

City of Cambridge
Regular City Council Meeting
Monday January 21, 2018
6:30 P.M.

Pursuant to notice posted in the City Office and published in the *Cambridge Clarion*, Thursday January 17, 2019, the Cambridge City Council met for regular meeting convening at 6:30 P.M. Present were Mayor David Gunderson, City Council Members Derek Raburn, Keith Luedders, Jeff Ommert, Tony Groshong and Vernita Saylor. Absent was City Council Member Tom McCarville. City Clerk/Treasurer Kandra Kinne verified a quorum was present. City Staff present were Kandra Kinne, City Clerk/Treasurer, David Houghtelling, Utility Supervisor, and Lisa Shifflet, City Attorney. Visitors were Jolene Miller for the *Cambridge Clarion*, Luke Dutcher of Miller and Associates attended by Video Conference due to weather conditions. Mayor Gunderson opened the meeting with the Pledge of Allegiance. Mayor Gunderson announced the open meeting law is posted on the East wall of the meeting room and available for public inspection.

Miller and Associates Report. Luke Dutcher, of Miller and Associates, was present by Video Conference due to weather conditions. Luke asked the City Council to set the bid date for the Downtown Revitalization Project and suggested February 18, 2019 at 3:30 P.M. Luke said the bid documents state substantial completion by October 15, 2019. 110 consecutive days are allowed for construction. Luke said probable costs are estimated between \$750,000 and \$1,250,000. Two businesses have contacted Luke with questions about the project in front of their business. Vernita Saylor stated the motion, seconded by Jeff Ommert, to approve February 18, 2019 at 3:30 P.M. as the bid date for the Downtown Revitalization project bids. Voting yes were Vernita Saylor, Tony Groshong, Jeff Ommert, Keith Luedders and Derek Raburn, none voted no, and Tom McCarville was absent and not voting. Motion carried unanimously by City Council Members present.

Highway Maintenance Agreement. Nebraska Department of Roads sent a correction for the rate. The cost will be \$655.00 per lane mile for snow removal instead of \$500.00. The City Council received a copy of the correction.

Summer Positions Applications. The City Council received a list of applicants for the summer positions. Keith Luedders stated the motion, seconded by Derek Raburn, to approve Ron Schelling for summer 2019 park maintenance and Sara Calvert for summer 2019 swimming pool managers. Voting yes were Vernita Saylor, Tony Groshong, Jeff Ommert, Keith Luedders and Derek Raburn, none voted no, and Tom McCarville was absent and not voting. Motion carried unanimously by City Council Members present. Lifeguard applications and salaries will be addressed at the next regular meeting.

Ordinance No. 755 – to impose the 1% sales tax for LB840 and water fund support – final reading. Vernita Saylor stated the motion, seconded by Tony Groshong to approve the final reading of Ordinance No. 755. Voting yes were Vernita Saylor, Tony Groshong, Jeff Ommert, Keith Luedders and Derek Raburn, none voted no, and Tom McCarville was absent and not voting. Motion carried unanimously by City Council Members present for Ordinance No. 755 as follows:

Ordinance No. 755

AN ORDINANCE PROVIDING THAT ON AND AFTER APRIL 1, 2021, A SALES AND USE TAX OF ONE PERCENT (1.0%) SHALL BE IMPOSED UPON THE SAME TRANSACTIONS WITHIN THE CORPORATE LIMITS OF THE CITY OF CAMBRIDGE, NEBRASKA, ON WHICH THE STATE OF NEBRASKA IS AUTHORIZED TO IMPOSE A TAX PURSUANT TO THE NEBRASKA REVENUE ACT OF 1967, AS AMENDED FROM TIME TO TIME; TO PROVIDE FOR THE ADMINISTRATION, THE ASCERTAINMENT, ASSESSMENT AND COLLECTION, DISTRIBUTION, AND MAKING OF RETURNS OF SUCH TAX; TO PROVIDE THAT THE PROCEEDS OF SUCH TAX SHALL BE USED TO FUND THE CAMBRIDGE ECONOMIC DEVELOPMENT PROGRAM AND WATER FUND SUPPORT PROGRAM, AS APPROVED BY THE CITY COUNCIL; TO PROVIDE A TERMINATION DATE FOR SUCH TAX; DIRECTING THE PUBLICATION OF THIS ORDINANCE AND PRESCRIBING THE TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF CAMBRIDGE, NEBRASKA:

