

March 11, 2024

Council Proceedings
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A regular meeting of the Mayor and Council and the Community Development Agency 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 11th day of March, 2024 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, Jerry Osborne, Scott Shane, City Clerk, Shelly Wieneke and City Attorney, Michael Sholes. Absent and not voting: Ken Counts

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 Asher, seconded by Olson to approve the minutes of the February 5th meeting. RCV: Ayes: Krysl, Olson, Osborne, Shane, Asher. Nay: None. Absent and not voting: Counts. Motion Carried.

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

The council acknowledged receipt of the March minutes of the Library, Elkhorn Meadows, Airport, HCED, Chamber, RC & D, Park Board, and Community Center Committee meetings and the Union Street Duplex Financial Report.

Moved by Olson, seconded by Osborne to recess the city council meeting and convene as the Community Development Agency (CDA) of the City of Atkinson at 7:33 p.m. RCV: Ayes: Olson, Osborne, Shane, Asher, Krysl. Nay: None. Absent and not voting: Counts. Motion Carried.

Jacob Osborne was present to discuss the purchase of the two CDA lots located in the Galyen-Seger Subdivision, Block A, Lots 5 and 6. Jacob deferred to Dave Vrooman who was also present at the meeting to discuss development on the same two lots.

Moved by Asher, seconded by Shane to approve the sale of the two CDA lots located in the Galyen-Seger Subdivision, Block A, Lots 5 and 6 to KV Camo, LLC with the condition that

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they will have a commercial building there in one year. Dave Vrooman and Brad Kohle were present at the meeting to discuss the purchase of the two CDA lots located in the Galyen-Seger Subdivision, Block A, Lots 5 and 6. Their plan is to construct a 40 x 50 or 40 x 60 building at the north side of Lot 6. They want to sell fencing supplies at that location, and they also sell security cameras and would like to do that in the building they are constructing. RCV: Ayes: Osborne, Shane, Asher, Krysl, Olson. Nay: None. Absent and not voting: Counts. Motion Carried.

Moved by Olson, seconded by Osborne to adjourn the CDA and reconvene as the City Council at 7:39 p.m. RCV: Ayes: Osborne, Shane, Asher, Krysl, Olson. Nay: None. Absent and not voting: Counts. Motion Carried.

Leon Thompson was present at the meeting and wanted information on the Nebraska Advantage Act, LB 312 and the Employment and Investment Growth Act, LB 775 and how it will affect the community of Atkinson.

Rhonda Olson was present at the meeting to discuss the water damage to a home at 408 East Pearl Street. City staff and Council were advised not to answer any direct questions from Mrs. Olson by City Attorney, Michael Sholes. Mrs. Olson stated that she had Truman Rossman look at the water heater and furnace at the property and there does not seem to be any damage to them. She stated that the home has pex pipe and there does not seem to be any damage to the pipes. She stated that the only damage they can find so far is a shower faucet which she is requesting reimbursement for in the amount of \$101.64.

Don Mlinar was present at the meeting to discuss a situation involving Ron Krysl and himself. He stated that Mr. Krysl yelled at him for moving snow onto his property at East State Street this winter and Mr. Mlinar did not move the snow there. He said this happened last year also. Mr. Mlinar asked for a public apology from Mr. Krysl. City Attorney, Michael Sholes, acknowledged Mr. Mlinar's complaint but advised that Mr. Krysl was not acting as a council member at that time and the dispute is between two neighboring property owners and the city council meeting was not the place to settle the dispute.

Moved by Asher, seconded by Olson to pay a bill for an electrical cord needed to power the Christmas lights that the Chamber purchased this year to hang in the downtown area. City Clerk, Shelly Wieneke, stated that she had looked at the last five years of council minutes and could not find where the council approved the purchase of needed supplies for the Christmas lights. There are minutes from 1982 showing action/approval for manpower and supplies for the Christmas lights bought at that time. Shelly stated that she needed action from the council to be able to pay the invoice for the cord. Any other needed supply to power the Christmas lights should be looked into and discussed at a council meeting prior to purchasing. RCV: Ayes:

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Shane, Asher, Krysl, Olson, Osborne. Nay: None. Absent and not voting: Counts. Motion Carried.

Moved by Asher, seconded by Osborne to approve extending our membership to Holt County Economic Development (HCED). Cheye Young, Economic Development Director stated that HCED not only provides support to her but also to our local businesses and by discontinuing our membership with them we will hurt our local business community. HCED has a strong presence on social media and their website receives over 6,000 views per month. They can provide analytical data to not only Cheye, but also to our local businesses. If we go ahead with the May date to discontinue membership with HCED all our local information will be removed from their website and our businesses will be charged for the services they use with them. RCV: Ayes: Asher, Krysl, Olson, Osborne, Shane. Nay: None. Absent and not voting: Counts. Motion Carried.

