

September 9, 2024

Council Proceedings
September 9, 2024

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 9th day of September, 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, Ken Counts, Scott Shane, and City Clerk, Shelly Wieneke. Absent and not voting: Jerry Osborne.

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 Olson, seconded by Shane to approve the minutes of the August 26th meeting. RCV: Ayes: Asher, Krysl, Olson, Counts, Shane. Nay: None. Absent and not voting: Osborne. Motion Carried.

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

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

Moved by Krysl, seconded by Shane to Table approving 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: Krysl, Olson, Counts, Shane, Asher. Nay: None. Absent and not voting: Osborne. Motion to Table Carried.

Moved by Shane, seconded by Asher to Table approving the Certificate of Substantial Completion for the Atkinson Water Main Improvement Project #463-C1-003 in the amount of \$329,059.00. RCV: Ayes: Shane, Asher, Krysl, Olson. Nay: Counts. Absent and not voting: Osborne. Motion to Table Carried.

September 9, 2024

Mayor Erickson opened the public hearing on the Nebraska Department of Economic Development Community Development Block Grant (CDBG) at 7:38 p.m. Carla Kimball, with Central Nebraska Economic Development District (CNEDD), gave a brief overview of the recent project with West Holt Medical Services (WHMS) and their Mobile Medical Unit. Carla informed the public that there were no matching funds needed from WHMS or the City of Atkinson for this project and it was all funded with CDBG money. The Mobile Medical Unit has been seen in Chambers regularly with a provider seeing patients. There were no negative comments shared about the project, and everyone present was pleased with the new Mobile Medical Unit and the services it provides. Time was allowed for the public to comment on the project and the Mayor closed the public hearing at 7:43 p.m.

Moved by Counts, seconded by Asher to approve a Special Designated License for the Knights of Columbus #4707 at the Community Center at 206 West 5th Street on September 28, 2024, for a wedding reception and dance from 4:00 p.m. to 1:00 a.m. RCV: Ayes: Olson, Counts, Shane, Asher, Krysl. Nay: None. Absent and not voting: Osborne. Motion Carried.

Moved by Asher, seconded by Counts to approve a Special Designated License for Knights of Columbus #4707 at the Atkinson Farmer's Market at 106 South Main Street on September 28, 2024, for the Dueling Pianos from 5:00 p.m. to 12:00 a.m. Alternate location in case of inclement weather will be the Knights of Columbus Hall at 106 South Sherrill Street. RCV: Ayes: Shane, Asher, Krysl, Olson, Counts. Nay: None. Absent and not voting: Osborne. Motion Carried.

Moved by Counts, seconded by Olson to table a building permit for John Vogel for a 30' x 40' x 12' steel storage area across the road west of St. Joseph's Cemetery on the west side of pond. There was a question on whether the property was in the flood plain. City Clerk, Shelly Wieneke, talked to Ana Crist with the Nebraska Department of Natural Resources regarding the flood plain in that area. Currently the floodplain is not mapped outside of our city limits, so her advice was to treat it as if it is in the floodplain. Shelly reported that digital maps that were available to look at, but not implemented yet showed the area in question would be in the floodplain. These maps were to be in force in the fall of 2024. Now the maps have been pulled off the site and it is unknown when they will be implemented. Ana stated that the Department of Natural Resources advises that you have the applicant fill out a floodplain permit and use what historical data you have to determine whether to approve or deny the permit. Shelly stated it was up to the council if they felt Mr. Vogel needed to fill out a floodplain permit. RCV: Ayes: Asher, Krysl, Olson, Counts, Shane. Nay: None. Absent and not voting: Osborne. Motion Carried to Table the building permit until Mr. Vogel completes the floodplain permit.

September 9, 2024

Moved by Asher, seconded by Krysl to approve the building permit for Jeff Hamik for a 16' x 44' x 8' wood frame addition at 47414 877th Road. RCV: Ayes: Krysl, Olson, Counts, Shane, Asher. Nay: None. Absent and not voting: Osborne.

Moved by Counts, seconded by Shane to approve a building permit for Boyd Mitchell for a 30' x 50' x 14' steel building for personal use at 47428 877th Road. RCV: Ayes: Olson, Counts, Shane, Asher, Krysl. Nay: None. Absent and not voting: Osborne. Motion Carried.

Moved by Counts, seconded by Asher to approve the building permit for the City of Atkinson for a 12' x 30' wood frame concession/storage facility at 800 North Main Street. RCV: Ayes: Counts, Shane, Asher, Krysl, Olson. Nay: None. Absent and not voting: Osborne. Motion Carried.

