

City of Cambridge
Regular Meeting
Monday August 20, 2018
6:30 P.M.

Pursuant to notice posted in the Cambridge City Office and published in the Cambridge Clarion, Thursday August 16, 2018, the Cambridge City Council met for regular meeting convening at 6:30 P.M. Present were Mayor Mark Harpst, City Council Members Tom McCarville, Derek Raburn, Jeff Ommert, Tony Groshong and Vernita Saylor. City Staff present were Economic Development Director Monica Lueking, City Clerk/Treasurer Kandra Kinne and Utility Supervisor David Houghtelling. Visitors were Wren and Luella Trosper, Robert Trosper, Kathy Trosper, Tammy Sexton, Ashley Gerlach, Dave Gunderson, Shane and Diane Hannah, Martie Burke of the West Central Nebraska Development District was present by video conference, and Jolene Miller for the Cambridge Clarion. Mayor Harpst opened the meeting with the Pledge of Allegiance. Mayor Harpst announced the open meeting law is posted on the east wall of the meeting room and available for public inspection.

Public Hearings: 6:30 P.M. B C Original Graphics conditional use permit application. Robert Trosper was present to discuss his plan for his business and stated he will also be a deer check in station this fall for the Nebraska Game & Parks. There were no other public comments and Mayor Harpst closed the public hearing at 6:34 P.M. Vernita Saylor stated the motion, seconded by Jeff Ommert, to approve the conditional use permit application of B C Original Graphics. On roll call vote Tom McCarville, Derek Raburn, Jeff Ommert, Tony Groshong and Vernita Saylor voted yes, none voted no, and Keith Luedders was absent and not voting. Motion carried unanimously by City Council Members present.

Cambridge Lanes Class C Liquor License Application. Mayor Harpst opened the public hearing at 6:35 P.M. for the Liquor License application of Cambridge Lanes. Diane Hannah said that the liquor license will be beneficial for the business. They do have customers who have made the request. There were no other public comments, Mayor Harpst closed the public hearing at 6:37 P.M. Tony Groshong stated the motion, seconded by Derek Raburn, to approve the Cambridge Lanes Class C Liquor License Application. On roll call vote Derek Raburn, Jeff Ommert, Tony Groshong, Vernita Saylor and Tom McCarville voted yes, none voted no, and Keith Luedders was absent and not voting. Motion carried unanimously by City Council Members present.

Citizen Advisory Review Committee. Mayor Harpst opened the public hearing at 6:37 P.M. City Clerk Kinne reported the Citizen Advisory Review Committee met August 13, 2018. The committee did not have any findings in the report. The City Council received a copy of the report prior to this meeting. There were no other public comments and Mayor Harpst closed the public hearing at 6:40 P.M. Vernita Saylor stated the motion, seconded by Tom McCarville, to approve the Citizen Advisory recommendations for the period May 1, 2018 to July 31, 2018. On roll call vote Jeff Ommert, Tony Groshong, Vernita Saylor, Tom McCarville and Derek Raburn voted yes, none voted no and Keith Luedders was absent and not voting. Motion carried unanimously by City Council Members present.

New Business:

Nuisance Abatement Program.

Resolution to Rescind. Martie Burke of the West Central Nebraska Development District was present by video conference to update the City Council on progress on certain properties. Martie reported about the property in project number 2018 CAM 001- Parcel No. 0006582.00 and 2018 CAM 002-115 Nakoma Street. Martie reported to the City Council both properties have been cleared of nuisances and recommended the City Council approve Resolutions to rescind. Vernita Saylor stated the motion, seconded by Derek Raburn to approve resolutions 2018-08-03 Rescinding prior Resolution No. 2018-07-

02 Declaration of Nuisance Property and Resolution 2018-08-06 Rescinding prior Resolution No. 2018-07-03 Declaration of Nuisance Property. On roll call vote Tony Groshong, Vernita Saylor, Tom McCarville, Derek Raburn and Jeff Ommert, voted yes, none voted no and Keith Luedders was absent and not voting. Motion carried unanimously for the following Resolutions:

