

May 5, 2025

Council Proceedings  
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A regular meeting of the Mayor and Council of the City of Atkinson, Nebraska, was held in the Small Room of the Community Center at 206 West 5<sup>th</sup> Street, Atkinson, Nebraska on the 5th day of May, 2025 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, Leo Seger, Jerry Osborne, Scott Shane. City Attorney, Michael Sholes and City Clerk, Shelly Wieneke.

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 north wall.

Moved by Osborne, seconded by Shane to approve the minutes of the April 7th meeting. RCV: Ayes: Asher, Krysl, Olson, Seger, Osborne, Shane. Nay: None. Motion Carried.

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

The council acknowledged receipt of the March minutes of the Library, Elkhorn Meadows, Chamber, HCED, Planning & Zoning Commission, Park Board, and the Union Street Duplex Financial Report.

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.

Moved by Asher, seconded by Shane to approve the annual review of the Conditional Use Permit for BUG, LLC for open storage of grain at 47607 876<sup>th</sup> Road and no problems were reported since the permit was reviewed in 2024. RCV: Ayes: Krysl, Olson, Seger, Osborne, Shane, Asher. Nay: None. Motion Carried.

Moved by Seger, seconded by Osborne to approve the purchase of a new alley at the rodeo grounds in the amount of \$4,750.00. Jacque Anson with the High School Rodeo Association was present at the meeting to explain that the current alley allows the calves to get turned around in the chute. The council was presented with pictures of the current and the

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proposed alley. RCV: Ayes: Olson, Seger, Osborne, Shane, Asher, Krysl. Nay: None. Motion Carried.

Mayor Erickson opened the public hearing at 7:48 p.m. to rezone a parcel of land located at ATK TWP; NE ¼ & PT SE ¼ 30-30-14. All land contained in Holt County Parcel # 450053600 that is currently zoned Highway Commercial (C-1) and Single Family Residential (R-1) to Transitional AG (TA). Shelly Wieneke, City Clerk, stated that she had received an e-mail late Friday and also a phone call Monday morning stating that Kent Olson, representative of COCO Holdings, LLC, was withdrawing the rezoning application. Mr. Olson stated in his e-mail that he plans to address the concerns raised by the community and reapply once those concerns are resolved. Mayor Erickson closed the Public Meeting at 7:50 p.m.

No action was taken on approving the recommendation from the Planning and Zoning Commission to deny the zoning change at ATK TWP; NE ¼ & PT SE ¼ 30-30-14. All land contained in Holt County Parcel # 450053600 that is currently zoned Highway Commercial (C-1) and Single Family Residential (R-1) to Transitional AG (TA) due to Kent Olson with COCO Holdings, LLC withdrawing the rezoning application.

Mayor Erickson opened the public hearing at 7:51 p.m. to rezone the parcels of land located at ATK VI; J.L.P. DEV.; BLK. 4; E TRIANGLE PT. LOT 5 & PT. LOT 4; ATK VI; J.L.P. DEV. BLK 4 LOT 2; ATK VI; J.L.P. DEV. BLK. 4 LOT 3 29-30-14; ATK VI; J.L.P. DEV. BLK. 4 PT. LOT 4 29-30-14 from Single Family Residential (R-1) to Highway Commercial (C-1). City Council member, Leo Seger, formally announced at the beginning of the public hearing that he had signed a Form C2A, Potential Conflict of Interest Statement, with the Nebraska Accountability and Disclosure Commission and was acting as a citizen of Atkinson from that point of the Public Hearing until the end of the hearing. There were several residents of the JLP area where the zoning change is proposed present at the meeting. Cameron Miller, who requested the zoning change was present to explain his plans for the area to be rezoned. Mr. Miller plans to sell trailers in the lots adjacent to his shop. One of the questions asked was what kind of business could be placed in that area if Mr. Miller was to quit selling trailers and sell the lots to another business. Leo Seger pointed out that there is a specific chart in our Zoning Regulations that specifies what businesses can and cannot be placed in a Highway Commercial lot. Mr. Seger also pointed out that there are very few commercial lots in Atkinson and how can we attract businesses to town if we do not add more commercial lots. Residents of the area are also concerned about what the zoning change may mean for the value of their lots behind the area proposed for a zoning change. After much discussion, Mayor Erickson closed the public Hearing at 8:53 p.m.