Moved by Olson, seconded by Shane to approve a building permit for Dennis and Sherian Rupert for a 30' x 24' x 10' wood frame garage with metal siding at 102 East 4th Street. RCV: Ayes: Shane, Asher, Krysl, Olson, Counts. Nay: None. Absent and not voting: Osborne. Motion Carried.

Moved by Asher, seconded by Olson to approve a moving permit for Melissa Zahradnicek to move a 14' x 20' x 16' garage from 102 East 4th Street to 87172 477th Avenue, Atkinson. RCV: Ayes: Shane, Asher, Krysl, Olson, Counts. Nay: None. Absent and not voting: Osborne. Motion Carried

Moved by Asher, seconded by Shane to approve a building permit for Scott Holtgrew for a 40' x 66' wood frame home with a 40' x 40' garage at 87780 State Highway 11. RCV: Ayes: Asher, Krysl, Olson, Counts, Shane. Nay: None. Absent and not voting: Osborne. Motion Carried.

Moved by Krysl, seconded by Shane to approve a building permit for Olson Repair, LLC for a 50' x 75' x 16' wood frame building at 402 East Pearl Street. RCV: Ayes: Krysl, Counts, Shane, Asher. Nay: None. Abstain: Olson. Absent and not voting: Osborne. Motion Carried.

Counts introduced Ordinance 1190 and moved its adoption: AN ORDINANCE OF THE CITY OF ATKINSON, NEBRASKA UPDATING THE WAIVER SCHEDULE FOR VIOLATIONS OF THE MUNICIPAL CODE OF THE CITY OF ATKINSON, NEBRASKA; 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. Olson seconded the motion. RCV: Ayes: Olson, Counts, Shane, Asher, Krysl. Nay: None. Absent and not voting: Osborne. Motion Carried.

September 9, 2024

Said ordinance was then read by title and number and thereafter Asher moved for final passage of the ordinance, which motion was seconded by Olson. The Mayor then stated the question, "Shall Ordinance 1190 be passed and adopted?" RCV: Ayes: Counts, Shane, Asher, Krysl, Olson. Nay: None. Absent and not voting: Osborne. Motion Carried.

Counts introduced Ordinance 1191 and moved its adoption: AN ORDINANCE OF THE CITY OF ATKINSON, NEBRASKA TO IMPLEMENT A WATER RATE INCREASE TO PROVIDE ADEQUATE DEBT COVERAGE FOR REPAYMENT OF A LOAN TO REPLACE CERTAIN CLEAN WATER DRINKING SYSTEMS WITHIN THE CITY OF ATKINSON, NEBRASKA; 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. Olson seconded the motion. RCV: Shane, Asher, Krysl, Olson, Counts. Nay: None. Absent and not voting: Osborne. Motion Carried.

Said ordinance was then read by title and number and thereafter Counts moved for final passage of the ordinance, which motion was seconded by Shane. The Mayor then stated the question, "Shall Ordinance 1191 be passed and adopted?" RCV: Ayes: Shane, Asher, Krysl, Olson, Counts. Nay: None. Absent and not voting: Osborne. Motion Carried

Moved by Asher, seconded by Krysl to table paying the interest on the Boyd-Holt E911 invoice until it could be looked into further. The City of Atkinson has always paid the yearly Boyd-Holt E911 invoice in installments due to the amount of the invoice. This year the organization has charged interest on the unpaid amounts up until the final payment was made. City Clerk, Shelly Wieneke, asked the council's permission to speak to attorney, Boyd Strobe, in reference to this as our city attorney has a conflict of interest in this situation. There was no negative comment from the city council regarding the request. RCV: Ayes: Asher, Krysl, Olson, Counts, Shane. Nay: None. Absent and not voting: Osborne. Motion to Table Carried.

An update on recent code enforcement by Seth Netherland was given to the council. Seth outlined the code, if the property owner was given a letter or was talked to in person, and if they had corrected the violation.

Moved by Asher, seconded by Krysl to approve the delinquent utilities report in the amount of \$993.28. RCV: Ayes: Krysl, Olson, Counts, Shane, Asher, Nay: None. Absent and not voting: Osborne. Motion Carried.