Cheye Young, Economic Development Director for the City of Atkinson, explained to the city council that she separated the Property Improvement Grant application for commercial and residential properties. She felt that some of the confusion about what LB840 can and cannot pay is sometimes confusing because the application was for both. In separating the two out she is hoping some of the confusion with the program will decrease.

Moved by Krysl, seconded by Shane to approve LB840-139, a Property Improvement Program Grant application for the Atkinson Senior Center for new flooring in the amount of 50 percent of the project, not to exceed \$10,000.00. The estimated request is for \$2,745.00. RCV: Ayes: Krysl, Olson, Osborne, Shane, Asher. Nay: None. Absent and not voting: Counts. Motion Carried.

Moved by Osborne, seconded by Olson to approve LB840-140, a Property Improvement Program Grant application for Fort Atkinson Armory, LLC for new façade at 107 South Main Street, in the amount of 50 percent of the project cost, not to exceed \$10,000.00. The estimated request is \$10,000.00. RCV: Ayes: Olson, Osborne, Shane, Asher, Krysl. Nay: None. Absent and not voting: Counts. Motion Carried.

Moved by Krysl, seconded by Osborne to approve the placement of the Jacob Schmuecker Memorial Statue at the American Legion. The statue is to be placed on the left-hand side of the flagpoles. Dan Ziska was present at the meeting and said that they want the statute to be placed by Memorial Day. RCV: Ayes: Osborne, Shane, Asher, Krysl, Olson. Nay: None. Absent and not voting: Counts. Motion Carried.

Discussion was held on how to manage the unlicensed vehicles sitting in yards and on streets in Atkinson. Police Chief, Jimmy Collins, stated that he is working with City Attorney,

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Michael Sholes, on this matter. The unlicensed cars are considered a nuisance and if not taken care of the property owners will receive nuisance letters with a specific amount of time to correct the issue.

Moved by Asher, seconded by Olson to table the discussion regarding the plan to remove the old concession stand at the ballpark and replace it with a new combined concession stand/storage area. RCV: Ayes: Asher, Krysl, Olson, Osborne, Shane. Nay: None. Absent and not voting: Counts. Motion Carried.

The lease for the Rodeo grounds was discussed and it was decided that the current lease is still in effect so there is no need to hurry to a decision on this. Shelly Wieneke, City Clerk, advised that she is working with LARM, our liability insurance company, regarding the issues of liability if we were to “lock” the gate and require the public to “rent” a key for the year to have use of the grounds.

Moved by Krysl, seconded by Shane to approve the payment for \$446.12 for the electricity bill and \$173.13 for the repair of the crow’s nest window at the rodeo grounds paid by the High School Rodeo Association. A total of \$619.25 will be paid to the Atkinson High School Rodeo Association. RCV: Ayes: Krysl, Olson, Osborne, Shane, Asher. Nay: None. Absent and not voting: Counts. Motion Carried.

Cheye Young, Economic Development Director, discussed with the council the need to prioritize what they feel are the most important projects for the City of Atkinson. She stated that it will help her and Holt County Economic Development look for grants and get needed studies done. The possibility of a housing study was brought up and Cheye stated that our Strategic Plan and our Comprehensive Plan both need to be redone within the next two years. She will find out if we get a housing study done now if it will need to be redone when we update the Comprehensive Plan. There may be grants available to help with the cost of not only the housing study but also the Strategic and Comprehensive Plan.

Moved by Olson, seconded by Osborne to approve the delinquent utilities report in the amount of \$1371.16. RCV: Ayes: Olson, Osborne, Shane, Asher, Krysl. Nay: None. Absent and not voting: Counts. Motion Carried.

Moved by Asher, seconded by Krysl to approve the claims as prepared. RCV: Ayes: Osborne, Shane, Asher, Krysl, Olson. Nay: None. Absent and not voting: Counts. Motion Carried.

Moved by Osborne, seconded by Shane to move the April meeting to April 8, 2024. Many of the invoices needed for approval at the council meeting will not begin to come in until after the 1st of the month, which is when the council meeting would have been held. RCV: Ayes:

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Osborne, Shane, Asher, Krysl, Olson. Nay: None. Absent and not voting: Counts. Motion Carried.

Moved by Osborne, seconded by Shane to adjourn the meeting at 8:46 p.m. RCV: Ayes: Shane, Asher, Krysl, Olson, Osborne. Nay: None. Absent and not voting: Counts. Motion Carried.