Section 1. That Pursuant to the approval of the electors of the City of Cambridge Nebraska, at the General Election held on November 6, 2018, there is hereby adopted pursuant to the provisions of Sections 77-27,142 to 77-27,148, (Reissue 2013), as amended, commonly referred to as the Local Option Revenue Act, a Sales and Use Tax effective on and after April 1, 2021 of one percent (1.0%) on the same transactions within the corporate limits of the City of Cambridge, Nebraska, on which the State of Nebraska is authorized to impose a tax pursuant to Sections 77-2701 to 77-27,135.01 and 77-27,222, (Reissue 2017), as amended, commonly referred to as the Nebraska Revenue Act of 1967.

SALES AND USE TAX; ADMINISTRATION TO BE AS PROVIDED BY STATE LAW. The administration of the Sales and Use Tax imposed by this Ordinance, the making of returns for the ascertainment and assessment, the provisions for tax claims and remedies, the laws governing consummation of sales, penalties and collections, and for the disposition and distribution of the taxes so imposed and collected shall be as provided by Sections 77-27,142 to 77-27,148, (Reissue 2013), as amended, and Sections 77-2701 to 77-27,135, and 77-27,222, (Reissue 2017), as amended.

SALES AND USE TAX; USE OF PROCEEDS. The proceeds of the sales and use tax imposed shall be used to fund the Cambridge Economic Development Program and Water Fund Support Program as approved by the Cambridge City Council.

SALES AND USE TAX; TERMINATION. The sales and use tax imposed shall continue until March 31, 2036, at which time said sales and use tax shall terminate and the Nebraska Tax commissioner shall be notified thereof pursuant to Section 77-27,143, (Reissue 2011), as amended.

Section 2. The City Clerk shall mail a certified copy of this ordinance, a certified copy of a map of the City of Cambridge Nebraska, clearly showing the boundaries of the City, and a certified copy of the election results to the Nebraska Department of Revenue immediately after the passage of this ordinance, and at least one hundred twenty (120) days prior to July 1, 2019.

Section 3. That any ordinances or parts of ordinances passed and approved prior to the passage, approval, and publication or posting of this Ordinance and in conflict with its provisions, are hereby repealed.

Section 4. The provisions of this ordinance are separable, and the invalidity of any sentence, clause, phrase, or part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

Section 5. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

Ordinance No. 756 – Creating Street Improvement District for Down Town Revitalization Project. Waive reading on three days and motion to approve. The City Council received a copy of the Ordinance to create street improvement district for the down town revitalization project prior to this meeting. Jeff Ommert stated the motion, seconded by Vernita Saylor, to waive reading on three different days Ordinance No. 756. Voting yes were Vernita Saylor, Tony Groshong, Jeff Ommert, Keith Luedders and Derek Raburn, none voted no, and Tom McCarville was absent and not voting. Motion carried unanimously by City Council Members present. Derek Raburn stated the motion, seconded by Vernita Saylor, to approve Ordinance No. 756. Voting yes were Vernita Saylor, Tony Groshong, Jeff Ommert, Keith Luedders and Derek Raburn, none voted no, and Tom McCarville was absent and not voting. Motion carried unanimously by City Council Members present for Ordinance No. 756 as follows:

ORDINANCE NO. 756

AN ORDINANCE OF THE CITY OF CAMBRIDGE, NEBRASKA, CREATING STREET IMPROVEMENT DISTRICT NO. 2019-1 WITHIN THE CITY; DEFINING THE BOUNDARIES OF SAID DISTRICT AND THE PROPERTY CONTAINED THEREIN; AND PROVIDING FOR THE CONSTRUCTION OF IMPROVEMENTS THEREIN CONSISTING OF GRADING AND/OR REGRADING, RECURBING AND REGUTTERING OR CONSTRUCTION OF CURB AND GUTTER, AS MAY BE REQUIRED, PAVING, REPAVING, EARTHWORK, STORM DRAINAGE IMPROVEMENTS, PEDESTRIAN WALKWAYS AND SUCH OTHER APPURTENANCES AS MAY BE INCIDENTAL THERETO.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CAMBRIDGE, NEBRASKA AS FOLLOWS:

Section 1. The Mayor and City Council (the “**Council**”) of the City of Cambridge, Nebraska (the “**City**”), hereby finds and determines that it is in the best interests of the City that the City construct and improve certain streets and other improvements within the City, as hereinafter described; and it is in the best interests of the City to create a street improvement district for the construction of the hereinafter-described Improvements.