September 9, 2024

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

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

Claims:

AFLAC	Fee	390.28
AGLAND ELECTRIC	Repair	1,659.56
AMERITAS INSURANCE	Fee	6,069.26
APPEARA	Supplies	131.70
ASSOCIATED SUPPLY CO.	Supplies	2,269.45
ATKINSON GRAPHIC	Fee	485.01
ATKINSON LUMBER	Repair	1,797.44
BAKER & TAYLOR	Books	1,152.53
BRAUN'S FOOD CENTER	Supplies	180.81
BRAUN PLUMBING	Repair	19.00
C N E D D	WHMS Mobile Med Grant	4,335.00
C O ENTERPRISES	Supplies	255.11
CITY OF ATKINSON	PR Funds To TCB	35,694.50
DAWSON CARPET CLEANING	Repair	200.00
FIRST STOP	Fuel	591.54
ONE CALL CONCEPTS, INC.	Locate Fee	27.76
HAGAN JUDY	Med/Sup Reimb	870.42
JACK'S UNIFORMS	Supplies	1,008.70
K L & S INC	Repair	1,223.30
WM. KROTTER CO.	Refrigerator	1,102.56
MIDWEST LAB	Fee	240.30
MITCHELL EQUIPMENT	Repair	132.15
N P P D	Fee	4,111.27
NE LIBRARY COMM	Subscription	500.00
NE PHE LAB	Fee	33.00
NE REVENUE DEPT	Sales/Use Tax	3,466.51
PETTY CASH	Supplies	52.05
POST OFFICE	UB Postage	345.72
NIOBRARA VALLEY ELEC REA	Electricity	370.89
ROD'S LOCKSMITH	Supplies	4.00
SENIOR CENTER	LB840-139PIP	2,736.05
AIRPORT	Oct-Aug Taxes	30,130.58
TEAM LABORATORY	Supplies	1,365.00

September 9, 2024

VERIZON WIRELESS	Fee	205.83
WEST HOLT SCHOOL DISTRICT	Supplies	336.37
WHITES SERVICE	Fuel	3,604.48
ZISKA CHERYL	Med/Sup Reimb	1,212.73
HAWKINS	Supplies	43.93
EFTPS	FED/FICA TAX	17,489.24
GREAT AMERICA LEASING	Copier Lease	185.00
COLONIAL LIFE	Dental Insurance	903.10
GREAT PLAINS COMMUNICATION	Telephone	422.65
ATKINSON CAR WASH	Car Washes	225.00
SIX STAR SANITATION	Dumpster	13,762.00
HARTFORD	Life Insurance	111.06
LINCOLN NATL LIFE INSURE	LTD	157.35
MILLER & ASSOCIATES	Water Main Repl. Proj	1,831.25
UNITED HEALTHCARE	Health Insurance	17,479.86
PACHA MARTIN	Gutter/Soffit Repair	3,808.00
ONE OFFICE SOLUTION	Supplies	1,428.00
BLACK HILLS ENERGY	Fee	667.59
CORE & MAIN	Supplies	1,348.87
NE CHILD SUPPORT PAYMENTS	GARNISHMENT	369.40
RAMADA MIDTOWN	Fee	107.00
MACQUEEN EQUIPMENT	Sweeper Repair	125.91
OLSON REPAIR	Sterling A/C Repair	215.00
CITY OF NORFOLK	Sewer Sample Fee	100.00
PRECISION IT	Maintenance Fee	107.75
VISA-TCB	Supplies	788.72
BOK FINANCIAL	Bond Payment	149,565.00
MASTERCARD	Supplies	1,095.12
CLINE WILLIAMS WRIGHT JOH	Fee	1,687.00
MUNICIPAL SUPPLY, INC OF	Supplies	508.68
WARP NETWORKS, INC	Repair	205.00
HOSKINSON, LLC	LB840-142PIP	20,000.00
FORT ATKINSON ARMORY, LLC	LB840-140PIP	10,000.00
BINKARD, STEVEN	Reimbursement	37.71
COCO FAMILY HOLDINGS, LLC	LB840-137PIP	4,565.00
UNIVERSAL BLOWER PAC, INC	Supplies	420.04
DEPOSIT REFUNDS	REFUND DATE 8/23/2024	184.10
PAYROLL CHECKS	PAYROLL CKS 8/09/2024	26,691.90
PAYROLL CHECKS	PAYROLL CKS 8/23/2024	23,259.70
PAYROLL CHECKS	PAYROLL CKS 9/06/2024	17,908.29
	CLAIMS TOTAL	426,115.08

September 9, 2024

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 September 9, 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

