

June 5, 2023

Council Proceedings  
June 5, 2023

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 5th day of June, 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 May 22nd meeting. RCV: Ayes: Asher, Krysl, H. Olson, R. Olson, Osborne, Shane. Nay: None. Motion Carried.

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

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

Chris Miller with Miller and Associates, the city's engineering firm, was present to report on the three bids that were received and publicly opened at 2:00 P.M. on June 1, 2023, for the water main improvements project. The Engineer's Opinion of Probable Construction Cost was \$734,690.00. The low bid from Rutjens Construction, Inc. was \$930,303.00 with a final completion date of 8/30/2024, second was Van Kirk Bros. Contracting with a bid of \$931,998.00 with a final completion date of 9/30/2024, and third bid from Myers Construction Inc. was \$991,969.07 with a completion date of 5/31/2024. Chris stated that his firm was advised that the loan documents could be provided to reflect a revised budget of \$1,050,000, which includes approximately \$31,000.00 in contingencies. The additional \$500,000.00 in funding will cause the loan to be at an effective blended rate of 0.24% interest plus 0.24% administration fee which is

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a 0.48% rate overall. The new budget would allow for forgiveness capped at \$359,940.00 (grant money). If the full \$1,050,000.00 is used, the estimated user rate increase for 638 users would be \$3.23 per month which is approximately \$0.80 per user per month above the original loan estimate. It is recommended by Miller & Associates to award the contract to Rutjens Construction, Inc. in the amount of \$930,303.00 or to reduce the scope of the project to fit within our budget. Item was tabled to allow council members to look over the bids and determine if the city's budget can take on a loan of this size. Shelly Wieneke, City Clerk Treasurer, was asked to call our auditor, Lori Olson, to get her opinion on taking on a loan of this size at this time. The council has until June 30<sup>th</sup> to notify Miller & Associates if they are going to accept the bid and if they will change the scope of the project. A copy of the letter from Miller and Associates is attached to these minutes.

Moved by Shane, seconded by Asher to appoint Gary Thurlow, Utilities Superintendent, as an authorized representative of the City of Atkinson for the purpose of sidewalk ordinance enforcement. RCV: Ayes: Krysl, H. Olson, R. Olson, Osborne, Shane, Asher. Nay: None. Motion Carried.

Ben Fuller and Brent Niese with Sumit Carbon Solutions were present at the meeting to provide the council with some additional information about the benefits of the Summit Carbon Pipeline. There are 34 ethanol plants that have contracted with Sumit Carbon Solutions to sequester their carbon output with 6 of those plants being in Nebraska. The remaining ethanol plants are in Iowa, South Dakota, Minnesota, and North Dakota. The process is to capture the carbon, transport it by pipeline, and sequester it in North Dakota. This is being done to help Ethanol Plants lower their carbon intensity score which lowers the fees that ethanol plants are being assessed. According to Brent, the Pipeline Hazardous Materials Safety Act (PHMSA) regulations are consistently updating safety regulations.

Brittany Koenig with Nebraska Public Power District (NPPD) was present at the meeting to give a retail update with specific information for Atkinson and NPPD overall. She also gave a summary of the Holt County Trend Study conducted by NPPD's Economic Development group.

Charlene Paris was present at the meeting to update the council on the improvements needed at the Bluebird Trail located by Mill Race Park. Charlene would like to know if the council is willing to commit to the areas of improvement and have the city help in its funding. Grants are being sought but many are matching fund grants. Mayor Josh reminded Charlene that the city has a budget to follow and that we are currently cutting back on expenses to maintain our current budget. Charlene was advised to start with the Park Board to advise them on her plans and to work with Amanda Sindelar for help with applying for grants. Any

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maintenance or work that needs to be completed should be coordinated with Gary Thurlow, Utilities Superintendent.

Bill Rahder was unable to attend the meeting so no update on Boyd-Holt E911 was given.

Moved by Osborne, seconded by Krysl to recess the city council meeting and convene as the Community Development Agency (CDA) of the City of Atkinson at 8:37 p.m. RCV: Ayes: H. Olson, R. Olson, Osborne, Shane, Asher, Krysl. Nay: None. Motion Carried.

Brent Ogden was not present to make his request for Lot 5 and Lot 6, Galyen-Seger Subdivision at no cost to him. These are the final two commercial lots that the CDA has available for commercial businesses. The council was reminded by Mayor Josh of the issues that had arisen the last time they deeded CDA lots at no cost. The council stated that the cost of the lots will be \$4,999.00 per lot. The CDA decided to advertise the lots at the cost stated.

