

City of Cambridge
 Regular City Council Meeting
 Monday, September 08, 2020
 6:40 P.M.

Notice of meeting was given in advance by publication in the *Cambridge Clarion*, Thursday, August 27, 2020, the designated method of giving notice, convening at 6:40 P.M. Advance notice of the meeting was given to the Mayor, Members of the City Council, and the *Cambridge Clarion*. Present were Mayor David Gunderson, City Council Members Vernita Saylor, Tony Groshong, Jeff Ommert, Derek Raburn and Kevin Banzhaf. City Staff present were Utility Supervisor David Houghtelling, City Clerk/Treasurer Kandra Kinne and City Attorney Lisa Shifflet. Visitors present for all or a portion of the meeting were Genny Kubik for the *Cambridge Clarion*, Mike Harris and Terry Galloway. Mayor Gunderson announced the open meeting law poster is posted on the east wall of the meeting room and available for public inspection. Mayor Gunderson opened the meeting with the Pledge of Allegiance.

Public Hearing. Mayor Gunderson opened the Public Hearing at 6:40 P.M. to amend the 2019-2020 Budget. Mayor Gunderson read the revisions which included the sale of bonds for the swimming pool project, the DTR Project and the first interest payment made in September 2020. There were no public comments. Mayor Gunderson closed the Public Hearing at 6:50 P.M. Vernita Saylor stated the motion, seconded by Tony Groshong, to Amend the 2019-2020 Budget with revisions. Voting yes were Vernita Saylor, Tony Groshong, Jeff Ommert, Derek Raburn and Kevin Banzhaf, none voted no. Motion carried unanimously to amend the 2019-2020 Budget.

Consent Agenda – Minutes of August 17, Minutes of August 24, 2020 and the Claims Report. The City Council received the Minutes of August 17, 2020, the Minutes of August 24, 2020, and the Claims Report prior to this meeting. A correction was noted to the Minutes of August 24, 2020. Derek Raburn stated the motion, seconded by Vernita Saylor, to approve the Minutes of August 17, 2020, August 24, 2020 with correction and the Claims Report. Voting yes were Vernita Saylor, Tony Groshong, Jeff Ommert, Derek Raburn and Kevin Banzhaf, none voted no, and Jeff Ommert abstained from voting on Ommert Tech. Motion carried unanimously for approval of the Minutes of August 17, 2020, August 24, 2020 with correction, and the following Claims:

<i>City of Cambridge</i>			
<i>Claims Report</i>			
<i>To Mayor and City Council</i>			
<i>8-Sep-20</i>			
<i>Period 08/18/2020 to 09/08/2020</i>			
Check No.	Vendor, For	Amount	Dept. Total
	<u>Combined Utility:</u>		
31610	Cambridge Post office, Postage	248.00	
31611	Cambridge Post office, Postage	260.00	
31612	BIC, Purchased Water	7,972.80	
31613	Twin Valleys Public Power, Purchased Power	263,513.23	
31614-31620	Payroll	9,582.64	
31621	Blue Cross Blue Shield, Insurance	388.31	

31622	Ag Valley, Fuel	473.00	
31623	American Agr Lab, Analysis	40.25	
31624	void	0.00	
31625	BOK Financial, Bond Payment	294,661.25	
31626	BRICO Pest Control, Spray Buildings	167.25	
31627	void	0.00	
31628	Cambridge General Store, Supplies	232.47	
31629	Cambridge Telephone Company, Utility	741.16	
31630	Card member Services, Credit Card for Postage and Supplies	608.82	
31631	Devries Furniture, Cove, Adhesive	50.00	
31632	Dutton-Lainson, Lights, Supplies	9,562.96	
31633	Eakes Office Solutions, Envelopes, Supplies	973.96	
31634	Hometown Leasing, Copier Lease	641.74	
31635	Mousel, Brooks, Schneider, Shifflet, Attorney Fees	60.00	
31636	Municipal Supply, Supplies	2,955.24	
61637	Nebraska Public Health Environmental Lab, Analysis	30.00	
31638	Nebraska Fire & Safety, Repairs	925.60	
31639	Ommert Tech, Computer Lease	333.61	
31640	Southwest Farm & Auto, Repairs	24.99	
31641	Utilities Section, Dues	753.00	
31642	Verizon Wireless, Cell Phones	162.18	
31643	Western Area Power Administration	4,896.60	
Tr	Water System Extension, Transfer	1,083.33	
Tr	Sewer Improvement Fund, Transfer	1,000.00	
ACH	Waypoint Bank, ACH Fee	17.00	
ACH	City of Cambridge, Utility	3,191.51	
ACH	IRS, Federal With Holdings	3,177.65	
ACH	Nebr. Dept. Revenue, State With holdings	1,044.52	609,773.07
	<u>City Account (General Fund):</u>		
48286-48291	Payroll	1,889.48	
48292	Demco, Replace Lost Check	109.22	
48293	Ag Valley, Fuel	443.56	
48294	Amazon, Supplies	1,900.22	
48295	Baker & Taylor, Library Books	585.52	
48296	Bernie Jones Auto, LLC, Mower Repairs	589.58	
48297	BOK Financial, Bond Payment	16,825.00	
48298	Bound Tree Medical, Supplies	400.43	
48299	BRICO Pest Control, Spray Buildings	300.00	
48300	CAMAS Publishing, Publications	524.61	
48301	Cambridge General Store, Supplies	59.08	
48302	Cambridge Supermarket, Library Supplies	11.57	

