

SEPTEMBER 16, 2024 CITY COUNCIL MINUTES

A regular meeting of the City Council of the City of Fort Calhoun, Nebraska, was held in open and public session at 6:05, on Monday, September 16, 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: Andy Bowser, Bob Priksat, Nick Schuler, and John Kelly.

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 Priksat made a motion seconded by member Schuler to approve the following consent agenda: *August 19, 2024, City Council minutes; Treasures Report for August; September 5, 2024 Park Committee minutes; August 26, 2024 Enhancement Committee minutes; Maintenance Report; August 2024 Washington County Sheriff's Statistics.* With members Schuler, Kelly, Bowser, and Priksat voting "Aye", motion carried.

Mayor Robinson presented the September bills. Motion by Priksat second by Kelly to approve the following bills: ABE'S TRASH SERVICE, INC. - 325.75 - SER, ACCESS SYSTEMS LEASING - 366.84 - SER, AFLAC - 118.95 - , 16.25 - , BACKYARD PLAYWORLD - 1198.00 - CAPIMP, BLUECROSS BLUESHIELD OF NE - 3741.58 - , CHASE BANK - 304050.00 - PYMT, CITY OF BLAIR - 4044.82 - UTL, CONOCO FLEET - 843.05 - FUEL, CORE & MAIN - 88.57 - SUP, COX BUSINESS - 525.57 - UTL, EFTPS - 1364.02 - , 319.00 - , 805.97 - , EMBRIS GROUP, LLC - 1705.00 - PROF, 5477.50 - PROF, EMC INSURANCE COMPANIES - 443.64 - INS, ENTERPRISE MEDIA GROUP - 9.54 - SER, 89.08 - SER, 9.54 - SER, IDEAL PURE WATER - 32.25 - SER, JDW MIDWEST, LLC - 6344.32 - SER, JEO CONSULTING GROUP, INC. - 151.25 - PROF, LARS ERICKSON - 400.00 - EXP, LIBERTY CORE CONSULTANTS LLC - 3026.80 - SER, 3607.20 - SER, 1897.30 - SER, M.U.D. - 96.39 - UTL, MUTUAL OF OMAHA - 18.00 - , NE PUBLIC HEALTH ENV LAB - 30.00 - TEST, NEBRASKA DEPARTMENT OF REVENUE - 359.66 - TAX, NEBRASKA SALES TAX - 2813.30 - TAX, O.P.P.D. - 3622.28 - UTL, ONE CALL CONCEPTS, INC - 38.66 - SER, PAPIO-MISSOURI RIVER N. R. D. - 15628.27 - UTL, 1786.23 - UTL, POSTMASTER - 207.20 - EXP, ROCK HARD CONCRETE, INC - 32622.22 - CAPIMP, TALBOT LAW OFFICE - 542.50 - PROF, THE AMERICAN FUNDS GROUP - 1327.80 - , THIELE GEOTECH, INC. - 1439.00 - EXP, THREE RIVERS CLERKS ASSOC. - 10.00 - DUES, VERIZON WIRELESS - 133.70 - EXP, VISA - 1884.67 - EXP, WASHINGTON COUNTY TREASURER - 4611.74 - TAX, Total - 408173.41; with members Kelly, Bowser, Priksat, and Schuler voting "Aye", motion carried.

At 6:09 p.m., Mayor Robinson stated in compliance with the provisions in State Statute Section 77-1601.02, it was now time to conduct the public hearing relating relative to hearing support, opposition, criticism, suggestions or observations of taxpayers relating to setting the final tax request at a different amount than the prior year tax request (levy):

2023-2024 Property Tax Request	\$ 651,723.00
2023 Tax Rate	0.540000
Property Tax Rate (2023-2024 Requested/2023 Valuation)	0.524266

2024-2025 Proposed Property Tax Request	\$ 670,036.50
Proposed 2024 Tax Rate	0.539000

With there being no public comments, questions or discussion, Mayor Robinson declared the public hearing closed at 6:10 p.m.

Member Prieksat made a motion seconded by Kelly to approve the request for the Fort Calhoun High School to do a special firework display after the football game on October 18th. With members Bowser, Prieksat, Schuler, and Kelly voting "Aye", motion carried.

The Jeanette Hunt Animal Shelter - presentation on how the animal shelter is working with the community of Fort Calhoun and request for financial support for services provided was tabled.

Member Kelly made a motion seconded by Schuler to approve \$7,148.16 in Keno funds for ballfield improvements. With members Prieksat, Schuler, Kelly, and Bowser voting "Aye", motion carried.

Member Schuler made a motion second by Kelly to Pay Application No. 2 from NLC, LLC in the amount of \$245,324.00 for the Fort Calhoun Trail Extension Phase 3 & 4 project. With members Schuler, Kelly, Bowser, and Prieksat voting "Aye", motion carried.

Member Prieksat made a motion seconded by member Schuler to approve the 2024-25 Capital Improvements Plan. With members Kelly, Bowser, Prieksat, and Schuler voting "Aye", motion carried.

