

## ***JUNE 20, 2022 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, June 20, 2022, 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: Bob Prieksat, Nick Schuler, and Andy Bowser. 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, Council President Prieksat presided, and the clerk recorded the proceedings.

Member Schuler made a motion seconded by member Kelly to approve the following consent agenda items: *May 16, 2022 City Council minutes, Treasures Report for May, June 1, 2022 Park Committee minutes, May 23, 2022 Enhancement Committee minutes, Maintenance Report, May 2022 Washington County Sheriff's Statistics*; with members Bowser, Kelly, and Schuler voting "Aye", motion carried.

Mayor Robinson presented the bills. Member Schuler made a motion seconded by member Bowser to approve the following bills: ABE'S PORTABLES - 148.96, ABE'S TRASH SERVICE, INC. - 1364.06, ACCESS SYSTEMS - 395.40, AFLAC - 166.83, 39.71, AMERICANBROADBAND - 470.92, BARCO - 954.33, BERGER, ELLIOTT & PRITCHARD - 3000.00, BLAIR ACEHARDWARE - 39.75, BOBCAT OF OMAHA - 3500.00, BOK FINANCIAL - 2700.00, 11400.00, 42727.50,12630.79, BOMGAARS - 65.96, CARQUEST - 78.36, CHASE BANK - 57062.50, CITY OF BLAIR -3196.61, CNA SURETY - 625.00, COLONIAL RESEARCH - 315.17, 1381.50, CONOCO FLEET - 402.49, CUMMINS SALES AND SERVICE - 2165.57, 250.14, 377.01, EFTPS - 1160.10,271.30, 652.88, EMBRIS GROUP, LLC - 1575.00, EMC INSURANCE COMPANIES - 82.50, ENTERPRISE MEDIA GROUP - 101.24, 9.45, 76.50, 17.55, 8.55, HD AUTO CREATIONS INC - 617.00, HOLIDAY OUTDOOR DECOR - 1345.80, 5675.65, HOME DEPOT CREDIT SERVICES - 193.70, IDEALPURE WATER - 24.99, JDW MIDWEST, LLC - 813.39, JEO CONSULTING GROUP, INC. - 4900.00,1725.00, 1312.50, 10732.50, 13492.50, 18500.00, 5617.50, KINGHORN GARDENS - 2500.00, M.U.D. -101.45, NE PUBLIC HEALTH ENV LAB - 30.00, NEBR RURAL WATER ASSOCIATION - 175.00,NEBRASKA DEQ - 15129.55, NEBRASKA DEPARTMENT OF REVENUE - 283.58, NEBRASKASALES TAX - 2227.41, O.P.P.D. - 3160.13, ONE CALL CONCEPTS, INC - 137.10, POSTMASTER -169.20, TALBOT LAW OFFICE - 367.50, THE AMERICAN FUNDS GROUP - 1489.80, UNITEDHEALTH CARE - 4984.40, VISA - 1039.17, WASHINGTONCOUNTY SHERIFF - 12320.70, 6598.55 , Total – 26077.70; with members Schuler, Bowser, and Prieksat voting "Aye", motion carried.

Member Prieksat made a motion seconded by member Schuler to approve the Enhancement Committee's request for the city to pay \$2,504 in Keno funds for river rock groundcover for the North and South entrances of Fort Calhoun. The total amount of the project is \$4,504 and \$2,000 of it will be coming out of the Enhancement Fund. Hager Outdoor will be doing the work. With members Prieksat, Schuler, and Bowser voting "Aye", motion carried.

Discussion regarding the request to vacate the south half of Court Street on lots #1 & #2, block 65 (between 7th & 8th Street) was tabled for a later date.

City Engineer, Lucas Billesbach, gave an update and status on the starter mechanisms for the splash pad. Lucas said they are still working through the issues, and he is going to contact the contractor regarding the warranty.