48303	Cambridge Telephone Company, Utility	571.69	
48304	Card member Services, Credit Card for Postage and Supplies	43.31	
48305	CenturyLink, Police Phone	119.94	
48306	Cornhusker State Industries, Library Equipment	6,030.00	
48307	DEMCO, Library Supplies	96.75	
48308	Eakes Office Solutions, Library Supplies	58.03	
48309	Extreme Ag, Chemicals	829.00	
48310	Frontier, Police Phone	45.37	
48311	Furnas County Treasurer, Police Contract	4,583.33	
48312	Gale, Library Books	79.60	
48313	Employee Deductible	120.00	
48314	Harlequin, Reader Service	29.96	
48315	John MacLeod, Supplies	20.00	
48316	Employee Deductible	67.04	
48317	Lord's, Inc., Supplies	623.00	
48318	Magnolia Journal, Subscription	20.00	
48319	Maria Downer, Supplies	6.00	
48320	Matheson Tri-Gas, Oxygen	114.44	
48321	Menards, Supplies	42.83	
48322	Mousel, Brooks, Schneider, Shifflet, Attorney Fees	718.60	
48323	National Geographic, Subscription	25.00	
48324	Nebraska Life, Subscription	24.00	
48325	Novus Glass, Windshield Repair	45.00	
48326	Ommert Tech, Computer Lease	91.92	
48327	Real Simple, Subscription	18.00	
48328	S & L, Inc., Supplies	17.99	
48329	Southwest Farm & Auto, Repairs	396.05	
48330	Verizon Wireless, Cell Phones	94.07	
48331	Virginia Roberts, Storage Rental	400.00	
48332-48352	Payroll	5,377.84	
Tr	Fire Ambulance Sinking Fund, Transfer	1,056.67	
Tr	City of Cambridge, Transfer to General Accounts for Operating	32,992.02	
ACH	Payroll	923.50	
ACH	Cambridge Telephone Company, Utility	86.08	
ACH	City of Cambridge, Utility	8,420.33	
ACH	IRS, Federal With Holdings	383.43	
ACH	Eakes Office, Library Copier Lease	146.84	
ACH	Nebraska Department of Revenue, State With holdings	225.09	
ACH	First Central Bank, Library Computer Loan	240.00	
ACH	IRS, Federal With Holdings	1,244.57	90,065.56
	<u>LB840/ Revolving Loan/ HTC</u>		

4266	Cambridge Chamber, Meeting Meal	8.00	
4267	Eisenhart & Farquhar, Façade Grant	5,000.00	
4268	Butler Memorial Library, Internship	1,000.00	
4269	CAMAS Publishing, Publications	529.50	
4270	Cambridge Supermarket, Business Promotions	2,000.00	
4271	Cambridge Telephone, Utility and Internship	1,049.45	
4272	Cappel Chiropractic, Business Promotion	2,000.00	
4273	Card Member services, Meeting Meals	56.61	
4274	Cobblestone Inn & Suites, Business Promotion	2,000.00	
4275	Country Touch Massage, Business Promotion	1,790.00	
4276	void	0.00	
4277	Melissa Jackson, Contract	1,278.32	
4278	Mousel, Brooks, Schneider, Shifflet, Attorney Fees	40.00	
4279	Pinpoint Communications, Internship	1,000.00	
4280	Twin Valleys Public Power, Internship	1,000.00	18,751.88
	Total:	718,590.51	718,590.51

Communications/Appointments – City Council Appointment.

