

November 6, 2023

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 6th day of November 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 Krysl, seconded by Osborne to accept the resignation of Riley Olson as Council member. Riley read a letter to the council and all in attendance resigning his position. Riley recently moved to O'Neill and can no longer serve on the city council. Notice of Vacancy will need to be posted and names can be submitted for the new council member to finish out Riley's term. City attorney, Michael Sholes, stated he would help City Clerk, Shelly Wieneke, get that notice prepared. RCV: Ayes: Krysl, H. Olson, Osborne, Shane, Asher. Nay: None. Motion Carried.

Moved by Asher, seconded by H. Olson to approve the minutes of the October 2nd meeting. RCV: Ayes: Asher, Krysl, H. Olson, Osborne, Shane. Nay: None. Motion Carried.

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

The council acknowledged receipt of the October minutes of the Library, Elkhorn Meadows, R C & D meetings and the Union Street Duplex Financial Report.

Moved by Osborne, seconded by Asher to approve the hiring of Cheye Young as Economic Development Director and additional help in the City Office. Cheye will start November 13<sup>th</sup>. RCV: Ayes: H. Olson, Osborne, Shane, Asher, Krysl. Nay: None. Motion Carried.

Moved by Krysl, seconded by H. Olson to approve Resolution 23-10 to place a stop sign at the intersection of Third Street and Sherrill Street, specifically on Third Street. RCV: Ayes: Osborne, Shane, Asher, Krysl, H. Olson. Nay: None. Motion Carried.

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Moved by Asher, seconded by Olson to approve Resolution 23-11 authorizing the appropriate city officials to sign the Annual Certification of Program Compliance for the One and Six Street Program. RCV: Ayes: Shane, Asher, Krysl, H. Olson, Osborne. Nay: None. Motion Carried.

Moved by Asher, seconded by Shane to approve a building permit for R. Scott and Lisa Fix at 113 South Belle Street to add an awning to an existing building. RCV: Ayes: Asher, Krysl, H. Olson, Osborne, Shane. Nay: None. Motion Carried

Moved by Asher, seconded by H. Olson to terminate the contract with Holt County Economic Development (HCED) for 2023/2024. The city will have to submit in writing, per our agreement with HCED, that we wish to terminate our membership with them. The membership will remain active for six months after the notification. The council would like to try this for a year and see if there is a disruption in economic growth in Atkinson. The council again stated that we employ our own full-time Economic Director and does not feel that Atkinson should have to pay the same amount as the communities that do not employ their own Economic Director. This question was raised last year when the invoice for HCED was to be approved. The representatives from HCED then stated that they would discuss it for next year. It was stated by the members of HCED present at the meeting that they had not discussed it. RCV: Ayes: H. Olson, Osborne, Shane, Asher, Krysl. Nay: None. Motion Carried.

Discussion regarding the payment of the Boyd/Holt E911 dues for the 2023/2024 budget year of \$65,300.00 was also discussed at this meeting. The new amount reflects an increase of \$10,715.00 dollars over last year. It was reported by Shelly Wieneke, City Clerk, that the other member communities are questioning the significant increase in charges not only this year but the last fiscal year also. The communities are also asking for a financial report from the organization to justify the significant increases. The council is in agreement that we will join with the other member communities. The city clerk will check with the other communities after the meeting is held to see how their city council/village board would like to proceed. This item is tabled until next month.

Discussion regarding the City of Atkinson ordinance enforcement, including the sidewalk ordinance, was discussed. Ron Krysl felt that the police department needed direction as to enforcement of all ordinances after the last council meeting. He does not like the idea of picking and choosing which ordinances we enforce or choosing to get rid of an ordinance because someone does not like it. He stated that an ordinance that is not relevant to one person may be relevant to another. Chuck Asher would like to pick a date, such as five years ago, to start with and go forward from that date for people who have taken out sidewalks due to new construction or remodel and have the sidewalk replaced by August 1<sup>st</sup> of next year. Helen Olson would like to

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see the nuisances cleaned up in town. She would also like to start from the downtown area and go out in a four-block radius to start looking at sidewalks that need to be repaired. Item was tabled until next month.

