

SEPTEMBER 18, 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, September 18, 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.

Council President 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 Prieksat, John Kelly, and Nick Schuler.

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 Kelly to approve the following consent agenda: *August 23, 2023 City Council minutes; Treasures Report for August; August 28, 2023 Enhancement Committee minutes; September 13, 2023 Christmas in Calhoun minutes; Maintenance Report; August 2023 Washington County Sheriff's Statistics.* With members Kelly, Prieksat, Schuler, and Bowser voting "Aye", motion carried.

Mayor Robinson presented the September bills. Member Bowser made a motion seconded by member Prieksat to approve the following bills: ABE'S PORTABLES - SER - 290.00, 125.00, ABE'S TRASH SERVICE, INC. - SER - 318.75, AFLAC - 118.95, 16.25, BLAIR ACE HARDWARE - SUP - 773.92, BLIZZARD BOYS, LLC - EXP - 8587.05, BLUECROSS BLUESHIELD OF NE - 3411.06, BOMGAARS - SUP - 130.28, CITY OF BLAIR - UTL - 2684.60, COLONIAL RESEARCH - SUP - 358.31, CORE & MAIN - SUP - 1143.79, COX BUSINESS - UTL - 1063.57, EFTPS - 1321.68, 309.12, 755.92, EMBRIS GROUP, LLC PROF 10535.00 - PROF - 1275.00, 2497.50, ENTERPRISE MEDIA GROUP SER 10.35 - SER - 126.84, FASTWYRE BROADBAND - UTL - 242.97, IDEAL PURE WATER - SER - 55.50, JDW MIDWEST, LLC - SER - 275.00, JEO CONSULTING GROUP, INC. - PROF - 517.50, KATE'S COMPLETE LAWN CARE - EXP - 300.00, M.U.D. - UTL - 94.36, MUTUAL OF OMAHA - INS - 18.00, NE PUBLIC HEALTH ENV LAB - TEST - 60.00, NEBRASKA DEPARTMENT OF REVENUE - 336.66, NEBRASKA SALES TAX - TAX - 2659.09, 2789.02, O.P.P.D. - UTL - 3458.37, ONE CALL CONCEPTS, INC - SER - 46.78, PAPIO-MISSOURI RIVER N. R. D. - UTL - 10393.63, 2329.59, POSTMASTER - EXP - 218.28, TALBOT LAW OFFICE - PROF - 1225.63, THE AMERICAN FUNDS GROUP - 1721.43, THE SIGN DEPOT EXP 31.80 - EXP - 77.68, VERIZON WIRELESS - EXP - 278.25, VISA - EXP - 1717.05, WASHINGTON CO. REG. OF DEEDS - SER - 30.00, WASHINGTON COUNTY BANK - PYMT - 2192.95, WASHINGTON COUNTY CLERK - EXP - 1887.30, WASHINGTON COUNTY SHERIFF - SER - 6493.76, Total - \$75,303.54; with members Bowser, Kelly, Prieksat, and Schuler voting "Aye", motion carried.

The public hearing relating to THE ONE & SIX YEAR STREET PLAN FOR THE CITY OF FORT CALHOUN opened at 7:07 p.m. There were no written or public comments. The public hearing closed at 7:08 p.m.

The request from Andy Faucher, Longhorn Bar, for the City to use funds from the General Fund for the Lottery Operator to upgrade the Keno system was tabled until the September 25th special meeting.

Member Kelly made a motion seconded by member Prieksat to approve the request to close 15th Street in front of West Market Square Park. With members Schuler, Bowser, Kelly and Prieksat voting "Aye", motion carried.

City Engineer, Lucas Billesbach, gave an update on the 2022 Lift Station Flood Protection Improvements. A pre-con meeting was scheduled for Tuesday September 19th. The project is still expected to get constructed this year. FEMA has granted an extension until next year, as well as extension of cost.

Lucas gave an update on the Adams Street Corridor Group B Improvements. The contractor has been going back and forth with shelter company about footing design. Sand Creek has been looking for alternatives for the footing design. The shelter will hopefully be done before next summer.

Member Prieksat made a motion seconded by member Schuler to approve and adopt the 2023-24 Capital Improvements Plan. With members Prieksat, Schuler, Kelly, and Bowser voting "Aye", motion carried.

Member Prieksat made a motion seconded by member Schuler to approve Pay Application No. 3 in the amount of \$15,578.97 to Sand Creek Construction for the Adams Street Corridor Group B Improvements. with members Bowser, Kelly, Prieksat, and Schuler voting "Aye", motion carried.

Lucas discussed two proposals for ROW acquisition services for the West Monroe Paving District project. One proposal was from Midwest Right of Way Services, Inc for \$73,575.00 and the other was Liberty Core Consultants for \$30,675.00. Member Bowser made a motion seconded by member Prieksat to approve Liberty Core Consultants proposal. The work included in the proposal is: appraisals, title reports, and easement and acquisition descriptions and negotiation on the city's behalf. With Bowser, Prieksat, and Kelly voting "Aye", and Schuler abstaining with conflict, motion carried.

Member Schuler introduced **Resolution 2023-13 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": Kelly, Bowser, 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 2023-13

The following resolution was introduced by Schuler, who moved its adoption, seconded by Prieksat,

"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 18th day of September 2023, 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."

Upon roll call vote as follows:

Kelly
Bowser
Prieksat
Schuler

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 18th DAY OF SEPTEMBER 2023.

Mitch Robinson
Mayor

ATTEST: Alicia Koziol
City Clerk

Member Bowser introduced **Resolution 2023-14 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": Schuler, Kelly, Bowser, 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.

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Mitch Robinson
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City Clerk

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

Member Prieksat introduced **Ordinance 805** entitled:

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA, (the "City") REGARDING THE VACATION OF GRANT STREET BETWEEN 13TH STREET AND 14th STREET WITH A RESERVATION FOR AN EASEMENT LOCATED IN THE CITY OF FORT CALHOUN, NEBRASKA

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

Mayor Robinson announced the mayoral proclamation recognizing October 5-8, 2023 as Support Citizens with Disabilities Week.

Following a motion and vote, Mayor Robinson declared the meeting adjourned at 7:37 p.m.

Mitch Robinson, Mayor

ATTEST: Alicia Koziol, City Clerk