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The item to discuss/approve the rezoning of the parcels of land located at ATK VI; J.L.P. DEV.; BLK. 4; E TRIANGLE PT. LOT 5 & PT. LOT 4; ATK VI; J.L.P. DEV BLK 4 LOT 2; ATK VI; J.L.P. DEV. BLK. 4 LOT 3 29-30-14; ATK VI; J.L.P. DEV. BLK. 4 PT. LOT 4 29-30-14 from Single Family Residential (R-1) to Highway Commercial (C-1) was tabled. It was discovered that we need to change the future zoning map to allow the area in question to be Highway Commercial before a zoning change can be made. A new public hearing with the Planning and Zoning Commission will be scheduled.

Moved by Seger, seconded by Asher to approve Resolution 25-03, which is A RESOLUTION DECLARING A PUBLIC NUISANCE IN THE CITY OF ATKINSON; ORDERING AND DIRECTING THE REMEDY OF SUCH PUBLIC NUISANCE; AUTHORIZING THE CITY TO ABATE SUCH NUISANCE AND ASSESS THE COST THEROF TO THE PROPERTY OWNER AND LEVY THE COST THEREOF AS A SPECIAL ASSESSMENT AGAINST THE LAND; REPEALING ALL RESOLUTIONS AND PARTS OF RESOLUTIONS IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE. The address of the nuisance is 210 South Sherrill Street. The house has several broken windows and there are birds and other animals going in and out of the home. The roof needs repair and there are typically tall weeds and grass in the lot. RCV: Ayes: Osborne, Shane, Asher, Krysl, Olson, Seger. Nay: None. Motion Carried.

Moved by Krysl, seconded by Asher to approve hooking up the electrical and plumbing in the new concession stand at the ballpark and putting sheeting in the building so that the shelves can be placed for storage. The Atkinson Athletic Club is working with Travis Root to set up some temporary power until the city can complete the electrical work in the building. RCV: Ayes: Shane, Asher, Krysl, Olson, Seger, Osborne. Nay: None. Motion Carried.

Kami Hooey, along with her son Zane, and also Susan Olberding will be operating the concession stand at the ballfield this summer. Shelly Wieneke, City Clerk, informed the council that the operators of the concession stand will have to provide proof of Comprehensive/Commercial General Liability Insurance with a minimum combined single limit of \$1,000,000.00 each occurrence for bodily injury and property damage. The City of Atkinson shall be added as an "additional insured" on the policy with respect to activities conducted at the concession stand.

Jessica Hipkie with the Atkinson Athletic Club was present at the meeting and the subject of liability insurance was discussed with her. The Athletic Club will also have to provide proof of Comprehensive/Commercial General Liability Insurance with a minimum combined single limit of \$1,000,000.00 each occurrence for bodily injury and property damage. The City of

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Atkinson should be added as an "additional insured" on the policy with respect to activities conducted at the City's ballpark facility.

Gary Thurlow, Utilities Supervisor, looked at the steps of the crow's nest at the ballpark and said that they would repair the steps.

Patti Skrdla with the Atkinson Chamber of Commerce was present to discuss the four corners of Main Street and State Street. The chamber would like to pick up the existing mulch and take out some of the bushes and replace them with new bushes and flowers. The Atkinsonettes have donated \$2,000.00 towards this project. They would like to complete the project by Memorial Day. Gary Thurlow stated that we are still waiting for our engineer to get back to us on the drainage issue in this area. When Gary hears something from Miller and Associates, he will contact Patti.

Moved by Osborne, seconded by Shane to approve the Special Designated Liquor License for the Knights of Columbus #4707 for a wedding dance on 05/31/2025 from 4:00 p.m. to 1:00 a.m. at the Atkinson Community Center. RCV: Ayes: Asher, Krysl, Olson, Seger, Osborne, Shane. Nay: None. Motion Carried.