Resolution 2018-08-03

Rescinding Prior Resolution No. 2018-07-02 Declaration of Nuisance Property

WHEREAS, the City of Cambridge is engaged in a Nuisance Abatement Project; and

WHEREAS, the City appointed the West Central Nebraska Development District (WCNDD) as Nuisance Officer; and

WHEREAS, WCNDD identified and confirmed that in its opinion a nuisance exists as defined by Federal, State, City law; and City Council, at a regular meeting, identified a nuisance property, supported by evidence; and

WHEREAS, WCNDD now has evidence that the nuisance violation declared in Resolution No. 2018-07-02 is abated and the property cleared of nuisances.

NOW THEREFORE, BE IT RESOLVED, that the City of Cambridge rescinds Resolution No. 2018-07-02 on the following property:

<u>CASE NO.</u>	<u>PHYSICAL ADDRESS</u>
2018 CAM 001	Parcel No. 0006582.00, Cambridge, NE

Resolution 2018-08-06

Rescinding Prior Resolution No. 2018-07-03 Declaration of Nuisance Property

WHEREAS, the City of Cambridge is engaged in a Nuisance Abatement Project; and

WHEREAS, the City appointed the West Central Nebraska Development District (WCNDD) as Nuisance Officer; and

WHEREAS, WCNDD identified and confirmed that in its opinion a nuisance exists as defined by Federal, State, City law; and City Council, at a regular meeting, identified a nuisance property, supported by evidence; and

WHEREAS, WCNDD now has evidence that the nuisance violation declared in Resolution No. 2018-07-03 is abated and the property cleared of nuisances.

NOW THEREFORE, BE IT RESOLVED, that the City of Cambridge rescinds Resolution No. 2018-07-03 on the following property:

<u>CASE NO.</u>	<u>PHYSICAL ADDRESS</u>
2018 CAM 002	115 Nakoma Street, Cambridge, NE

Declaration of Declared Nuisance – Martie Burke presented photos of nuisances that have not been abated by the property owners. Vernita Saylor stated the motion, seconded by Derek Raburn, to approve Resolutions 2018-08-04 Declared Nuisance 204 Payne Street; 2018-08-07 Declared Nuisance 206 Payne Street; 2018-08-05 Declared Nuisance 201 Paxton Street and 2018-08-08 Declared Nuisance 305 Neville Street. On roll call vote Vernita Saylor, Tom McCarville, Derek Raburn, Jeff Ommert and Tony Groshong voted yes, none voted no, and Keith Luedders was absent and not voting. Motion carried unanimously by City Council Members present for the following Resolutions:

RESOLUTION NO. 2018-08-04

DECLARED NUISANCE

The Mayor and City Council of the City of Cambridge (hereinafter the City), in regular session assembled at the City Office Building in Cambridge, Nebraska on this 20th day of August, 2018, hereby resolve as follows:

WHEREAS, The City of Cambridge desires to declare Nuisances pursuant to the City Code of Ordinances (Ordinance No. 709), with additional Ordinance Sections 6-314; 8-103,8-105; 8-201; 6-309; and 6-310.

NOW THEREFORE:

BE IT RESOLVED that the following property located within the nuisance jurisdiction of the City of Cambridge, Nebraska has been submitted to the City Council at its regular meeting on August 20, 2018: **Case No: 2018 CAM 004 – 204 Payne Street, Cambridge NE**; and

BE IT FURTHER RESOLVED that the City Council found at said meeting that the following property is declared to have nuisances upon it contrary to Cambridge City's Code of Ordinances and that said nuisance is ratified by this resolution:

Case No: 2018 CAM 004 – 204 Payne Street, Cambridge NE

BE IT FINALLY RESOLVED, that the City shall proceed as determined under the administrative procedure of ARTICLE 3 ENFORCEMENT (A).

RESOLUTION NO. 2018-08-07

DECLARED NUISANCE

The Mayor and City Council of the City of Cambridge (hereinafter the City), in regular session assembled at the City Office Building in Cambridge, Nebraska on this 20th day of August, 2018, hereby resolve as follows:

WHEREAS, The City of Cambridge desires to declare Nuisances pursuant to the City Code of Ordinances (Ordinance No. 709), with additional Ordinance Sections 6-314; 8-103,8-105; 8-201; 6-309; and 6-310.