Moved by Asher, seconded by Shane to adjourn the CDA and reconvene as the City Council at 8:42 p.m. RCV: Ayes: Osborne, Shane, Asher, Krysl, H. Olson, R. Olson. Nay: None. Motion Carried.

Moved by H. Olson, seconded by R. Olson to approve a Special Designated Liquor permit for Cast Iron Bar & Grill, LLC for a wedding reception at the Community Center on August 5, 2023, from 4:00 p.m. to 1:00 a.m. RCV: Ayes: Shane, Asher, Krysl, H. Olson, R. Olson, Osborne. Nay: None. Motion Carried.

Moved by Asher, seconded by H. Olson to approve a Special Designated Liquor Permit for Cast Iron Bar & Grill, LLC for a wedding reception at the Atkinson Farmers Market on September 16, 2023, from 4:00 p.m. to 1:00 a.m. RCV: Ayes: Asher, Krysl, H. Olson, R. Olson, Osborne, Shane. Nay: None. Motion Carried.

Moved by Osborne, seconded by Krysl to approve a Special Designated Liquor Permit for Cast Iron Bar & Grill, LLC for a wedding reception at the Community Center on September 30, 2023, from 4:00 p.m. to 1:00 a.m. RCV: Ayes: Krysl, H. Olson, R. Olson, Osborne, Shane, Asher. Nay: None. Motion Carried.

Moved by Krysl, seconded by Osborne to approve a Special Designated Liquor Permit for DJJC, LLC for a wedding reception at the Community Center on June 24, 2023, from 3:00 p.m. to 1:00 a.m. RCV: Ayes: H. Olson, R. Olson, Osborne, Shane, Asher, Krysl. Nay: None. Motion Carried

Moved by Krysl, seconded by H. Olson to approve a Special Designated Liquor Permit for FIBR, Inc. for a dance at the Atkinson Farmers Market on June 30, 2023, from 5:00 p.m. to 10:00 p.m. RCV: R. Olson, Osborne, Shane, Asher, Krysl, H. Olson. Nay: None. Motion Carried.

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Moved by Krysl, seconded by R. Olson to approve a building permit for Kathy Lemmer for a 15' by 28' x 15' wood frame addition at 504 North Madison Street. RCV: Ayes: Osborne, Shane, Asher, Krysl, H. Olson, R. Olson. Nay: None. Motion Carried.

Moved by Osborne, seconded by Shane to approve a building permit for Jeffrey Elsbury for a 70' x 42' x 17' wood frame addition at 505 North Sherrill Street. RCV: Ayes: Shane, Asher, Krysl, H. Olson, R. Olson, Osborne. Nay: None. Motion Carried.

The building permit for Cameron Miller to build a 40' x 64' x 16' pole shed at 511 St. John's Drive was tabled due to the 16' sidewalls in a residential neighborhood. This permit must be granted a variance by the Board of Adjustment. Once the variance is granted the City Council can vote on it.

The building permit for Steve and Mari Osborne to build a 60' x 120' x 16' steel building at 713 East State Street was tabled due to the 16' sidewalls in a residential neighborhood. This permit must be granted a variance by the Board of Adjustment. Once the variance is granted the City Council can vote on it.

The building permit for Casey Peterson to build a 30' x 40' x 16' wood frame shop at 403 North Tuller Street was tabled due to the 16' sidewalls in a residential neighborhood. This permit must be granted a variance by the Board of Adjustment. Once the variance is granted the City Council can vote on it.

Moved by Osborne, seconded by Asher to approve Resolution 23-06 which declares a public nuisance at 105 North Tuller Street for unlicensed vehicles on the property. RCV: R. Olson, Osborne, Shane, Asher, Krysl, H. Olson. Nay: None. Motion Carried.

Moved by Asher, seconded by R. Olson to remove Paul Corkle, former mayor and Nancy Kopejtka, former City Clerk-Treasurer from the City of Atkinson's credit card account with Tri County Bank. They are no longer able to use the City issued visa card they were given to make purchases. RCV: Ayes: Osborne, Shane, Asher, Krysl, H. Olson, R. Olson. Nay: None. Motion Carried.

Moved by Osborne, seconded by H. Olson to approve the delinquent utilities report in the amount of \$1,660.23. RCV: Ayes: Shane, Asher, Krysl, H. Olson, R. Olson, Osborne. Nay: None. Motion Carried.

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

Moved by Krysl, seconded by Osborne to approve the claim by Great Plains Small Engine. RCV: Ayes: Krysl, H. Olson, R. Olson, Osborne, Shane. Nay: None. Abstain: Asher. Motion Carried.