Member Prieksat introduced **Resolution 2024-5 Setting the 2024-2025 Personal and Real Property Tax Request at \$215,000.00 for Principal and Interest on Bonds and \$455,039.50 for all other Purposes, for a total of \$670,039.50** and moved for its passage and adoption. Member Kelly seconded the motion. On roll call the following voted "Aye": Bowser, Prieksat, Schuler, and Kelly. 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 SETTING THE PROPERTY TAX REQUEST
RESOLUTION NO. 2024-5**

WHEREAS, Nebraska Revised Statute 77-1632 and 77-1633 provides that the Governing Body of the City of Fort Calhoun passes by a majority vote a resolution or ordinance setting the tax request; and

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request;

NOW, THEREFORE, the Governing Body of the City of Fort Calhoun resolves that:

- The 2024-2025 property tax request be set at:
 General Fund: \$ 455,039.50
 Bond Fund: \$ 215,000.00
- The total assessed value of property differs from last year's total assessed value by 3 percent.
- The tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property would be 0.524266 per \$100 of assessed value.
- The City of Fort Calhoun proposes to adopt a property tax request that will cause its tax rate to be 0.539 per \$100 of assessed value.
- Based on the proposed property tax request and changes in other revenue, the total operating budget of the City of Fort Calhoun will increase (or decrease) last year's budget by -11.7 percent.

6. A copy of this resolution be certified and forwarded to the County Clerk on or before October 15, 2024.

ADOPTED THIS 16th DAY OF SEPTEMBER 2024.

Member Schuler introduced **Resolution 2024-6 Adoption of the 1 & 6 Year Plan** and moved for its passage and adoption. Member Prieksat seconded the motion. On roll call the following voted "Aye": Prieksat, Schuler, Kelly, 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.

RESOLUTION NO. 2024-6

"WHEREAS, the City Street Superintendent has prepared a One Year and Six Year Plan for Street Improvement Program for the City of Fort Calhoun, and

WHEREAS, a public meeting was held on the 16th day of September 2024, to present this plan and there were no objections to said plan;

THEREFORE, BE IT RESOLVED BY THE Mayor and City Council of Fort Calhoun, Nebraska, that the plans and data as furnished are hereby in all things accepted and adopted."

BE IT FURTHER RESOLVED THAT A CERTIFIED COPY OF SAID PLAN BE FILED WITH THE BOARD OF PUBLIC ROADS CLASSIFICATIONS AND STANDARDS, STATE OF NEBRASKA.

ADOPTED THIS 16th DAY OF SEPTEMBER 2024.

Member Schuler introduced **Resolution 2024-7 Signing of the Municipal Annual Certification of Program Compliance** and moved for its passage and adoption. Member Bowser seconded the motion. On roll call the following voted "Aye": Bowser, Prieksat, Schuler, and Kelly. 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. 2024-7

Whereas: State of Nebraska Statutes, sections 39-2115, 39-2119, 39-2120, 39-2121, and 39-2520(2), requires an annual certification of program compliance to the Nebraska Board of Public Roads Classifications and Standards; and

Whereas: State of Nebraska Statute, section 39-2120 also requires that the annual certification of program compliance by each municipality shall be signed by the Mayor or Village Board Chairperson and shall include a copy of a resolution of the governing body of the municipality authorizing the signing of the certification.

Be it resolved that the Mayor of the City of Fort Calhoun is hereby authorized to sign the Municipal Annual Certification of Program Compliance form.

Adopted this 16th day of September, 2024 at Fort Calhoun, Nebraska.

Member Prieksat introduced **Resolution 2024-8 Support of NRD Expansion Plans** and moved for its passage and adoption. Member Bowser seconded the motion. Justin Novak, Papio NRD Project Manager, said he is looking for support from communities so that NRD can apply for grants. The final design should be complete next month. The NRD is not asking for anything monetary at this time. There were questions and concerns regarding the recent water quality issues. Justin said NRD is a redundant system with two different feed sources that allows you to switch back and forth if there's issues, which is unique. Member Bowser asked if there would be a rate increase. Justin said that a rate increase is always a possibility but hopefully not too much. With members Kelly and Prieksat voting "Aye", members Bowser and Schuler voting "Nay", and Mayor Robinson voting "Aye" to break the tie vote, motion carried. 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. 2024-8

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA, REGARDING THE FUTURE PLANS OF THE PAPIO NATURAL RESOURCES DISTRICT ("NRD") IN THE CITY OF FORT CALHOUN, NEBRASKA

WHEREAS, a presentation was given by Justin Novak, Project Manager of NRD, to the City Council on June 17, 2024.

WHEREAS, the presentation included the NRD's planned expansion of a new water system in Blair, Nebraska that will fully serve Fort Calhoun. MUD would no longer serve Fort Calhoun.

WHEREAS, the City Council of Fort Calhoun supports the new water delivery system proposed by the NRD.

NOW BE IT RESOLVED by the Mayor of Fort Calhoun and City Council of the City of Fort Calhoun, Nebraska, that the City Council is in support of the proposed NRD expansion that will supply water service to the residents of the City of Fort Calhoun.

PASSED AND APPROVED THIS 16th day of SEPTEMBER 2024.

Member Schuler made a motion seconded by member Bowser to approve the 1% increase to restricted funds authority. With members Kelly, Bowser, Prieksat, and Schuler voting "Aye", motion carried.

Member Bowser made a motion seconded by member Prieksat to approve the closure of a portion of 12th Street from 7:00 a.m. to 1:00 p.m. for the Fall Morning Market Event on Saturday, September 21st. With members Prieksat, Schuler, Kelly, and Bowser voting "Aye", motion carried.

Mayor Robinson stated there would not be a closed session to discuss property negotiations.

Following a motion and vote, Mayor Robinson declared the meeting adjourned at 6:31 p.m.

Mitch Robinson, Mayor

ATTEST: Alicia Koziol, City Clerk