

January 9, 2023

Council Proceedings
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A regular meeting of the Mayor and Council of the City of Atkinson, Nebraska, was held in the Council Chambers of the Municipal Building at 104 S. Main Street, Atkinson, Nebraska on the 9th of January, 2023 at 7:30 o'clock p.m. The meeting was called to order by Mayor Erickson. On roll call the following were present: Chuck Asher, Ron Krysl, Helen Olson, Riley Olson, Jerry Osborne, Scott Shane, City Clerk Nancy Kopejtka, Deputy City Clerk Shelly Wieneke, and City Attorney Michael Sholes.

Notice of the meeting was given in advance by publication in the Atkinson Graphic, Atkinson, Nebraska, as shown by the affidavit of publication. Notice of the meeting was simultaneously given to the Mayor and all members of the City Council and a copy of their acknowledgement of receipt of notice and the agenda is attached to these minutes. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor and Council of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

Mayor Erickson publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act was available for review and indicated that the poster was on display on the east wall.

City Attorney, Michael Sholes, gave the Oath of Office to Helen Olson as Councilmember.

Moved by Shane, seconded by R. Olson to approve the minutes of the December 5th meeting. RCV: Ayes: Krysl, H. Olson, R. Olson, Osborne, Shane, Asher. Nay: None. Motion Carried.

Treasurer's Report for December was discussed and placed on file.

The council acknowledged receipt of the December minutes of the Library, HCED, Elkhorn Meadows, Chamber of Commerce meetings and the Union Street Duplex Financial Report.

Mayor Erickson opened the public hearing on the Repurposed Public Works Project at 7:35 p.m. Judy Peterson with CNEDD gave a brief overview of the recent downtown sidewalk project to all in attendance. The City of Atkinson at one time had a housing refurbishment assistance program but the number of people applying for this had gone down considerably. The city was able to repurpose the funds into replacing the sidewalks on Main Street in the downtown area instead of turning the funds back to the state of Nebraska. Judy did inform the group that there will be funds available for projects in 2023. After the public was allowed to comment on the project the mayor closed the public hearing at 7:41 p.m.

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The Mayor presented the following appointments for approval:

Planning Commission:	Mike Lorenzen
Board of Adjustment:	Scott Johnson, Don Mlinar
Park Board:	Chuck Asher, Brent Hooey, Connor Osborne, Ron Krysl, Josh Erickson
Tree Board:	David Gibbens, Kenny Wettlaufer, Scott Sperling
Elkhorn Meadows:	Randy Goeke
CDA Community Development Agency:	Josh Erickson, Chairperson, Jerry Osborne, Vice-Chairperson, Chuck Asher, Ron Krysl, Helen Olson, Riley Olson, Scott Shane
Community Center:	Helen Olson, Ron Krysl, Gary Thurlow
LB840 Citizens Review:	Miles Garwood, Shawn Fetherston, Dani Laible
LB840 Loan Review:	Margaret Linse, Lisa Bilstein
Cemetery:	Shelly Wieneke
CNCAP:	Amanda Sindelar
CNEDD Representative:	Amanda Sindelar, Shelly Wieneke, alternate
Holt County Economic Development:	Amanda Sindelar, Shelly Wieneke, alternate
ACE:	City Clerk-Treasurer-Nancy Kopejtka, Mayor-Josh Erickson
Safety Committee:	Gary Thurlow, Shelly Wieneke, Tim Larby, Josh Erickson
Finance:	Chuck Asher, Jerry Osborne
Streets:	Ron Krysl, Riley Olson
Water and Sewer:	Helen Olson, Scott Shane
Audit/Accounts Payable:	Chuck Asher, Ron Krysl
Personnel:	Jerry Osborne, Chuck Asher, Josh Erickson
E911 Board:	Bill Rahder, Grant Hitchcock
Emergency Management:	Tim Larby – Manager, Grant Hitchcock – Deputy Manager

Moved by Asher, seconded by Osborne to approve the Mayor's appointments. RCV: Ayes: H. Olson, R. Olson, Osborne, Shane, Asher, Krysl,. Nay: None. Motion Carried

Asher introduced Ordinance 1181 and moved its adoption: AN ORDINANCE OF THE CITY OF ATKINSON, NEBRASKA, TO REPEAL THE ORIGINAL § 2-507 OF THE MUNICIPAL CODE OF THE CITY OF ATKINSON, NEBRASKA, TO PROVIDE FOR AN EFFECTIVE DATE, AND ORDERING THE PULBICATION OF THE ORDINANCE IN PAMPHLET FORM and moved that the statutory rule requiring reading on three different days be suspended. Osborne seconded the motion. RCV: Ayes: R. Olson, Osborne, Shane, Asher, Krysl, H. Olson. Nay: None Motion carried.

