHINGTON COUNTY TREASURER - 100.00 - EXP, YOUNG & WHITE LAW OFFICES - 144.30 - PROF, ZIMCO SUPPLY CO - 440.00 - EXP, Total - 113,164.14; with members Kelly, Prieksat, and Schuler voting "Aye", motion carried.

Member Kelly made a motion seconded by member Prieksat to approve the use of Keno funds to purchase flags for main street (up to \$850). With members Schuler, Kelly, and Prieksat voting "Aye", motion carried.

Member Prieksat made a motion seconded by Schuler to deny the request for reimbursement for damages to Mark and Amy Gustafsons home. Houses are required to have pressure reducer and the home did not. The water main break caused increased pressure to blow the back of the toilet which resulted in water damage. With members Prieksat, Schuler, Kelly voting "Aye", motion carried.

Member Prieksat made a motion seconded by Schuler to approve Change Order No. 1 for the Trail Extensions Phase 3 & 4 project to add additional federal assurances to the contract. With members Kelly, Prieksat, and Schuler voting "Aye", motion carried.

Member Prieksat made a motion seconded by Schuler to approve a Permanent Easement agreement with the Nebraska Game and Parks Commission, an agency of the State of Nebraska for the Trail Extensions Phase 3 & 4 project. With members Schuler, Kelly, and Prieksat voting "Aye", motion carried.

Member Schuler made a motion second by Prieksat to authorize Embris Group to work with surveyors from JEO in an amount not to exceed \$7,500 to prepare a design for the replacement of 13th Street from Clark to Clay as a work change directive to the Trail Extensions Phase 3 & 4 project. Corban looked at the budget to see where money could be used to improve the area. Using the contractors that are constructing the trail would save quite a bit of money. With members Prieksat, Schuler, Kelly voting "Aye", motion carried.

Member Schuler made a motion second by Prieksat to approve a relaxation of city standards to not include curb and gutter for the replacement of 13th Street from Clark to Clay. With members Kelly, Prieksat, and Schuler voting "Aye", motion carried.

Member Schuler made a motion seconded by member Kelly to approve Pay Application No. 12 from Sand Creek Construction in the amount of \$8,779.73 for the Adams Street Corridor Group B project. The lights need to be programmed before the final pay application is turned in for approval. With members Schuler, Kelly, and Prieksat voting "Aye", motion carried.

Member Prieksat introduced **Ordinance 810 Vacate Alley** entitled:

AN ORDINANCE TO VACATE THE ALLEY IN BLOCK 107 & 108 WITHIN THE CORPORATE LIMITS OF THE CITY OF FORT CALHOUN, WASHINGTON COUNTY, NEBRASKA, AS DEPICTED AND LEGALLY DESCRIBED UPON THE ATTACHED MAP, PLAT OR SURVEY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN FORCE AND EFFECT.

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

Member Prieksat made a motion seconded by member Schuler to approve closing a portion of 12th Street from 7:00 a.m. to 1:00 p.m. for the Morning Market and Pilates Event on Saturday, July 27th. With members Kelly, Prieksat, and Schuler voting "Aye", motion carried.

Member Kelly made a motion seconded by member Schuler to approve the purchase of permanent lights for the gazebo at West Market Square Park. With members Schuler, Kelly, and Prieksat voting "Aye", motion carried.

Monthly bill review:

April (March bills) - Nick Schuler

July (June bills) - Andy Bowser

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 7:40 p.m.

Mayor Robinson declared the meeting in open session at 7:57 p.m. No action was taken.

Following a motion and vote, Mayor Robinson declared the meeting adjourned at 7:58 p.m.

Mitch Robinson, Mayor

ATTEST: Alicia Koziol, City Clerk