Section 2. There is hereby created within the City a street improvement district to be known and designated as Street Improvement District No. 2019-1 (the “**District**”), the outer boundaries of which coincide with and are the same as the outer boundaries of the City. Within the District, the following streets shall be improved by construction of improvements therein consisting of grading and/or regrading, recurbing and reguttering or construction of curb and gutter, as may be required, paving, repaving, earthwork, storm drainage improvements, pedestrian walkways and such other appurtenances as may be incidental thereto (collectively, the “**Improvements**”):

Patterson Street extending from the Southerly line of Nasby Street (a.k.a. US Highway 6 & 34) to a point approximately 136 feet North of the Northly Line of Nelson Street.

Nelson Street extending from a point approximately 160 feet West of the Westerly line of Patterson Street, Easterly to a point approximately 140 feet East of the Easterly line of Patterson Street.

Section 3. All of said Improvements shall be constructed to the established grades as fixed by ordinances of the City, and shall be constructed in accordance with plans and specifications to be prepared by the special engineers of the City and approved by the Council.

Section 4. The Council hereby finds and determines that the Improvements in the District consist of public improvements of general benefit to the City as a whole, that no property within the District will be specially benefited by the Improvements, that none of the Improvements are to be funded or reimbursed by a levy of special assessments and that the Improvements shall be funded at public cost as provided in Sections 17-509 and 17-520, Reissue Revised Statutes of Nebraska, as amended.

Section 5. Following adoption of this Ordinance, notice of the creation of the District shall be published in the *Cambridge Clarion*, a legal newspaper of general circulation within the City, one time each week for two consecutive weeks.

Section 6. If the owners of the record title representing more than 50% of the front footage of the property directly abutting the streets to be improved within the District file written objections to the creation of the District with the City Clerk within 20 days after the first publication of the notice set forth in Section 5 above, the Improvements shall not be made, and this Ordinance shall be repealed.

Section 7. If any section, paragraph, clause, or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause, or provision shall not affect any of the other provisions of this Ordinance.

Section 8. This Ordinance shall be published in pamphlet form as provided by law. This Ordinance shall take effect immediately upon its publication in pamphlet form.

Swimming Pool Project. The City Council discussed options for an inter-local agreement for the swimming pool project and encouraged the swimming pool committee to meet and pursue an inter-local agreement with another entity.

Economic Development Report. The City Council received the sales tax report.

Fire/Ambulance – no report.

Planning Commission Report. The City Council received a copy of the Planning Commission Report prior to this meeting. Jeff Ommert stated the motion, seconded by Derek Raburn, to approve the Planning Commission Report. Voting yes were Vernita Saylor, Tony Groshong, Jeff Ommert, Keith Luedders and Derek Raburn, none voted no, and Tom McCarville was absent and not voting. Motion carried unanimously by City Council Members present for a site plan and land use permit for Calvary Baptist Church, 804 Patterson St, for a personal lift.

Utility Supervisor Report. Utility Supervisor, David Houghtelling reported dates staff will put up U.S. Flags. Dave reported he will need to orders some supplies to repair some flags. The City Council discussed that an Organization may want to volunteer. They would need to sign a waiver. Dave reported the Nebraska Department of Environmental Quality has been working with him on reports for the City's generation capacity. Greg Howerter and Dave Houghtelling will be attending a wastewater treatment training in Kearney. Dave recommended that the City Council approve an ordinance that when the truck wash cleans out their pit that truck wash staff plug the drain so the overflow does not come into the sewer system. Dave reported after receiving complaints he contacted Besler Industries about storing their waste in the shop at 504 Nasby Street. Dave reported Besler Industries haul their waste to the Holdrege Landfill.

City Clerk/Treasurer Reports. City Clerk/Treasurer Kandra Kinne, reported line loss for billing dated January 1, 2019. Electric line loss was 2.21% and water line loss is 10.50%. Kandra discussed the time line needed to re-plate the property in Harvest Meadows for First Central Bank. Kandra provided notice of intent to file with Nebraska FEMA if the City is interested in a storm shelter. The City Council received letters of support from the McCook Economic Development Corporation and the City of Benkelman for the proposed regional housing partnership grant application. Kandra discussed funding available to pay off the ambulance bond issue.

