

JULY 17, 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 Monday, July 17, 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.

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, and Bob Prieksat. 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 treasurer recorded the proceedings.

The following consent agenda items were approved:

June 19, 2023 City Council minutes; Treasures Report for June; July 12, 2023 Planning Commission minutes; July 6, 2023 Park Committee minutes; June 26, 2023 Enhancement Committee minutes; Maintenance Report; June 2023 Washington County Sheriff's Statistics. With members Prieksat, Schuler, and Kelly voting "Aye", motion carried.

June claims were presented by mistake. July bills will be presented in August.

The public hearing relating to AN AMENDMENT TO THE FORT CALHOUN ZONING ORDINANCE OF ARTICLE 2, SECTION 2.03 - DEFINITIONS; ARTICLE 4, SECTION 4.12.13 - REGULATION OF ACCESSORY USES; ARTICLE 5, SECTION 5.06 - LAND USE CATEGORIES/MATRIX, SECTION 5.12.07 - SPECIAL DESIGN CRITERIA, 5.20.15 - DEFINITIONS; ARTICLE 7, SECTION 7.02 - OFF STREET AUTOMOBILE STORAGE; ARTICLE 9, SECTION 9.10 - BIOFUEL AND DISTILLATION FACILITIES, 9.12 - SELF-STORAGE UNITS, 9.15 - AUTOMOBILE AND EQUIPMENT RENTAL AND SALES, 9.24 - RECREATIONAL VEHICLE PARKS opened at 7:06 p.m. There were no written comments. Mayor Robinson went through the proposed amendments. The council discussed retail internet sales and questioned the purpose of the definition. They would like to see the definition revised and included in the matrix. The public hearing closed at 7:22 p.m.

Member Prieksat made a motion seconded by member Schuler to approve Pay Application No. 1 in the amount of \$28,771.45 from Sand Creek Construction Company for the Adams Street Corridor Group members Kelly, Prieksat, and Schuler voting "Aye", motion carried.

Member Prieksat made a motion seconded by member Schuler to approve Pay Application No. 2 in the amount of \$54,781.61 from Sand Creek Construction Company for the Adams Street Corridor Group B project. With members Schuler, Kelly, and Prieksat voting "Aye", motion carried.

Council discussed Task Order 131216.32 from JEO Consulting Group for speed studies along Clay Street and Hwy 75. The task order is estimated to \$21,400 up to \$30,400. Mayor Robinson noted a couple of the locations on the task order are outside the city limits and said he would not support the study with those areas. Member Kelly said some of the areas were discussed before, such as Madison, Clay, and Monroe. The task order was tabled.

Member Kelly introduced **Ordinance 804 Zoning Amendments (Sections 5.06, 5.12.07, 7.02, 9.10, 9.12, 9.15, 9.24)**. Member Kelly made a motion to approve the first reading and member Kelly seconded. With members Prieksat, Schuler, and Kelly voting "Aye", motion carried.

Member Schuler introduced **Resolution 2023-9 Traffic Control (Four-Way Stop 10th & Madison)** and moved for its passage and adoption. Member Kelly seconded the motion. On roll call the following voted "Aye": Kelly, 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.

RESOLUTION NO. 2023-9
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:

Requiring a four-way complete stop at the intersection of 10th and Madison Streets when traveling east or west on Madison Street at 10th Street and when traveling north or south on 10th Street at Madison Street.

under the City's statutorily granted regulation powers.

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 a Stop Sign on the northeast corner of Madison Street at 10th Street
 - Install a Stop Sign on the southwest corner of Madison Street at 10th Street

The effective date of the aforesaid traffic regulation and/or regulatory device will be as follows; to-wit: July 17, 2023

2. All Resolutions or parts of Resolutions in conflict herewith are hereby repealed.

PASSED AND APPROVED JULY 17, 2023

THE CITY OF FORT CALHOUN, NEBRASKA
Mitch Robinson, Mayor

ATTEST:
Alicia Koziol, City Clerk

Member Kelly introduced **Resolution 2023-11 Traffic Control (Three-Way Stop 17th & Clay)** and moved for its passage and adoption. Member Schuler seconded the motion. On roll call the following voted "Aye": Schuler, Kelly, 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.

RESOLUTION NO. 2023-11
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:

Requiring a three-way complete stop at the intersection of 17th and Clay Streets when traveling south on 17th Street at Clay Street and when traveling east or west on Clay Street at 17th Street .

under the City's statutorily granted regulation powers.

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 a Stop Sign on the northeast corner of Clay Street at 17th Street
 - Install a Stop Sign on the southwest corner of Clay Street at 17th Street

The effective date of the aforesaid traffic regulation and/or regulatory device will be as follows; to-wit: July 17, 2023

2. All Resolutions or parts of Resolutions in conflict herewith are hereby repealed.

PASSED AND APPROVED JULY 17, 2023

THE CITY OF FORT CALHOUN, NEBRASKA
Mitch Robinson, Mayor

ATTEST:
Alicia Koziol, City Clerk

The request from FCYSO for "No Smoking" signs at the ballfields was tabled. For the signs to be enforced, the action would need to be put into a resolution.

Following a motion and vote, Mayor Robinson declared the meeting adjourned at 7:53 p.m.

Mitch Robinson, Mayor

ATTEST: Alicia Koziol, City Clerk