Moved by Seger, seconded by Krysl to approve the Special Designated Liquor License for the Knights of Columbus #4707 for a wedding dance on 07/19/2025 from 4:00 p.m. to 1:00 a.m. at the Atkinson Community Center. RCV: Ayes: Krysl, Olson, Seger, Osborne, Shane, Asher. Nay: None. Motion Carried.

Moved by Asher, seconded by Osborne to approve a Building Permit for Mathew and Stephani McGrew for a 14' x 82' x 9' home at 615 West 1<sup>st</sup> Street. RCV: Ayes: Olson, Seger, Osborne, Shane, Asher, Krysl. Nay: None. Motion Carried.

Moved by Krysl, seconded by Seger to approve placing a vending machine outside of the Atkinson City Pool with the understanding that the Council can request to have it removed at any time if it becomes a problem. Sandy Schrunk with the Atkinsonettes offered that the organization would pay \$48.00 a month for the electricity that it would take to run the vending machine at the pool for three months.

Moved by Osborne, seconded by Olson to approve the Mayor signing the contract with Miller and Associates Consulting Engineers, PC in Kearney, Nebraska for Geographic Information System (GIS) mapping of the city's water system. This was budgeted to be completed this year, and a \$5,000.00 grant has been received to help cover the cost. RCV: Ayes: Osborne, Shane, Asher, Krysl, Olson, Seger. Nay: None. Motion Carried.

Moved by Asher, seconded by Seger to approve the Mayor signing the contract with Miller and Associates Consulting Engineers, PC in Kearney, Nebraska for Geographic

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Information System (GIS) mapping of the city's sewer system. This item was budgeted to be completed this year. There was no grant available to help with the cost of this project, but it was recommended by the Engineer to complete at the same time we do the water GIS mapping.

Moved by Olson, seconded by Shane to approve moving from Simple City Accounting to Power Manager. Shelly Wieneke, City Clerk, stated that Simple City has raised their yearly maintenance fee to \$12,000.00. We only have three users for the accounting software and that is quite a bit of money for three people. The program itself is great, but they are moving to a cloud based format and several cities are reporting problems with the transition. The support from Simple City has also been worse, sometimes waiting up to two weeks for a support call to be returned. The cost to convert to Power Manger will be \$12,100.00, which was already in the budget to make the conversion to the cloud with Simple City. The yearly amount for Power Manager will be \$4,760.00 for 2025/2026. RCV: Ayes: Asher, Krysl, Olson, Seger, Osborne, Shane. Nay: None. Motion Carried.

Moved by Asher, seconded by Seger to replace the area of the pool deck by the diving board where the cement is cracked and uneven. The State of Nebraska did point out this issue last year and it was a mark on our inspection. RCV: Ayes: Krysl, Olson, Seger, Osborne, Shane, Asher. Nay: None. Motion Carried.

Moved by Krysl, seconded by Olson to approve raising the price of a cemetery lot at Woodlawn Cemetery to \$400.00 and the marking fee to \$50.00 effective July 1, 2025. RCV: Ayes: Olson, Seger, Osborne, Shane, Asher, Krysl. Nay: None. Motion Carried.

Moved by Asher, seconded by Olson to approve the hiring of the seasonal employees per the list provided to the council for the pool and park. This list also included the Managers and Assistant Managers for the swimming pool for the 2025 season. RCV: Ayes: Seger, Osborne, Shane, Asher, Krysl, Olson. Nay: None. Motion Carried.

Moved by Seger, seconded by Osborne to approve the delinquent utilities report in the amount of \$850.50. RCV: Ayes: Osborne, Shane, Asher, Krysl, Olson, Seger. Nay: None. Motion Carried.

Moved by Krysl, seconded by Asher to approve the claims as prepared. RCV: Ayes: Shane, Asher, Krysl, Olson, Seger, Osborne. Nay: None. Motion Carried.