Public Comments. City Attorney Lisa Shifflet asked about the meeting to combine the City & Rural Fire Boards. Mayor Dave Gunderson discussed the problem with the sewer department losing funding each month and discussed possibilities to use other funds to cover the loss each month. The City Council also requested a rate study.

Consent Agenda. Jeff Ommert stated the motion, seconded by Tony Groshong, to approve the minutes of January 7, 2019 and the claims report. Voting yes were Vernita Saylor, Tony Groshong, Jeff Ommert, Keith Luedders and Derek Raburn, none voted no, and Tom McCarville was absent and not voting. Motion carried unanimously by City Council Members present for the minutes of January 7, 2019 and the following claims report.

<i>City of Cambridge</i>			
<i>Claims Report</i>			
<i>To Mayor and City Council</i>			
<i>21-Jan-19</i>			
Check No.	Vendor, For	Amount	Dept.
			Total
	<u>Combined Utility:</u>		
30464	Employee Dental	157.00	
30465-30470	Payroll	8,321.33	
30471	void		
30472	Ag Valley, Fuel	277.05	
30473	American Family Life, Ins.	525.78	
30474	Blue Cross/Blue Shield, Health Ins.	8,563.20	

30475	Cambridge General Store, Supplies	18.63	
30476	Cambridge Super Market, Supplies	14.73	
30477	Cardmember Services, Postage	329.88	
30478	Eakes Office Solutions, Supplies	102.97	
30479	Lord's, Inc. Supplies	19.77	
30480	Municipal Supply, Supplies	964.20	
30481	Nebraska Public Health, Water Testing	96.00	
30482	Northwestern Mutual, Annuity	2,446.21	
30483	Twin Valleys PPD, Utility	3,337.83	
30484	USABLE, Life Insurance	81.00	
30485	Cambridge General Store, Supplies	49.78	
30486	JXBS Trucking, LLC, Rock	189.00	
ACH	Nebr. Dept Revenue, Sales Tax	8,401.17	
ACH	IRS, Federal With holding	2,757.55	36,653.08
	<u>City Account (General Fund):</u>		
46495	Sun Life Financial, Fire Life Insurance	1,408.29	
46496	Ag Valley, Fuel	97.44	
46497	American Family Life, Ins.	157.32	
46498	Arbor Day Foundation, Dues	15.00	
46499	Cardmember Services, Supplies	542.42	
46500	Century Link, Police Phone	59.96	
46501	Eakes Office Solutions, Supplies	224.70	
46502	First Central Bank, Loan Payment	793.92	
46503	void		
46504	Miller & Associates, Flood Plain Administration	100.00	
46505	Mitch Braun, Fire Barn Doors	600.00	
46506	Southwest Farm & Auto, Supplies	2.16	
46507	Twin Valleys PPD, Utility	59.85	
46508	Waypoint Bank, Loan Payment	1,545.00	
46509	Mathson Tri Gas, Oxygen	314.37	
46510	Tri Valley Health System, Fireman Emergency Room Call	645.54	6,565.97
	<u>Housing Rehab 2010:</u>		
225	City of Cambridge, De-obligate 2018 Funds	26,505.43	26,505.43
	<u>LB840:</u>		
3968	Amateur's Bar & Grill, Meeting Meal	81.34	
3969	Payroll	995.18	
3970	Blue Cross/Blue Shield, Health Ins.	605.23	
3971	Cardmember Services, Facebook Boosts	71.13	
3972	Credit Management, Garnishment	199.00	
3973	Monica Lueking, Meeting Meal	15.00	

3974	Northwestern Mutual, Annuity	210.34	
3975	USABLE, Life Insurance	13.50	
3976	City of Cambridge, Distribution Sales Tax	8,620.58	
3977	Cross Creek Golf Links, Distribution Sales Tax	2,110.86	
ACH	IRS, Federal Withholdings	335.66	13,257.82
	Total:	82,982.30	82,982.30

Adjournment. The next regular meeting is Monday February 4, 2019. Keith Luedders stated the motion, seconded by Vernita Saylor, to adjourn at 8:12 P.M. Voting yes were Vernita Saylor, Tony Groshong, Jeff Ommert, Keith Luedders and Derek Raburn, none voted no, and Tom McCarville was absent and not voting. Motion carried unanimously by City Council Members present.

Attest: _____

Kandra J. Kinne, City Clerk/Treasurer

David Gunderson, Mayor