Vernita Saylor stated the motion, seconded by Tony Groshong, to approve the appointment of Mike Harris to the City Council. Voting yes were Vernita Saylor, Tony Groshong, Jeff Ommert, Derek Raburn and Kevin Banzhaf, none voted no. Motion carried unanimously to appoint Mike Harris to City Council. Clerk Clerk/Treasurer Kandra Kinne administered the oath of office to Mike Harris and attached to these minutes.

Convene CDA.

A. Recess City Council Meeting and Convene CDA. Jeff Ommert stated the motion, seconded by Tony Groshong, to recess City Council and convene CDA at 6:50 P.M. Voting yes were Vernita Saylor, Tony Groshong, Jeff Ommert, Derek Raburn, Kevin Banzhaf and Mike Harris, none voted no. Motion carried unanimously to recess City Council and convene CDA.

B. Motion to Approve Redevelopment Plan Amendment Resolution 2020-09-01 Harvest Meadows Third Project, Lot 1, Block 3. Tony Groshong stated the motion, seconded by Derek Raburn, to approve the Redevelopment Plan Amendment Resolution 2020-09-01 Harvest Meadows Third Project, Lot 1, Block 3. Voting yes were Vernita Saylor, Tony Groshong, Jeff Ommert, Derek Raburn, Kevin Banzhaf and Mike Harris none voted no. Motion carried unanimously for Resolution 2020-09-01 as follows:

**COMMUNITY DEVELOPMENT AGENCY OF THE
CITY OF CAMBRIDGE, NEBRASKA**

RESOLUTION #2020-09-01

(Redevelopment Plan Amendment - Harvest Meadows Third Project – Lot 1, Block 3)

**A RESOLUTION OF THE COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF CAMBRIDGE,
NEBRASKA, APPROVING AND ADOPTING A SUPPLEMENTAL AMENDMENT TO THE REDEVELOPMENT**

PLAN OF THE CITY OF CAMBRIDGE, NEBRASKA, TO IMPLEMENT A SPECIFIC REDEVELOPMENT PROJECT IN THE REDEVELOPMENT AREA; ADOPTING A COST BENEFIT ANALYSIS FOR SAID REDEVELOPMENT PROJECT; AND TAKING OTHER ACTIONS REQUIRED OR PERMITTED UNDER THE COMMUNITY DEVELOPMENT LAW.

RECITALS

- A. The City of Cambridge, Nebraska (“City”), has adopted a general redevelopment plan (“Redevelopment Plan”) for certain portions of the City of Cambridge, Nebraska as defined in the Redevelopment Plan (the “Redevelopment Area”).
- B. The Community Development Agency of the City of Cambridge, Nebraska (“CDA”), in furtherance of the purposes and pursuant to the provisions of the Community Development Law, Neb. Rev. Stat. §§ 18-2101 to 18-2154, as amended (the “Act”) has prepared the Amendment to the Redevelopment Plan attached hereto as Exhibit “A” and incorporated by this reference (the “Amendment”).
- C. The Amendment will create a specific redevelopment project on a portion of the Redevelopment Area and Harvest Meadows more properly described in the Amendment (“Project”).
- D. The Amendment will not constitute a substantial modification to the Redevelopment Plan.
- E. The Project would use tax increment financing pursuant to Section 18-2147 of the Act to assist in paying for the cost of public utility improvements including, but not limited to, construction and extension of public utility improvements, public infrastructure improvements, and other eligible public improvements authorized by the Act, including repayment of indebtedness incurred by the City to construct the eligible public improvements for the Project.
- F. The CDA is required under Section 18-2113(2) of the Act to conduct a cost-benefit analysis for any project which shall use tax increment financing.
- G. The CDA has conducted and drafted a cost-benefit analysis for the Project, and said cost-benefit analysis is attached to the Amendment as Exhibit “C” thereto (the “Cost-Benefit Analysis”).

