

October 7, 2024

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 7th day of October, 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 Attorney, Michael Sholes, and City Clerk, Shelly Wieneke. 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 Osborne, seconded by Olson to approve the minutes of the September 23rd meeting. RCV: Ayes: Asher, Krysl, Olson, Shane. Nay: None. Absent and not voting: Counts. Motion Carried.

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

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

The Mayor opened the public hearing at 7:34 p.m. for the One and 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. The city currently has two streets on the one-year plan. With no further comments, the mayor closed the public hearing at 7:39 p.m.

Moved by Shane, seconded by Asher to approve Resolution 24-05 as amended to remove M123(81) from the plan because it is private property, and to remove M123(76) as it

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was completed by the City. RCV: Ayes: Krysl, Olson, Osborne, Shane, Asher. Nay: None. Absent and not voting: Counts. Motion Carried.

Moved by Olson, seconded by Asher to approve Payment Application #1 in the amount of \$329,059.00 which includes Change Order #1, a deductive adjustment in quantities in the amount of \$88,341.00, for the Atkinson Water Main Improvement Project. RCV: Ayes: Olson, Osborne, Shane, Asher, Krysl. Nay: None. Absent and not voting: Counts. Motion Carried.

Moved by Osborne, seconded by Shane to approve the Certificate of Substantial Completion for the Atkinson Water Main Improvement Project #463-C1-003 in the amount of \$329,059.00. RCV: Ayes: Osborne, Shane, Asher, Krysl, Olson. Nay: None. Absent and not voting: Counts. Motion Carried.

Moved by Olson, seconded by Osborne to approve a Building Permit for George Milbourn to build a 24' x 21' x 8' Steel Frame building at 508 West Pearl Street. RCV: Ayes: Osborne, Shane, Asher, Krysl, Olson. Nay: None. Absent and not voting: Counts. Motion Carried.

Moved by Asher, seconded by Osborne to approve a Moving Permit for Joel Heller for an 8' x 20' x 8'6" shipping container to be moved from Highway 20 in O'Neill to 411 South Belle Street in Atkinson. A question on zoning was asked and Ordinance 1068 passed by the City of Atkinson on May 5, 2014, allows box freight containers in the I-1, I-2, and TA districts. The property where the container is to be located is in the I-1 district. RCV: Ayes: Shane, Asher, Krysl, Osborne. Nay: Olson. Absent and not voting: Counts. Motion Carried.

Moved by Asher, seconded by Shane to approve a Tear Down Permit for Charles Werlinger for a 24' x 25' two-story house at 407 North Sherrill Street. RCV: Ayes: Asher, Krysl, Olson, Osborne, Shane. Nay: None. Absent and not voting: Counts. Motion Carried.

The bid for the dump trailer was discussed and it was asked by council to get a bid from Triple R Tire also. Gary said that he would get that by the next council meeting.

Moved by Asher, seconded by Osborne to approve the purchase of new security cameras for the Sewer Plant, Maintenance Shop, Pool, and City Office. The cameras that are currently in use are aging and becoming harder to repair and keep working. In order to maintain security for essential operations in the city the cameras will need to be updated. RCV: Ayes: Olson, Osborne, Shane, Asher. Nay: Krysl. Absent and not voting: Counts. Motion Carried.

Moved by Osborne, seconded by Asher to approve hiring Cody Krieger full time at \$17.00 per hour with benefits. Cody has worked as a seasonal employee for the city this past summer. RCV: Ayes: Osborne, Shane, Asher, Krysl, Olson. Nay: None. Absent and not voting: Counts. Motion Carried.

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Moved by Asher, seconded by Osborne to approve Resolution 24-06 to set salaries and wages for appointed officers and employees for the fiscal year beginning October 1, 2024. It was then moved by Krysl, seconded by Olson to amend Resolution 24-06 to remove Seth Netherland until he is hired as a full-time law enforcement officer with the City of Atkinson. RCV for amendment to Resolution 24-06: Ayes: Shane, Krysl, Olson. Nay: Asher, Osborne. Absent and not voting: Counts. Motion to approve the amendment to Resolution 24-06 to remove Seth Netherland Carried. The motion to approve Resolution 24-06 which was moved by Asher and seconded by Osborne is then voted on with the amendment to remove Seth Netherland from the Resolution. RCV: Ayes: Osborne, Shane, Asher, Krysl, Olson. Nay: None. Absent and not voting: Counts. Motion to approve Resolution 24-06 as amended Carried

The policy for hiring new employees with the City of Atkinson was then discussed. City Attorney, Michael Sholes, provided a memo to the City Council members and the Mayor explaining that neither the Personnel Manual nor the Code book is specific regarding the hiring of city employees except those that are appointed by the council. Council member Krysl wants all city employees hired to be voted on and approved by the council. City Clerk, Shelly Wieneke, requested that this be put in the personnel manual as part of the hiring policy as the Employment Attorney informed her that any requirements or policies for personnel must be in writing for them to defend us if needed. City Attorney, Michael Sholes, was asked to prepare the Ordinance to amend the personnel manual to reflect this change in hiring procedures.

