

## **DECEMBER 21, 2020 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, December 21, 2020 at the Fort Calhoun Council Chambers, 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, Lori Lammers, Ritch Nelson, and Bob Prieksat.

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 Prieksat made a motion seconded by member Nelson to approve the following consent agenda: *November 16, 2020 City Council minutes, Treasures Report for November 2020, December 7, 2020 Planning Commission minutes, December 1, 2020 Christmas in Calhoun minutes, Maintenance Report, November 2020 Washington County Sheriff's Statistics*; with members Prieksat, Schuler, Lammers, and Nelson voting "Aye", motion carried.

Member Prieksat made a motion seconded by member Lammers to approve the following bills: ABE'S TRASH SERVICE, INC - 179.82, ACCESS SYSTEMS LEASING - 187.44, AMERICAN BROADBAND -563.44, BLAIR ACE HARDWARE - 57.62, BOK FINANCIAL - 5400.00, BOMGAARS - 335.40, BRIAN'S TREE SERVICE - 600.00, CAPPEL AUTO SUPPLY, INC - 41.36, CHASE BANK - 2,687.50, CITY OF BLAIR - 5,560.37, COLONIAL RESEARCH - 599.75, CORE & MAIN - 1083.04, CORNHUSKER PRESS - 79.20, ELECTRIC PUMP, INC. - 4,195.00, ENTERPRISE MEDIA GROUP - 198.78, IIMC - 175.00, J. P. COOKE CO. - 51.75, JEO CONSULTING GROUP, INC. - 6478.75, JM ONLINE - 289.95, JUDY BOYD - 121.08, KAMB & C ENTERPRISES - 65.00, KENT AND GABE AUCTIONEERS INC - 550.00, LOGOS PLUS - 874.00, LORRINE LAMMERS - 205.00, M.U.D. - 248.99, NE MUNICIPAL POWER POOL - 5,265.00, NE PUBLIC HEALTH ENV LAB - 15.00, NEBRASKA DEQ - 15,239.66, NEBRASKA SALES TAX - 3,107.55, O.P.P.D. - 2,569.00, ONE CALL CONCEPTS, INC - 18.45 PAM FILMER - 357.38, PAPIO-MISSOURI RIVER N. R. D. - 6282.54, QUILL CORPORATION - 63.98, S E SMITH & SONS - 13.16, TALBOT LAW OFFICE - 542.50, VERIZON WIRELESS - 123.18, VISA - 2,119.78, WASHINGTON COUNTY SHERIFF - 29,410.82, WASHINGTON COUNTY TREASURER - 113.08, Total – 96069.32; with members Nelson, Prieksat, Schuler, and Lammers voting "Aye", motion carried.

The public hearing relating to AN AMENDMENT OF THE FORT CALHOUN ZONING ORDINANCE TO ARTICLE 5 SECTION 5.06 - LAND USE CATEGORIES MATRIX opened at 7:05 p.m. There were no written. Lucas Billesbach, City Engineer, discussed the regulations. Commercial kennels are a conditional use in the TA-1 district, but in the matrix they are listed as permitted. The amendment is to make commercial kennels a conditional use in the matrix, as well as other uses that were listed as permitted in the TA-1/RR districts in the matrix. The public hearing closed at 7:07 p.m.

Lucas Billesbach, City Engineer, gave an update on the Adams Street Corridor Phase 2&3 Park Improvement Project.

Member Prieksat made a motion seconded by member Lammers to approve Pay Application No. 1 for the 2020 Adams Street Corridor Park Improvements – Group B in the amount of \$228,634.50 to Dostals Construction, Inc. With members Lammers, Nelson, Prieksat, and Schuler voting “Aye”, motion carried.

Member Prieksat made a motion seconded by member Schuler to award a contract to Midwest Excavating, LLC in the amount of \$26,451.07 for the 2020 14th Street Headwall Improvements and authorize the mayor to execute the same. With members Schuler, Lammers, Nelson, and Prieksat voting “Aye”, motion carried.