Claims:

AFLAC	Fee	592.12
AMERITAS INSURANCE	Fee	4,714.06
ATKINSON GRAPHIC	Fee	450.38
ATKINSON LUMBER	Supplies	59.22
BAKER & TAYLOR	Books	1,267.94
BRAUN'S FOOD CENTER	Supplies	23.16
C O ENTERPRISES	Supplies/Repairs	340.84
CITY OF ATKINSON	PR Funds to TCB	32,999.00
COUNTRY LIVING	Subscription	34.97
DEMCO, INC.	Supplies	126.31
FIRST STOP	Fuel	373.89
FIX, R. SCOTT	Reimbursement	653.53
GOEKE R F VARIE	Supplies	28.04
ONE CALL CONCEPTS, INC.	Locate Fee	9.14
H C E D	2023/2024 Membership dues	4,275.14
HAGAN JUDY	Reimbursement	3,009.62
JOHN DEERE CREDIT	Cutting Blades	1,189.04
K L & S INC	Repair	166.00
WM. KROTTER CO.	Supplies	55.97
MIDWEST LAB	Fee	18.00
MINCER DAVID	Reimbursement	2,257.12
MITCHELL EQUIPMENT	Repair	341.75
N P P D	Fee	5,472.42
NE PHE LAB	Fee	48.00
NE REVENUE DEPT	Withholding	1,799.16
POST OFFICE	UB Postage	319.72
NIOBRARA VALLEY ELEC REA	Fee	106.26
SPERLING PLUMBING	Repair	434.60
TEAM LABORATORY	Supplies	2,262.92
USA BLUE BOOK	Supplies	2,034.12
VERIZON WIRELESS	Cell Phone	248.71
WHITES SERVICE	Fuel	312.18
ZISKA CHERYL	Reimbursement	1,184.99
NEBRASKA STATE TREASURER	Dog License	65.88
PEOPLE	Subscription	104.00

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L A R M	Liability Insurance	503.54
HAWKINS	Supplies	2,372.59
EFTPS	FED/FICA TAX	13,716.78
COLONIAL LIFE	Fee	908.58
GREAT PLAINS COMM.	Telephone	435.68
SIX STAR SANITATION	Fee	13,376.00
HARTFORD	Fee	57.51
LINCOLN NATL LIFE INSURE	Fee	375.80
FLUIDYNE	Sewer Plant Training	2,400.00
UNITED HEALTHCARE	Fee	18,321.07
ONE OFFICE SOLUTION	Supplies	384.78
OR-TECH SALES	Supplies	455.00
BLACK HILLS ENERGY	Fee	3,718.90
K & M K-LAWN LLC	Repair	1,740.56
MATT FRIEND TRUCK EQUIP	Supplies	114.21
PLATTE VALLEY COMM	Supplies	308.75
CORE & MAIN	Supplies	1,626.31
NE CHILD SUPPORT PAYMENTS	GARNISHMENT	369.40
G P M	Repairs	448.00
ADVANTAGE ARCHIVES, LLC	Fee	205.00
PRECISION IT	Equipment	3,912.75
PETERSON FARMS	Sludge Hauling	2,115.00
BRANDING BARN	Business Cards-Cheye	75.00
BOK FINANCIAL	Sewer Bond Interest Payment	9,565.00
N D E E SWIMMING POOLS	Supplies	40.00
GOTSCHALL & SHOLES PC	Review Packet/Attend Meeting	780.50
D L BRAUN, INC.	SBR Tank Repair	15.30
FIRST INTERSTATE BANK	2018 Explorer	5,616.15
MASTERCARD	general	849.40
COUNTRY EMBROIDERY	Supplies	162.88
WIENEKE SHELLY	Reimbursement	602.35
MUNICIPAL SUPPLY, INC OF	Repair	1,930.55
NEBRASKA STATE PATROL	2024 MACH License	99.00
KEATING FAMILY FOUNDATION	LB840-126 Signage Grant	4,484.00
DEPOSIT REFUNDS	REFUND DATE 02/12/2024	75.00
DEPOSIT REFUNDS	REFUND DATE 02/23/2024	75.00
PAYROLL CHECKS	PAYROLL CKS 02/09/2024	16,926.92
PAYROLL CHECKS	PAYROLL CKS 02/23/2024	15,558.92
PAYROLL CHECKS	PAYROLL CKS 03/08/2024	17,175.06
	CLAIMS TOTAL	209,275.44

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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 March 11, 2024; 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