NOW THEREFORE:

BE IT RESOLVED that the following property located within the nuisance jurisdiction of the City of Cambridge, Nebraska has been submitted to the City Council at its regular meeting on August 20, 2018: **Case No: 2018 CAM 005 – 206 Payne Street, Cambridge NE**; and

BE IT FURTHER RESOLVED that the City Council found at said meeting that the following property is declared to have nuisances upon it contrary to Cambridge City's Code of Ordinances and that said nuisance is ratified by this resolution:

Case No: 2018 CAM 005 – 206 Payne Street, Cambridge NE

BE IT FINALLY RESOLVED, that the City shall proceed as determined under the administrative procedure of ARTICLE 3 ENFORCEMENT (A).

RESOLUTION NO. 2018-08-05

DECLARED NUISANCE

The Mayor and City Council of the City of Cambridge (hereinafter the City), in regular session assembled at the City Office Building in Cambridge, Nebraska on this 20th day of August, 2018, hereby resolve as follows:

WHEREAS, The City of Cambridge desires to declare Nuisances pursuant to the City Code of Ordinances (Ordinance No. 709), with additional Ordinance Sections 6-314; 8-103,8-105; 8-201; 6-309; and 6-310.

NOW THEREFORE:

BE IT RESOLVED that the following property located within the nuisance jurisdiction of the City of Cambridge, Nebraska has been submitted to the City Council at its regular meeting on August 20, 2018: **Case No: 2018 CAM 006 – 201 Paxton Street, Cambridge NE**; and

BE IT FURTHER RESOLVED that the City Council found at said meeting that the following property is declared to have nuisances upon it contrary to Cambridge City's Code of Ordinances and that said nuisance is ratified by this resolution:

Case No: 2018 CAM 006 – 201 Paxton Street, Cambridge NE

BE IT FINALLY RESOLVED, that the City shall proceed as determined under the administrative procedure of ARTICLE 3 ENFORCEMENT (A).

**RESOLUTION NO. 2018-08-08
DECLARED NUISANCE**

The Mayor and City Council of the City of Cambridge (hereinafter the City), in regular session assembled at the City Office Building in Cambridge, Nebraska on this 20th day of August, 2018, hereby resolve as follows:

WHEREAS, The City of Cambridge desires to declare Nuisances pursuant to the City Code of Ordinances (Ordinance No. 709), with additional Ordinance Sections 6-314; 8-103,8-105; 8-201; 6-309; and 6-310.

NOW THEREFORE:

BE IT RESOLVED that the following property located within the nuisance jurisdiction of the City of Cambridge, Nebraska has been submitted to the City Council at its regular meeting on August 20, 2018: **Case No: 2018 CAM 009 – 305 Neville Street, Cambridge NE;** and

BE IT FURTHER RESOLVED that the City Council found at said meeting that the following property is declared to have nuisances upon it contrary to Cambridge City's Code of Ordinances and that said nuisance is ratified by this resolution:

Case No: 2018 CAM 009 – 305 Neville Street, Cambridge NE

BE IT FINALLY RESOLVED, that the City shall proceed as determined under the administrative procedure of ARTICLE 3 ENFORCEMENT (A).

The City Council discussed the property at 412 Neville Street and 511 Neville Street. The property at 412 Neville Street has skirting on the Trailer house that needs repaired. The property at 511 Neville Street has discarded goods, appliances, unlicensed vehicles and tires. The City Council asked West Central Nebraska Development District to send a letter to both property owners and give the property owners 30 days to comply. The City Council did not discuss pending building permits due.