Osborne introduced Ordinance No.1188 and moved its adoption: AN ORDINANCE OF THE CITY OF ATKINSON, NEBRASKA, ESTABLISHING WAGES AND SALARIES FOR CITY OFFICIALS AND EMPLOYEES, REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING THE TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT AND ORDERING THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM and moved that the statutory rule requiring reading on three different days be suspended. Asher seconded the motion. RCV: Ayes: Osborne, Shane, Asher, Krysl, H. Olson. Nay: None. Motion Carried. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule was declared suspended for the consideration of said ordinance.

Said ordinance was then read by title and number and thereafter Osborne moved for final passage of the ordinance, which motion was seconded by H. Olson. The Mayor then stated the question "Shall Ordinance No. 1188 be passed and adopted?" RCV: Ayes: Shane, Asher, Krysl, H. Olson, Osborne. Nay: None. Motion Carried. The Mayor declared Ordinance No.1188 duly passed, adopted, and signed the same in the presence of the Council and the Clerk attested the same.

Moved by Asher, seconded by Osborne to approve Resolution 23-12 to set salaries and wages for appointed officers and employees for the fiscal year beginning October 2023. Osborne requested the addition of Korby Krieger to Resolution 23-12 at a rate of \$20.00/hour. RCV: Ayes: Asher, Krysl, H. Olson, Osborne, Shane. Nay: None. Motion Carried.

Chuck Asher stated that he had talked to John Vogel regarding snow removal in the downtown area of Atkinson after a large snowstorm. John quoted Chuck a rate of \$300.00/hour, which includes the large payloader, two side dumper trucks, and the men to operate them. The city maintenance crew would have to create the windrow in the center of the street and then John's crew would come in and remove the windrow in a two block direction from State and Main Streets. After a snowstorm Gary Thurlow is to talk to Ron Krysl or the Mayor to determine if they need to call John Vogel to clear the downtown area.

Moved by Krysl, seconded by Asher to approve the delinquent utilities report in the amount of \$1,070.56. RCV: Ayes: Krysl, H. Olson, Osborne, Shane, Asher. Nay: None. Motion Carried.

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

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Moved by Shane, seconded by H. Olson to adjourn at 8:46 p.m. RCV: Ayes: Osborne, Shane, Asher, Krysl, H. Olson. Nay: None. Motion Carried.

Claims:

AFLAC	Fee	1051.16
A W W A	Renewal	75.00
AMERITAS INSURANCE	414h	5539.81
COUNTRY CLUB	Welcome Sign West	109.80
ATKINSON FAMILY CHIRO	LB840-129PIP	7302.10
ATKINSON GRAPHIC	Fee	296.71
ATKINSON VET CLINIC	Fee	85.00
BAKER & TAYLOR	Books	446.62
BRAUN'S FOOD CENTER	Supplies	126.94
C N E D D	Renewal	2089.60
C O ENTERPRISES	Supplies	505.18
CITY OF ATKINSON	PR Funds to TCB	61209.00
COOKE J.P.	Dog Licenses	88.35
DANA F COLE & COMPANY	Budget Preparation	2650.00
G WORKS	Annual License	8118.00
ELKHORN SAND & GRAVEL	Gravel	4511.60
FIRST STOP	Fuel	368.50
FIX, R. SCOTT	Reimb	1243.40
ONE CALL CONCEPTS, INC.	Locate Fee	17.86
HAGAN JUDY	Mileage-ARSL	1316.02
HOLT COUNTY INDEPENDENT	Office/ED Ad	156.55
REGISTER OF DEEDS	Vacate Sherrill Street	10.00
K L & S INC	Supplies	1377.28
WM. KROTTER CO.	Supplies	206.12
L N M	Dues 2023-2024	4218.00
L N M-UTILITIES SECTION	23-24 Dues	645.00
MIDWEST LAB	Fee	617.50
MINCER DAVID	Health Claim	399.40
MITCHELL EQUIPMENT	Fee	2431.54
NEDA MEMBERSHIP SERVICES	Annual Membership	150.00
N P P D	Electric	4586.50
NE MUNICIPAL CLERKS	23/24 Dues	100.00
NE REVENUE DEPT	Sales/Use Tax	4491.12
NORTH CENTRAL R C & D	23/24 Dues	100.00
O'NEILL PEST CONTROL	Fee	140.00
POST OFFICE	UB Postage	397.97
NIOBRARA VALLEY ELEC REA	MR Electric	324.34
SENIOR CENTER	Oct, Nov, Dec	225.00
AIRPORT	July-Sept Taxes	8800.96