Member Schuler introduced **Ordinance 772** entitled:

AN ORDINANCE OF THE CITY OF FORT CALHOUN, NEBRASKA, TO AMEND SECTION 5.06 LAND USE MATRIX, OF THE FORT CALHOUN ZONING ORDINANCE; TO REPEAL ANY AND ALL ORDINANCES IN CONFLICT HEREWITH; AND TO PROVIDE AN EFFECTIVE DATE

Member Schuler moved that the statutory rule requiring an ordinance to be fully and distinctly read on three different days be suspended. Member Nelson seconded the motion. With members Prieksat, Schuler, Lammers, and Nelson voting “Aye”, motion carried.

Member Schuler made a motion for final approval of Ordinance 772, and member Nelson seconded. With members Nelson, Prieksat, Schuler, and Lammers voting “Aye”, motion carried.

Member Prieksat introduced **Resolution 2020-9 – Year-End Certification of City Street Superintendent** and moved for its passage and adoption. Member Schuler seconded the motion. On roll call the following voted “Aye”: Lammers, Nelson, 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.

A true and complete copy of the said Resolution is as follows:

#### **RESOLUTION NO. 2020-9**

**Whereas:** State of Nebraska Statutes, sections 39-2302, and 39-2511 through 39-2515 details the requirements that must be met in order for a municipality to qualify for an annual Incentive Payment; and

**Whereas:** The State of Nebraska Department of Transportation (NDOT) requires that each incorporated municipality must annually certify (by December 31<sup>st</sup> of each year) the appointment of the City Street Superintendent to the NDOT using the Year-End Certification of City Street Superintendent; and

**Whereas:** The NDOT requires that such certification shall also include a copy of the documentation of the city street superintendents appointment, i.e., meeting minutes, showing the appointment of the City Street Superintendent by their name as it appears on their License (if applicable), their License Number and Class of License (if applicable), and type of appointment, i.e., employed, contract (consultant, or interlocal agreement with another incorporated municipality and/or county), and the beginning date of the appointment; and

**Whereas:** The NDOT also requires that such Year-End Certification of City Street Superintendent form shall be signed by the Mayor or Village Board Chairperson and shall include a copy of a resolution of the governing body authorizing the signing of the Year-End Certification of City Street Superintendent form by the Mayor or Village Board Chairperson.

**Be it resolved** that the Mayor of Fort Calhoun is hereby authorized to sign the attached Year-End Certification of City Street Superintendent form.

Adopted this 21<sup>st</sup> day of December 2020 at Fort Calhoun, Nebraska.

Attest: Alicia Koziol, City Clerk

The meeting was adjourned Sine Die at 7:14 p.m.

Mayor Robinson administered the Oath of Office to Council Member Andy Bowser and Council Member John Kelly.

Mayor Robinson reconvened the City Council meeting at 7:21 p.m. On roll call, the following Council Members answered present: Nick Schuler, John Kelly, Andy Bowser, and Bob Prieksat.

Member Schuler made a motion, second by Kelly to elect Bob Prieksat as City Council President. With members Prieksat, Schuler, Kelly, and Bowser voting "Aye", motion carried.

Mayor Robinson made the following 2021 appointments: City Clerk-Alicia Koziol; Treasurer-Katie Knight; City Attorney-Edmond E. Talbot III; Park Commissioner-Bob Prieksat; Sewer Commissioner-Nick Schuler; Street Commissioner-Andy Bowser; Water Commissioner-John Kelly; City Engineer, Lucas Billesbach, PE, JEO Consulting Group, Inc.; Street Superintendent: Steven Parr, Principal, JEO Consulting Group, Inc.; Planning Commission: Tony Knight, Brian Lasher (2021-2023); Enhancement Committee: Rosie Therkildsen, Judy Boyd, (2021-2023)

Future council dates:

*\*January City Council meeting will be held on January 20, 2021.*

*\*February City Council meeting will be held on February 16, 2021*

*\*Council Workshop – Saturday, January 16, 2021 at 9:00 a.m. - Noon*

Following a motion and vote, Mayor Robinson declared the meeting adjourned at 7:26 p.m.

Mitch Robinson, Mayor

ATTEST: Alicia Koziol, City Clerk