

August 26, 2024

Council Proceedings
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A special 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 26th day of August, 2024 at 7:00 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 Shane to approve the minutes of the August 5th meeting. RCV: Ayes: Asher, Krysl, Olson, Osborne, Shane. Nay: None. Absent and not voting: Counts. Motion Carried.

Mayor Erickson opened the Public Hearing for the Class "C" Liquor License at 7:02 p.m. for RF Goeke & Daze of Wine, LLC located at 107 East State Street. Cliff Peterson was present to inform the council that the liquor license would cover the first floor and basement of the RF Goeke and Daze of Wine building. They will have wine available for tasting and also to purchase by the glass or bottle. They are currently operating the business out of the current Something Special by Marilyn building and will be moving to their new location soon. Opportunity was given for further comment, then the hearing closed at 7:04 p.m. Moved by Asher, seconded by Shane to approve the Class "C" Liquor License for RF Goeke & Daze of Wine at 107 East State Street. RCV: Ayes: Krysl, Olson, Osborne, Shane, Asher. Nay: None. Absent and not voting: Counts. Motion Carried.

Moved by Osborne, seconded by Krysl to approve LB840-149 for Olson Repair, LLC for a new building at 402 East Pearl Street in the amount of \$50,000.00 for 15 years at 4% interest.

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

Moved by Osborne, seconded by Shane to approve the building permit for Hackel Construction for a 72' x 132' x 18' pre-engineered metal building at 1000 North Main Street. This would be for the new bus barn at West Holt Public Schools. Michael Sholes, City Attorney, stated that he had talked to Chris Miller with Miller and Associates, City Engineering Firm, and stated that Chris had reviewed the new plans for drainage where the bus barn would be located. The new plans will consist of a retention pond at the south side of the bus barn with a berm to stop and catch water as it drains off the property. There would be an 8-inch drainage pipe to limit water release from the southwest corner of the retention pond. Michael stated that after reviewing case law he does not believe the city would have any liability if the drainage from the area caused problems for area residents. Michael also stated that after reviewing city code that the building permit meets all the requirements for passage. Members of St. John's Lutheran Church, which is the property directly south of the proposed bus barn, were there to ask questions about the plan for drainage so that it does not affect the church building. Mr. Pistulka, Superintendent at West Holt Schools, stated that he feels that the water will be managed better with the proposed changes than it was before. Gary Thurlow, Utilities Supervisor, stated that he had talked with Lowell with the Nebraska Department of Roads in this area to be sure they were okay with the drainage ending at Highway 20. Gary reported that the State of Nebraska did not see a problem with it. Mr. Pistulka stated the school would be responsible for maintaining the retention pond and pipe that drains the water from it. Mr. Pistulka also stated that if the residents to the south of the bus barn had problems due to the drainage from the bus barn they could talk to him about it. RCV: Ayes: Osborne, Shane, Krysl, Olson. Nay: Asher. Absent and not voting: Counts. Motion Carried.

Moved by Osborne, seconded by Krysl to approve the "Trailer of Terror," a mobile haunted house trailer, which will be in Atkinson on October 31st, November 1st, and November 2nd, access to the Community Center outside outlet to operate the fire alarm system in case of emergency at no charge. RCV: Ayes: Osborne, Shane, Asher, Krysl, Olson. Nay: None. Absent and not voting: Counts. Motion Carried.

The council reviewed the proposed 2023-2024 budget.

Moved by Asher, seconded by Olson to adjourn the meeting at 8:15 p.m. RCV: Ayes: Asher, Krysl, Olson, Osborne, Shane. Nay: None. Absent and not voting: Counts. Motion Carried.

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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 August 26, 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