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The next City Council meeting will be held on Monday, July 10<sup>th</sup> due to the July 4<sup>th</sup> Holiday.

Moved by Asher, seconded by R. Olson to adjourn at 9:53 p.m. RCV: Ayes: Asher, Krysl, H. Olson, R. Olson, Osborne, Shane. Nay: None. Motion Carried.

Claims:

AFLAC	Fee	707.80
ASCAP	Fee	432.50
AGLAND ELECTRIC	Repairs	976.06
AMERITAS INSURANCE	Fee	5,994.42
ASSOCIATED SUPPLY CO.	Supplies	9,818.06
ATKINSON FERTILIZER	Supplies	257.00
ATKINSON GRAPHIC	Fee	220.22
BAKER & TAYLOR	Books	920.33
BRAUN'S FOOD CENTER	Supplies	230.18
BRAUN PLUMBING	Supplies	135.44
C O ENTERPRISES	Supplies	992.84
CITY OF ATKINSON	PR Funds -TCB	40,019.00
FIRST STOP	Fuel	383.75
FIX, R. SCOTT	Reimb	621.70
ONE CALL CONCEPTS, INC.	Locate Fee	41.86
GREAT PLAINS SMALL ENGINE	Mower-Park	10,841.75
HAGAN JUDY	Reimb	801.19
HOUSE BEAUTIFUL	Subscription	30.49
JOHN DEERE CREDIT	444L 4wd Loader	15,776.83
K L & S INC	Supplies	553.64
MIDWEST LAB	Fee	129.15
MITCHELL EQUIPMENT	Supplies	263.33
NE PHE LAB	Fee	534.00
NE REVENUE DEPT	S/W Tax	1,533.52
O'NEILL SHOPPER	Fee	150.00
OSBORNE CONSTRUCTION	Grading Streets	1,350.00
PETTY CASH	Postage	24.88
POST OFFICE	UB Postage	311.40
NIOBRARA VALLEY ELEC REA	Fee	163.80
TEAM LABORATORY	Supplies	2,425.00
VERIZON WIRELESS	Fee	248.28
WELSH WELDING & REPAIR	Supplies	20.50
WHITES SERVICE	Fuel	2,077.00
ZISKA CHERYL	Reimb	1,039.06
EFTPS	FED/FICA TAX	10,382.82
GREAT AMERICA LEASING	Fee	172.50

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COLONIAL LIFE	Fee	1,873.08
GREAT PLAINS COMMUNICATI	Telephone	512.02
ATKINSON CAR WASH	car washes	100.00
SIX STAR SANITATION	Fee	14,548.75
HARTFORD	Fee	67.32
LINCOLN NATL LIFE INSURE	LTD	182.37
MILLER & ASSOCIATES	Fee	6,425.00
UNITED HEALTHCARE	Fee	16,974.40
WEST HOLT MEDICAL	Fee	175,229.50
ONE OFFICE SOLUTION	Copies	334.16
BLACK HILLS ENERGY	Heat	722.93
CORE & MAIN	Supplies	1,144.97
CENTRAL NEBRASKA BOBCAT	Stump Grinder	836.80
NE CHILD SUPPORT PAYMENT	GARNISHMENT	352.62
MACQUEEN EQUIPMENT	Supplies	1,645.34
NE GENERATOR SERVICE	Fee	2,035.01
PRECISION IT	Supplies	773.99
VISA-TCB	Supplies	283.56
GOTSCHALL & SHOLES PC	Fee	1,277.50
FIRST INTERSTATE BANK	NEDAK Road	64,195.21
MC2, INC.	UV Repair	50.08
MASTERCARD	Supplies	388.12
BIRDS & BLOOMS	Subscription	33.10
LONDON FOG, INC	Repair	338.38
NELSON VICTORIA	Fee	825.00
SCARLET HOTEL	Fee	278.00
ES OPCO USA, LLC	Supplies	375.00
HOLT CTY ANIMAL SHELTR	Fee	100.00
REAL REPTILES, LLC	Fee	410.00
DEPOSIT REFUNDS	REFUND DATE 05/22/2023	193.54
PAYROLL CHECKS	PAYROLL CHECKS 05/19/2023	17,110.22
PAYROLL CHECKS	PAYROLL CHECKS 06/02/2023	19,351.16
	CLAIMS TOTAL	439,547.43

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Josh Erickson, Mayor

ATTEST:

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Shelly Wieneke  
City Clerk/Treasurer

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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 June 5, 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