Moved by Osborne, seconded by Olson to adjourn the meeting at 10:15 p.m. RCV: Ayes: Asher, Krysl, Olson, Seger, Osborne, Shane. Nay: None. Motion Carried.

Claims:

AFLAC	Fee	285.64
AGLAND ELECTRIC	Repair	2,752.65

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AMERITAS INSURANCE	414h	3,524.27
ATKINSON LIONS CLUB	Flag Contract	20.00
BAKER & TAYLOR	Books	587.23
BRAUN'S FOOD CENTER	Supplies	136.45
C O ENTERPRISES	Supplies	278.28
CITY OF ATKINSON	PR Funds to TCB	38,620.00
FIRST STOP	Fuel	457.60
GOEKE R F VARIE	Supplies	10.78
ONE CALL CONCEPTS, INC.	Locate Fee	9.80
HAGAN JUDY	Reimbursement	1,214.12
JACK'S UNIFORMS	Uniforms	196.89
K L & S INC	Repair	506.39
L N M	Conference Fee	505.00
MIDWEST LAB	Sample Fee	1,035.22
MITCHELL EQUIPMENT	Repair	315.21
NEDA MEMBERSHIP SERVICES	Conference Fee	275.00
N P P D	Electric	5,639.58
NE PHE LAB	Water Sample Fee	96.00
NE REVENUE DEPT	Sales/Use Tax	2,933.87
NE RURAL WATER ASSN	Dues	350.00
O'NEILL PEST CONTROL	Pest Control	145.00
POST OFFICE	Fee	693.69
NIOBRARA VALLEY ELEC	Fee	112.45
SENIOR CENTER	April, May, June	225.00
STUART CONCRETE	Repair	325.00
TEAM LABORATORY	Supplies	2,166.00
THURLOW, GARY	Reimbursement	297.08
TRI-COUNTY BANK	Solar Panel Payment	17,552.32
WHITES SERVICE	Diesel	2,764.91
ZISKA CHERYL	Reimbursement	1,389.99
EFTPS	FED/FICA TAX	9,277.23
GREAT AMERICA LEASING	Copier lease	185.00
COLONIAL LIFE	Dental Insurance	1,806.05
GREAT PLAINS COMM.	Telephone/Internet	148.00
STAN HOUSTON EQUIPMENT	Equipment	2,300.00
SIX STAR SANITATION	Garbage Fee	16,451.00
HARTFORD	Life Insurance	53.59
LINCOLN NATL LIFE INSURE	LTD	147.93
UNITED HEALTHCARE	Health Insurance	15,838.21
ONE OFFICE SOLUTION	Supplies	524.16
BLACK HILLS ENERGY	Heat	1,486.49
S C & D TRUCKING	Rock for Armor Coating	2,942.08
LIFEGUARD MD	Supplies	214.81

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CORE & MAIN	Supplies	1,549.68
NE CHILD SUPPORT PAYMENTS	GARNISHMENT	184.70
ADVANTAGE ARCHIVES, LLC	Microfilm Archives	223.50
CURLY'S FIREARMS	LB840 Business Loan	50,000.00
PETERSON FARMS	Pump Lagoon	2,820.00
VISA-TCB	Supplies	496.27
GOTSCHALL & SHOLES PC	Legal Fee	2,660.95
FIRST INTERSTATE BANK	Loan Payment	7,346.30
MASTERCARD	Supplies	779.75
MUNICIPAL SUPPLY, INC OF	Hydrant Extension	1,246.91
WRIGHT GABBY	Reimbursement	1,025.00
AT&T MOBILITY	Phone/Hot Spots	228.99
ALLO BUSINESS	IT Fee	900.00
CAHOYS GENERAL STORE LLC	LB840 Business Loan	45,000.00
PAYROLL CHECKS	PAYROLL CKS 04/18/2025	15,845.68
PAYROLL CHECKS	PAYROLL CKS 5/02/2025	18,359.83
	CLAIMS TOTAL	285,463.53

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Josh Erickson, Mayor

ATTEST:

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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, May 5, 2025; 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