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Said ordinance was then read by title and number and thereafter Asher moved for final passage of the ordinance, which motion was seconded by Osborne. The Mayor then stated the question "Shall Ordinance No. 1181 be passed and adopted?" RCV: Ayes: Osborne, Shane, Asher, Krysl, H. Olson, R. Olson. Nay: None. Motion Carried.

Moved by Osborne, seconded by H. Olson to give 30-day notification to Andrea Connot to cancel the contract for cleaning at the Community Center and city office. Andrea Connot has had the contract for this service, but it was decided at this meeting to have an employee of the city clean the Community Center and city office. RCV: Ayes: Shane, Asher, Krysl, H. Olson, R. Olson, Osborne. Nay: None. Motion Carried.

Deputy Clerk Shelly Wieneke disclosed to the council that Mayor Joshua Erickson has filed with the City a Contractual Interest Statement, Nebraska Accountability and Disclosure Commission Form C-3 stating this is a non-exclusive open contract between the City of Atkinson and Joshua Erickson dba Erickson Repair. Erickson Repair will make needed repairs with his welding equipment at the direction of the Utilities Superintendent or the City Council. Claims will be paid 30 days after submission. This contract will have a duration for the term of office elected, which is through 2026. Moved by Osborne, seconded by Asher to approve the Contractual Interest Statement, Nebraska Accountability and Disclosure Commission Form C-3 signed by Joshua Ericson with the added measure that bids must be obtained for any work to exceed \$5000.00. RCV: Ayes: Asher, Krysl, H. Olson, R. Olson, Osborne, Shane. Nay: None. Motion Carried.

Moved by H. Olson, seconded by R. Olson to approve the bill submitted at this meeting by Joshua Erickson in the amount of \$390.00. RCV: Ayes: Krysl, H. Olson, R. Olson, Osborne, Shane, Asher. Nay: None. Motion Carried.

Update was given to council on getting financial statement from Boyd-Holt E911. Nobody from their organization has spoke with members of council regarding providing a financial statement to Atkinson. City Attorney Michael Sholes stated that he thinks there was a miscommunication between the City of Atkinson and E911. Boyd-Holt E911 thought that the

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City of Atkinson was not going to pay their bill for dispatch services for 2022/2023 and that never stated in any of the council meetings. Ron stated that he had talked to a County Supervisor Monday and he thought that the council would see some financial information from Boyd-Holt E911 soon.

Moved by Asher, seconded by Osborne to approve LB840-122, a business loan to Jesse Slaymaker/ITD (Industrial Technology Distribution) in the amount of \$50,000. Loan was approved on the condition that the outstanding loan on this property is paid in full by Brent Ogden before any funds are disbursed to Jesse. RCV: Ayes: H. Olson, R. Olson, Osborne, Shane, Asher, Krysl. Nay: None. Motion Carried.

Moved by Osborne, seconded by Shane to approve an equipment loan to Atkinson Family Dental in the amount of \$32,231.07. RCV: Ayes: Osborne, Shane, Asher, Krysl, H. Olson, R. Olson.

Moved by Asher, seconded by H. Olson to approve the recommendation by City Attorney Michael Sholes regarding the confidentiality of LB840 applicants. Attorney Sholes feels that it is best practice going forward to identify an LB840 applicant by name instead of by number in the agenda and minutes. The LB840 program is funded by the taxpayers of the community and they are able to ask who is receiving the funds from this program. A citizen can attend a council meeting and ask who the file number represents and the council owes them that information. However, the Loan board or the City Council cannot and should not disclose any personal financial information about an applicant. That is the information the LB840 guidelines protect. We are very fortunate that the City of Atkinson has a program such as this to help our local businesses grown. RCV: Ayes: Osborne, Shane, Asher, Krysl, H. Olson, R. Olson. Nay: None

Moved by Krysl, seconded by Asher to approve the delinquent utilities report in the amount of \$1,779.82. RCV: Ayes: Shane, Asher, Krysl, H. Olson, R. Olson, Osborne, Nay: None. Motion Carried.

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Moved by Krysl, seconded by Asher to approve the claims as prepared. RCV: Ayes: Asher, Krysl, H. Olson, R. Olson, Osborne, Shane. Nay: None. Motion Carried.

Paul Corkle was present at the meeting and stated that there was 2 city employees scooping driveway and pulling vehicle out at the Dennis and Sherrian Ruppert residence. Charlie Griess, city maintenance employee, stated that he had received a call from the city office regarding a call from Mrs. Ruppert that she had gotten stuck at the end of her driveway in a snow windrow and was unable to exit her vehicle due to the height of the snow. Charlie stated that he went to the address and called another city maintenance employee to bring the backhoe. Charlie stated that the two city maintenance employees were able to push the vehicle out and stated they cleaned the area where the vehicle was stuck in the street. Mr. Corkle advised that he had contacted the State of Nebraska regarding this and that doing this was a misappropriation of taxpayer funds.