NOW THEREFORE, BE IT RESOLVED by the Community Development Agency of the City of Cambridge, Nebraska, as follows:

1. The Amendment will, in accordance with the present and future needs of the City of Cambridge, promote the health, safety, morals, order, convenience, prosperity, and the general welfare of the community in conformance with the legislative declarations and determinations set forth in the Act.
2. The Amendment is in conformance with the general plan for development of the City of Cambridge as a whole, as set forth in the City of Cambridge Comprehensive Plan, as amended.
3. The costs and benefits of the Project have been found to be in the best interest of the City Cambridge as required by Neb. Rev. Stat. § 18-2113 of the Act.
4. The Project Site is within the Redevelopment Area.
5. The Project would not be economically feasible and would not occur in the Redevelopment Area without the use of Tax Increment Financing on the Project.

BE IT FURTHER RESOLVED, pursuant to the provisions of the Act and in light of the foregoing findings and determinations, the CDA hereby approves and adopts the Cost-Benefit Analysis as the cost-benefit analysis for the Project.

BE IT FURTHER RESOLVED, pursuant to the provisions of the Act and in light of the foregoing findings and determinations, the CDA hereby adopts the Amendment and amends the Redevelopment Plan as set forth therein.

BE IT FURTHER RESOLVED, the CDA hereby rescinds any other resolutions or actions that are contradictory or incompatible with this Resolution.

C. Motion to Approve Redevelopment Contract Resolution 2020-09-02 Harvest Meadows Third Project, Lot 3, Block 3. Derek Raburn stated the motion, seconded by Jeff Ommert, to approve the Redevelopment Contract Resolution 2020-09-02 Harvest Meadows Third Project, Lot 3, Block 3. Voting yes were Vernita Saylor, Tony Groshong, Jeff Ommert, Derek Raburn, Kevin Banzhaf and Mike Harris, none voted no. Motion carried unanimously for Resolution 2020-09-02 as follows:

**COMMUNITY DEVELOPMENT AGENCY OF THE
CITY OF CAMBRIDGE, NEBRASKA**

RESOLUTION #2020-09-02

(Redevelopment Contract – Harvest Meadows Third Project – Lot 1, Block 3)

A RESOLUTION OF THE COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF CAMBRIDGE, NEBRASKA, AUTHORIZING AND APPROVING A REDEVELOPMENT CONTRACT FOR A REDEVELOPMENT PROJECT UTILIZING TAX INCREMENT FINANCING; AND TAKING OTHER ACTIONS REQUIRED OR PERMITTED UNDER THE COMMUNITY DEVELOPMENT LAW.

RECITALS

- A. The City of Cambridge, Nebraska (“City”), has adopted a general redevelopment plan (“Redevelopment Plan”) for certain portions of the City of Cambridge, Nebraska as defined in the Redevelopment Plan (the “Redevelopment Area”).
- B. The Community Development Agency of the City of Cambridge, Nebraska (“CDA”), in furtherance of the purposes and pursuant to the provisions of the Community Development Law, Neb. Rev. Stat. §§ 18-2101 to 18-2154, as amended (the “Act”) has approved the Amendment to the Redevelopment Plan (the “Amendment”) to create and implement the Harvest Meadows Third Project - Lot 1, Block 3 (“Project”) as one phase of the redevelopment of Harvest Meadows in the Redevelopment Area.
- C. The CDA has prepared a redevelopment contract for the Project, a copy of which is attached hereto as Exhibit “A” and incorporated by this reference (the “Redevelopment Contract”).
- D. The Project would use tax increment financing pursuant to Section 18-2147 of the Act to assist in paying for the cost of certain eligible public improvements authorized by the Act and identified in the Redevelopment Plan and the Redevelopment Contract.

NOW THEREFORE BE IT RESOLVED, the CDA hereby approves the Redevelopment Contract and authorizes the Chairperson of the CDA to execute and enter into the Redevelopment Contract, with such changes, modifications, additions, and deletions that are necessary or appropriate, for and on behalf of the CDA.

BE IT FURTHER RESOLVED, the CDA hereby authorizes the Chairperson of the CDA to take all actions contemplated and required in the Redevelopment Contract including, without limitation, the issuance of TIF Indebtedness as set forth in the Redevelopment Contract. Such TIF Indebtedness shall be repaid solely from the Tax Increment created by the Project and does not represent the general obligation of the CDA or the City.

BE IT FURTHER RESOLVED, the CDA hereby rescinds any other resolutions or actions that are contradictory or incompatible with this Resolution.

BE IT FURTHER RESOLVED, the foregoing resolutions are subject to and contingent upon the City Council's approval and adoption of the Amendment, and if the City Council does not approve and adopt the Amendment, the resolutions contained herein shall be void and of no effect.