Moved by Asher, seconded by Olson to approve paying the interest due to Boyd-Holt E911. City Clerk, Shelly Wieneke, reported that she had talked to Boyd Strobe regarding this issue. Mr. Strobe stated that he would be willing to defend us if we decided to proceed and not pay the interest. RCV: Ayes: Shane, Asher, Olson, Osborne, Nay: Krysl. Absent and not voting: Counts. Motion Carried.

Moved by Olson, seconded by Asher to approve the delinquent utilities report in the amount of \$1,227.78. RCV: Ayes: Asher, Krysl, Olson, Osborne, Shane. Nay: None. Absent and not voting: Counts. Motion Carried.

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

Moved by Olson, seconded by Shane to adjourn the meeting at 8:50 p.m. RCV: Ayes: Olson, Osborne, Shane, Asher, Krysl. Nay: None. Absent and not voting: Counts Motion Carried.

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Claims:

AFLAC	Fee	285.64
AMERITAS INSURANCE	414h	3113.71
ATKINSON FERTILIZER	Supplies	131.00
ATKINSON GRAPHIC	Fee	322.58
ATKINSON LUMBER	Supplies	2670.53
ATKINSON VET CLINIC	License Fee	61.10
BAKER & TAYLOR	Books	941.32
BRAUN'S FOOD CENTER	Supplies	101.87
C N E D D	Dues	2114.60
C O ENTERPRISES	Supplies	205.67
CITY OF ATKINSON	PR Funds to TCB	28719.50
ELKHORN SAND & GRAVEL	Oversize Rock	711.75
ERNIES BODY & SALVAGE	Repair	262.50
FIRST STOP	Fuel	1061.25
ONE CALL CONCEPTS, INC.	Locate Fee	15.54
HAGAN JUDY	Reimb.	1292.79
HOLT COUNTY INDEPENDENT	Fee	45.00
K L & S INC	Repair	611.81
KENNYS SERVICE	Repair	224.95
WM. KROTTER CO.	Supplies	393.08
METL SANDBLASTING	Repair	400.00
MIDWEST LAB	Fee	130.15
MIDWEST LIVING	Subscription	25.00
MITCHELL EQUIPMENT	Repair	30.88
NEDA MEMBERSHIP SERVICES	Dues	150.00
N P P D	Fee	9883.43
NE MUNICIPAL CLERKS	Dues	100.00
NE PHE LAB	Fee	209.00
NE REVENUE DEPT	Sales/Use Tax	3025.78
NORTH CENTRAL R C & D	Dues	100.00
OMAHA WORLD-HERALD	Subscription	547.79
O'NEILL PEST CONTROL	Fee	145.00
POST OFFICE	UB Postage	258.47
NIOBRARA VALLEY ELEC REA	Fee	200.60
AIRPORT	RE/PP Taxes-Sept	7631.04
STUART CONCRETE	Repair	1525.00
TEAM LABORATORY	Supplies	1602.50
THURLOW, GARY	Reimb.	2382.92
TRIPLE R TIRE	Repair	55.00
USA BLUE BOOK	Supplies	97.90
VERIZON WIRELESS	Fee	205.89

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WELSH WELDING & REPAIR	Repair	22.00
WHITES SERVICE	Fuel	598.51
ZISKA CHERYL	Reimb.	1212.73
ZISKA CONSTRUCTION	Repair	140.00
HAWKINS	Repair	135.15
EFTPS	FED/FICA TAX	9438.33
GREAT AMERICA LEASING	Fee	185.00
HGTV MAGAZINE	Subscription	49.97
SCHMADER ELECTRIC	Repair	4689.54
COLONIAL LIFE	Fee	903.10
GREAT PLAINS COMM.	Fee	358.95
JOHNSON SERVICE	Repair	7650.00
SIX STAR SANITATION	Fee	13735.50
HARTFORD	Fee	53.59
LINCOLN NATL LIFE INSURE	Fee	143.83
TRI-CITY SIGN COMPANY	Repair	765.00
MILLER & ASSOCIATES	Fee	1031.25
UNITED HEALTHCARE	Fee	15431.13
FIX, RYAN	Repair	154.03
ONE OFFICE SOLUTION	Fee	89.22
BLACK HILLS ENERGY	Fee	563.41
CORE & MAIN	Repair	177.29
NE CHILD SUPPORT PAYMENTS	Fee	184.70
HEARTLAND FIRE PROTECTION	Fee	409.15
MCCONNELL BEV	Repair	234.00
MACQUEEN EQUIPMENT	Repair	367.79
OLSON REPAIR	LB840-149 Loan	50000.00
CITY OF NORFOLK	Fee	100.00
PRECISION IT	Fee	84.00
VISA-TCB	Supplies	1519.85
BOK FINANCIAL	Bond Fee	58060.00
ULTRAVERSE SUPPLEMENTS	Fee	175.00
GOTSCHALL & SHOLES PC	Fee	4086.50
A R S L	Membership	50.00
MASTERCARD	Fee	1250.96
FERGUSON ASHTON & HILLARY	Refund	569.54
WESCO DISTRIBUTION, INC.	Repair	54040.00
PAYROLL CHECKS	PAYROLL CKS 9/20/2024	16689.23
PAYROLL CHECKS	PAYROLL CKS 10/04/2024	18826.65
	CLAIMS TOTAL	336167.44

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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 October 7, 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