Member Prieksat introduced **Resolution 2022-2 – Special Designated Liquor License Approval Process** and moved for its passage and adoption. Member Bowser seconded the motion. On roll call the following voted “Aye”: Prieksat, Schuler, and Bowser. 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. 2022-2**

WHEREAS, Neb. Rev. Stat. §53-124.11 permits local governing bodies to approve or deny the issuance of special designated licenses for consumption of alcoholic liquors; and

WHEREAS, Neb. Rev. Stat. §53-124.11 also permits local governing bodies to establish criteria for approving or denying the issuance of such special designated licenses, and to designate such authority to an agent to make such determinations; and

WHEREAS, the City Council desire to establish certain criteria for approving or denying the issuance of such special designated licenses; and

WHEREAS, the City Council desire to designate the City Clerk as its agent to approve or deny the issuance of such special designated licenses in accordance with such criteria; and

WHEREAS, the City Council desire that the criteria, attached hereto as Exhibit “A”, and incorporated herein by reference, be adopted as the basis for approving or denying the issuance of special designated liquor license applications.

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

SECTION 1. That the criteria for approving or denying the issuance of a special designated liquor license, attached hereto as Exhibit “A”, be and is hereby approved and adopted.

SECTION 2. That the City Clerk, or their designee, be and is hereby designated as the agent of the City of Fort Calhoun to determine whether a special designated liquor license is to be approved or denied in accordance with the criteria established in Exhibit “A”.

SECTION 3. That all resolutions or parts of resolutions in conflict herewith are hereby repealed. RESOLUTION PASSED AND ADOPTED this 20<sup>th</sup> day of June, 2022.

CITY OF FORT CALHOUN, NEBRASKA

CITY OF FORT CALHOUN, NEBRASKA

By: MITCH ROBINSON, MAYOR

ATTEST:

ALICIA KOZIOL, CITY CLERK

Member Prieksat introduced **Resolution 2022-3 – Approving Community Development Assistance Act Project Application** and moved for its passage and adoption. Member Schuler seconded the motion. On roll call the following voted “Aye”: Prieksat, Schuler, and Bowser. 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. 2022-3**

WHEREAS, THE City of Fort Calhoun, Nebraska is requesting Community Development Assistance Act (CDAA) tax credits for the construction of the restroom facility at the Adams Street Plaza splash pad park; and

WHEREAS, the Fort Calhoun city council has reviewed the CDAA application and determined that the proposed project is consistent with the community's long-term plan; and

WHEREAS, requested CDAA tax credits, in the amount of \$25,000 will be utilized to leverage private donations to provide the undertake of the proposed project; and

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

1. The City Council of Fort Calhoun has reviewed and supports the submittal of the Community Development Assistance Act Project Application to the Nebraska Department of Economic Development requesting \$25,000 in tax credit assistance to implement the restroom facility at the Adams Street Plaza Park, be and is hereby approved and adopted.
2. That all resolutions or parts of resolutions in conflict herewith are hereby repealed.

PASSED AND ADOPTED this 20th day of June, 2022.

CITY OF FORT CALHOUN, NEBRASKA  
By: MITCH ROBINSON, MAYOR

ATTEST:  
ALICIA KOZIOL, CITY CLERK

**Ordinance 789 – Vacating a portion of Court Street** was tabled.

The council discussed purchasing part of Tax Lot 147 behind the City Maintenance Building for \$12,000. Building Funds would be used to pay for the land and won't be purchased until October for the new budget. Member Prieksat made a motion seconded by member Schuler to approve. With members Prieksat and Schuler voting "Aye, and member Bowser voting "Nay", motion carried.

Member Prieksat made a motion seconded by member Schuler to approve selling the 2012 Chevy Colorado through Big Iron. With members Prieksat, Schuler, and Bowser voting "Aye", motion carried.

Mayor Robinson discussed the idea of coming up with a new logo for the city. The city will contact the art teacher and have students submit ideas, as well anyone else that wants to submit an idea. A new slogan will also be an option. Council will vote on the submissions.

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 a possible legal action at 7:30 p.m.

Mayor Robinson declared the meeting in open session at 7:51 p.m. and action was taken.

Following a motion and vote, Mayor Robinson declared the meeting adjourned at 7:52 p.m.

Mitch Robinson, Mayor

ATTEST: Alicia Koziol, City Clerk