Moved by Krysl, seconded by R. Olson to adjourn the meeting at 8:45. RCV: Aye: Asher, Krysl, R. Olson, Osborne, Shane. Nay: None. Motion Carried.

Claims:

AFLAC	Fee	707.80
AMERICAN LEGION POST 86	Christmas Appreciation Meal	1045.00
AMERITAS INSURANCE	414h	6401.74
ATKINSON GRAPHIC	Fee	167.93
ATKINSON LUMBER	ISAM Cover	244.91
ATKINSON VET CLINIC	K Olberding dog	8.56
BAKER & TAYLOR	Books	547.57
BRAUN'S FOOD CENTER	Supplies	60.95
C O ENTERPRISES	Supplies	932.62
CHAMBER OF COMMERECE	2023 Dues	150.00
CITY OF ATKINSON	PR Funds to TCB	30469.00
CONNOT, ANDREA	Cleaning Fee per Contract	650.00
COOKE J.P.	Bank Stamps	96.60
COUNTRY LIVING	Magazine	29.97
DON'S AUTO REPAIR	Tire Repair-Scott's Pickup	15.50
FIRST STOP	Fuel	191.55
FIX, R. SCOTT	Lisa-Med/Sup	635.54
GOEKE R F VARIE	Flash Drives	48.77
ONE CALL CONCEPTS, INC.	Locate Fee	6.70
GREAT PLAINS SMALL ENGINE	Mower Repair	1008.13
HAGAN JUDY	Steven Med/Sup	606.83
HOLT COUNTY INDEPENDENT	Subscription	45.00
K L & S INC	Supplies	37.22
KOPEJTKA NANCY	Nancy Med/Sup	632.98
WM. KROTTER CO.	Keypad Entry Lock-Shop	258.16

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MIDWEST LAB	Fee	112.50
MITCHELL EQUIPMENT	Compressor	4184.55
N P P D	Electric	3956.01
NE PHE LAB	Fee	295.00
NE REVENUE DEPT	Sales Tax	3369.61
NE RURAL WATER ASSN	2023 Membership	500.00
POST OFFICE	UB Postage	290.33
NIOBRARA VALLEY ELEC REA	Mill Race Park Area	106.26
VERIZON WIRELESS	Hot Spots for cars	408.36
WELSH WELDING & REPAIR	Ballfield Drag	34.90
WHITES SERVICE	Fuel	1866.52
ZISKA CHERYL	Cheryl-Med/Sup	912.98
EFTPS	FED/FICA TAX	12014.14
MEYER FRED	Office Sewerline	100.00
GREAT AMERICA LEASING	Sharp copier lease	172.50
COLONIAL LIFE	Dental Insurance	1277.78
GREAT PLAINS COMMUNICATION	Telephone	148.24
WOMAN'S WORLD	subscription	59.60
SIX STAR SANITATION	Dumpster	13180.25
HARTFORD	Life Insurance	67.32
LINCOLN NATL LIFE INSURE	LTD	200.22
UNITED HEALTHCARE	Health Insurance	17902.38
BARCO	Speed Limit Signs	120.74
ONE OFFICE SOLUTION	Copies	214.03
BLACK HILLS ENERGY	Heat	2967.22
CORE & MAIN	Supplies	940.96
NE CHILD SUPPORT PAYMENTS	GARNISHMENT	352.62
BLUE360 MEDIA	2 Law Traffic Books	177.94
KAYTON INTERNATIONAL	Bobcat Lease	4372.00
ERICKSON REPAIR	Repair JD Loader Step	390.00
MACQUEEN EQUIPMENT	Supplies	28.91
PRECISION IT	monthly maintenance fee	99.00
VISA-TCB	Batteries/Sup-Auto Scrubber	1221.85
AKRS EQUIPMENT	Ballfield Drag	91.83
GOTSCHALL & SHOLES PC	E911	357.00
FIRST INTERSTATE BANK	NEDAK Road-Bond Interest	1020.00
MASTERCARD	Equipment	705.89
BRITE	Install in car computers	4423.38
DEPOSIT REFUNDS	REFUND DATE 12/27/2022	75.00
PAYROLL CHECKS	PAYROLL CHECKS ON 12/16/2022	20293.88
PAYROLL CHECKS	PAYROLL CHECKS ON 12/30/2022	18698.21
	CLAIMS TOTAL	162708.94

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Joshua Erickson, Mayor

ATTEST:

Nancy Kopejtko
City Clerk/Treasurer

I, the undersigned City Clerk/Treasurer for the City of Atkinson, Nebraska, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Mayor and Council January 9, 2023; that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the office of the City Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of the said body; that all new media requesting notification concerning meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

City Clerk/Treasurer

