

October 2, 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 2nd day of October 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 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.

Moved by Osborne, seconded by H. Olson to approve the minutes of the September 25th meeting. RCV: Ayes: Asher, Krysl, H. Olson, R. Olson, Osborne, Shane. Nay: None. Motion Carried.

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

The council acknowledged receipt of the August minutes of the Library, Elkhorn Meadows, Airport, Chamber, R C & D meetings and the Union Street Duplex Financial Report.

The mayor opened the public hearing at 7:31 p.m. for the One & Six Street Program for 2024. Mayor Erickson opened the public hearing to anyone that wished to speak. Chris Miller with Miller & Associates, the city's engineer, explained that the One and Six Street Program is a plan for street improvements over the next one to six years by priority. This plan is not set in stone and can be modified if needed. Chris also stated that even though there is a project listed on the plan, that does not mean that it will get done or in the order it is listed on the One and Six Program. With no further comments, the mayor closed the public hearing at 7:39 p.m.

Moved by Asher, seconded by Shane to approve Resolution 23-09 which approves the One & Six Street Improvement Program for 2024. RCV: Ayes: Krysl, H. Olson, R. Olson, Osborne, Shane, Asher, Nay: None. Motion Carried.

H. Olson introduced Ordinance No.1186 and moved its adoption: AN ORDINANCE OF THE CITY OF ATKINSON, NEBRASKA VACATING A STREET WITHIN THE CORPORATE CITY LIMITS, TO WIT: SOUTH SHERILL STREET FROM LINCOLN STREET TO SOUTH

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STREET; EXCEPT RESERVING UTILITY EASEMENTS AND PROVIDING FOR REVERSION; TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND TO PROVIDE AN EFFECTIVE DATE AND TO PROVIDE FOR SERVICE IN PAMPHLET FORM and moved that the statutory rule requiring reading on three different days be suspended. Osborne seconded the motion. RCV: Ayes: H. Olson, R. Olson, Osborne, Shane, Asher, Krysl. Nay: None. Motion Carried. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule was declared suspended for the consideration of said ordinance.

Said ordinance was then read by title and number and thereafter Asher moved for final passage of the ordinance, which motion was seconded by H. Olson. The mayor then stated the question "Shall Ordinance No. 1186 be passed and adopted?" RCV: Ayes: R. Olson, Osborne, Shane, Asher, Krysl, H. Olson. Nay: None. Motion Carried. The mayor declared Ordinance No.1186 duly passed, adopted, and signed the same in the presence of the Council and the Clerk attested the same.

The council followed up on the enforcement of the ordinances, as they had unanimously agreed to enforce all the ordinances as noted in the council meeting minutes from September 11, 2023. The Atkinson Police Department compiled a four-page list of ordinance violations after the September 11<sup>th</sup> meeting, Chief Collins stated that after the list was compiled many of the properties began clean up. Chief Collins stated that they need to drive around again to see what properties can come off the list and who is still in violation. At that time, it was stated they would follow through with the sidewalk ordinance.

Cheryl Cambras addressed the council and asked that they revisit the ordinances, specifically the sidewalk ordinance, and have it removed from the code book. She feels the ordinance is outdated and does not understand why the city wants her to replace the sidewalk that was removed during the remodel of their house as it goes nowhere. With the weather getting colder, the council agreed to wait until spring and revisit the sidewalk ordinance. It was stated that the ordinance will not be removed but can be amended. City Attorney, Michael Sholes, stated that the way the ordinance is written, there really does not need to be an amendment made to it. Gary Thurlow is to work on a map of Atkinson that shows where sidewalks have been removed and need to be replaced, and sidewalks that need to be repaired. The goal is to start at the city center and move outward.

Moved by Krysl, seconded by H. Olson to authorize City Council President, Jerry Osborne, to sign the Highway 20 Inter Local Law Enforcement Agreement. This agreement is between the cities of Gordon, O'Neill, Valentine, Atkinson, Neligh and the Counties of Antelope, Brown, Cherry, Holt, Keya Paha, Rock, and Sheridan to provide for personnel backup and other assistance as any of the parties may require in time of emergency or other time of need. This interlocal agreement for law enforcement services will enhance police protection in all identified jurisdictions. City Attorney, Michael Sholes, looked over the agreement and had no issues with

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the City of Atkinson signing the agreement. RCV: Ayes: Osborne, Shane, Asher, Krysl, H. Olson, R. Olson. Nay: None. Motion Carried.