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STUART CONCRETE	3rd & Main	877.50
TEAM LABORATORY	Supplies	2294.50
TRI-COUNTY BANK	Solar Panel Payment	17552.32
TRIPLE R TIRE	Repair	2892.80
VERIZON WIRELESS	Cell Phone	497.19
WELSH WELDING & REPAIR	Repair	89.56
WHITES SERVICE	Fuel-	4173.05
ZISKA CHERYL	Reimb	2126.02
L A R M	Liability Insurance	122504.00
EFTPS	FED/FICA TAX	13603.97
SLAYMAKER HEATING & AIR	A/C Service Call	150.00
COLONIAL LIFE	Dental Insurance	1377.84
GREAT PLAINS COMM	Telephone	723.06
NORTHEAST R C & D	Shredding donations	184.00
SIX STAR SANITATION	Dumpster	26820.50
HARTFORD	Life Insurance	79.68
LINCOLN NATL LIFE INSUR	LTD	226.42
MILLER & ASSOCIATES	Water Main Project	2416.08
UNITED HEALTHCARE	Health Insurance	21988.43
FIX, RYAN	Police Vehicle Repair	452.23
WINER CHRIS	Deductible Reimb	1158.26
ONE OFFICE SOLUTION	Copies	443.37
BLACK HILLS ENERGY	Heat	411.46
CORE & MAIN	Radio Water Meters	27189.76
LAQUINTA INNS & SUITES	Gabby/Gary Mosq. Cert	428.00
NE CHILD SUPPORT PAYMENTS	GARNISHMENT	369.40
KAYTON INTERNATIONAL	Bobcat Lease	2500.00
GENTELE NATASHA	LB840-128PIP	8471.50
MODERN MARKETING	Evidence Tape	186.10
MACQUEEN EQUIPMENT	Street Sweeper	8299.20
CITY OF NORFOLK	Sewer Sample	75.00
PRECISION IT	Fee	215.25
VISA-TCB	Postage for samples	176.85
FILAMENT ESSENTIAL SERV	Fee	2500.00
BOK FINANCIAL	Fee	53210.00
N D E E SWIMMING POOLS	Renewal-Gary	150.00
GOTSCHALL & SHOLES PC	Fee	5066.06
FIRST INTERSTATE BANK	Sewer Jet Final Payment	16874.35
BRUSH CREEK TECH, LLC	Supplies	50.00
MASTERCARD	Books	1497.53
ECLECTIC TASTE LLC	LB840-136PIP	1390.43
COUNTRY EMBROIDERY	Police Long Sleeve Polos	230.36
J & S ENTERPRISES	Hydraulic Pump	24.00

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6-PACK LLC	LB840-133PIP	3860.00
SCHMITZ TIMOTHY R	Fee	1395.00
WIENEKE SHELLY	Fee Reimb	56.00
ELSBURY JOHN	LB840-130PIP	7597.00
EMME SAND & GRAVEL, INC	River Rock	961.92
PAYROLL CHECKS	PAYROLL CKS 10/06/2023	17619.09
PAYROLL CHECKS	PAYROLL CKS 10/20/2023	13630.16
PAYROLL CHECKS	PAYROLL CKS 11/03/2023	16394.37
	CLAIMS TOTAL	539987.50

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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 November 6, 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