- E. Adjourn CDA and Reconvene City Council Meeting. Derek Raburn stated the motion, seconded by Tony Groshong, to adjourn CDA and Reconvene City Council Meeting. Voting yes were Vernita Saylor, Tony Groshong, Jeff Ommert, Derek Raburn, Kevin Banzhaf and Mike Harris, none voted no. Motion carried unanimously. Reconvene City Council Meeting at 6:55 p.m.

Reports of Officers, Boards and Committees:

Miller & Associates – Swimming Pool Project: Discussion was held on the bid opening held on September 2 including possible deducts and the Inter-local Agreement with the Village of Wilsonville.

Minutes – Council has received the Minutes of the August 19, 2020 Library Board meeting and the reports on progress in Fairview Cemetery, McKinley Park and the Sunny Hillside Schoolhouse Museum.

Utility Supervisor Report – Dave Houghtelling advised of the following: the heater at the pool is winterized, all the pool is winterized and the splash pad will be winterized. The contractor performing trees trimming in the power lines started work last week. After the tragedy at the City of McCook, the differences in the wastewater systems was discussed.

City Clerk/Treasurer Report – Kandra Kinne advised of the following: the 1-6 year street plan will be on the next agenda; EMS has applied for a grant for one-half the cost of the monitor; working with FEMA for COVID Response costs; Planning Commission will have a public hearing for a conditional use permit for Alan Koerperich on September 23; Salary Ordinance for 2020-2021 budget year at the next meeting; and there was one utility disconnect for non-payment which will need a lien filing.

Unfinished Business:

Employee Handbook – Discussion was held regarding the confusion of the PTO section, and holiday pay.

New Business:

a. Terry Galloway – Harvest Meadows home request for assistance. Mr. Galloway addressed Council and requested assistance in the amount of \$16,000.00 explaining his justification for this request. The City was paid the value of the lien in the Trustee sale. Terry said usually the person receives the lot free with a contract to build a home and the lien is forgiven after the contract is satisfied. Terry asked to the funds as incentive to complete the house since the city received the funds in the Trustee Sale. He was advised of the City’s status in this property and the TIF contract, because the TIF contract is in default and was given one extension to complete the house. Jeff Ommert stated the motion, seconded by Tony Groshong, to deny Mr. Galloway’s request for assistance. Voting yes were Vernita Saylor, Tony Groshong, Jeff Ommert, Derek Raburn, Kevin Banzhaf and Mike Harris, none voted no. Motion carried unanimously to deny Terry Galloway’s request for assistance.

b. Verena (Rena) Farr to EMT Roster. Tony Groshong stated the motion, seconded by Jeff Ommert, to approve that Verena (Rena) Farr be added to the EMT roster. Voting yes were Vernita Saylor, Tony Groshong, Jeff Ommert, Derek Raburn, Kevin Banzhaf and Mike Harris, none voted no. Motion carried unanimously to add Verena (Rena) Farr to the EMT roster for the City of Cambridge.

c. Dow Newcomb request for an additional lot in Harvest Meadows. The Joint Committee comprised of City Council members and Economic Development members has met regarding Mr. Newcomb’s request and determined that the request had to be made at the time of purchase.

d. Harvest Meadows. City Council members discussed extending Prairie View Drive and also Wheat Ridge Drive. The City Council asked for estimates for the construction.

Adjournment

Derek Raburn stated the motion, seconded by Tony Groshong to adjourn at 8:35 p.m. voting yes were Vernita Saylor, Tony Groshong, Jeff Ommert, Derek Raburn, Kevin Banzhaf and Mike Harris, Motion carried unanimously by City Council members present.

Attest: _____
Kandra J. Kinne, City Clerk/Treasurer David Gunderson, Mayor

Oath of Office

Do you solemnly swear that you will support the Constitution of the United States and the Constitution of the State of Nebraska, against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or for purpose of evasion; and that you will faithfully and impartially perform the duties of the office of City Council Member according to law, and to the best of your ability. And do you further swear that you do not advocate, nor are a member of any political party or organization that advocates the overthrow of the government of the United States or of this state by force or violence; and that during such time as you are in this position you will not advocate nor become a member of any political party Or organization that advocates the over throw of the government of the United States or of this state by force or violence. So help you God.

Mike Harris, City Council Member Ward III