Moved by Asher, seconded by Shane to approve the 2023/2024 Duplex budget as presented. RCV: Ayes: Shane, Asher, Krysl, H. Olson, R. Olson, Osborne. Nay: None. Motion Carried.

Moved by Asher, seconded by Shane to approve David Ertz as a part-time police officer for the City of Atkinson. RCV: Ayes: Asher, Krysl, H. Olson, Osborne, Shane. Nay: R. Olson. Motion Carried.

Moved by Krysl, seconded by H. Olson to approve the delinquent utilities report in the amount of \$1,232.58. RCV: Ayes: Krysl, H. Olson, R. Olson, Osborne, Shane, Asher. Nay: None. Motion Carried.

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

Moved by H. Olson, seconded by R. Olson to adjourn at 8:48 p.m. RCV: Ayes: R. Olson, Osborne, Shane, Asher, Krysl, H. Olson. Nay: None. Motion Carried.

Claims:

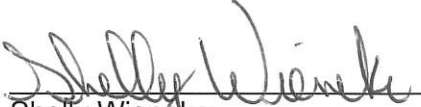
AMERICAN LEGION POST 86	Liquor License	\$ 300.00
AMERITAS INSURANCE	Fee	\$ 1,736.49
ATKINSON GRAPHIC	Fee	\$ 125.31
ATKINSON LUMBER	Supplies	\$ 12,974.28
BAKER & TAYLOR	Books	\$ 714.81
CITY OF ATKINSON	Fee	\$ 159.00
GREAT PLAINS SMALL ENGINE	Repairs	\$ 275.74
HAGAN JUDY	Med/Sup Reimb	\$ 801.19
METL SANDBLASTING	Striping	\$ 5,154.00
N P P D	Electric	\$ 4,025.54
NE PHE LAB	Fee	\$ 33.00
NE REVENUE DEPT	Sales Tax	\$ 1,664.74
OMAHA WORLD-HERALD	Subscription	\$ 545.79
PETTY CASH	Postage	\$ 8.15
POST OFFICE	UB Postage	\$ 239.54
TASTE OF HOMES	Magazine	\$ 38.98
EFTPS	FED/FICA TAX	\$ 4,899.79
LAMCRAFT, INC.	Supplies	\$ 267.55
HGTV MAGAZINE	Magazine Subscription	\$ 49.97
CONSUMER REPORTS	Acct 0034814723	\$ 30.00
WETTLAUFER LANDSCAPES	Maple Tree	\$ 404.98
GREAT PLAINS COMMUNICATION	Telephone	\$ 151.88
C P L S	Conf. Reg.	\$ 50.00
WEST HOLT MEDICAL	CDBG Grant-Mobile Med	\$ 74,755.75

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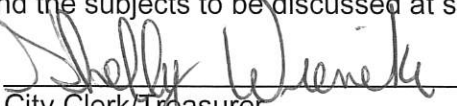
BLACK HILLS ENERGY	Heat	\$ 369.52
S C & D TRUCKING	Rock	\$ 2,469.87
VISA-TCB	Supplies/Repairs	\$ 1,204.40
BOK FINANCIAL	WWTP Bond Payment	\$ 149,845.00
MASTERCARD	Supplies	\$ 79.21
ABDO-SPOTLIGHT-MAGIC WAGON	Books	\$ 527.85
ES OPCO USA, LLC	Supplies	\$ 2,250.00
PUMPKIN PEOPLE & PRODUCE	Book	\$ 14.09
DEPOSIT REFUNDS	REFUND DATE 09/21/2023	\$ 23.92
DEPOSIT REFUNDS	REFUND DATE 09/26/2023	\$ 75.94
PAYROLL CHECKS	PAYROLL CHECKS ON 09/22/2023	\$ 16,106.19
	CLAIMS TOTAL	\$ 282,372.47

  
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Josh Erickson, Mayor

ATTEST:

  
\_\_\_\_\_  
Shelly Wieneke  
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 October 2, 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.

  
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City Clerk/Treasurer