Resolution to approve LB840 Plan and Ballot for November General Election. Jeff Ommert stated the motion, seconded by Vernita Saylor, to approve Resolution 2018-08-01. On roll call vote Tom McCarville, Derek Raburn, Jeff Ommert, Tony Groshong and Vernita Saylor voted yes, none voted no and Keith Luedders was absent and not voting. Motion carried unanimously by City Council Members present for Resolution 2018-08-01 as follows:

RESOLUTION NO. 2018-08-01

A RESOLUTION OF THE CITY OF CAMBRIDGE, FURNAS COUNTY, NEBRASKA AUTHORIZING AND DIRECTING THAT TWO BALLOT ISSUES BE PLACED ON A GENERAL ELECTION ON NOVEMBER 6, 2018 BY THE ELECTORS OF THIS MUNICIPALITY TO CONSIDER THE CONTINUATION OF CAMBRIDGE'S ECONOMIC DEVELOPMENT PROGRAM AND WATER FUND SUPPORT PROGRAM AND TO CONSIDER THE CONTINUATION OF ONE PERCENT (1%) TO FUND ECONOMIC DEVELOPMENT PROGRAM AND WATER FUND SUPPORT PROGRAM.

WHEREAS, the Local Option Municipal Economic Development Act allows cities to impose a sales and use tax, provided an election has been held and a majority of the qualifying electors have approved the tax; and

WHEREAS, a certified copy of a resolution proposing the tax must be submitted to the election commissioner or county clerk, not later than 50 days prior to a general election; and

WHEREAS, the question of approving the continuation of the tax may include any terms and conditions, such as a termination date, or specific projects or programs; and

WHEREAS, the City Council finds that the proposed Economic Development Program contains the elements required by the Act, and will provide an opportunity to assist business enterprises in the community to provide jobs to the citizens of Cambridge; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of Cambridge, Nebraska, as follows:

1. The proposed Economic Development Program, a 14 page document, is hereby adopted by the City of Cambridge, for presentation to the voters, and is incorporated into this Resolution by reference.
2. The continuation of the Economic Development Program and the Water Fund Support program and the continuation of the local option sales tax shall be presented to the voters of the City for approval at a general election to be called November 6, 2018 by means of the following ballot language:

PROPOSITION NO. 1

Shall the City of Cambridge, Nebraska, continue to impose a sales and use tax in the amount of one percent (1%) upon the same transactions within the City of Cambridge on which the State of Nebraska is authorized to impose a tax, and shall the City of Cambridge, Nebraska increase its budgeted restricted funds for fiscal year 2021-2022 by \$183,000.00 (23.29%) over the current year's restricted funds, subject to the following terms and conditions, to wit:

1. Termination of Tax. The City sales and use tax referred to in Proposition No. 1 above shall automatically terminate at the end of fifteen (15) years from the date on which, by operation of state law, the tax becomes effective, unless the tax is extended by a vote of the electorate prior to the end of such period.
2. Economic Development Program. During the existence of the City sales and use tax referred to in Proposition No. 1 above two-thirds (2/3) of the net revenue received by the City of Cambridge from such sales and use tax shall be used to fund the Cambridge Economic Development Program as provided for in the Plan set out in Proposition No. 2.

Water Fund Support Program. During the existence of the City sales and use tax referred to in Proposition No. 1 above one-third (1/3) of the net revenue received by the City of Cambridge from such sales and use tax shall be used to provide revenue to support funding the water system operation and improvements for the citizens within the corporate limits of Cambridge, Nebraska as provided for in the Plan set out in Proposition No. 2.

[] Yes (for continuation of such tax)

[] No (against continuation of such tax)

Electors desiring to vote in favor of the Proposition shall mark the appropriate space preceding the words "Yes (for continuation of such tax)".

Electors desiring to vote against the Proposition shall mark the appropriate space preceding the words "No (against continuation of such tax)".

PROPOSITION NO. 2

Shall the City of Cambridge, Nebraska continue the Economic Development and Water Fund Support Program as described herein by appropriating from local sources of revenue an estimated \$183,000.00 per year in fiscal years 2021-2022, 2022-2023, 2023-2024, 2024-2025, 2025-2026, 2026-2027, 2027-2028, 2028-2029, 2029-2030, 2030-2031, 2031-2032, 2032-2033, 2033-2034, 2034-2035, 2035-2036, for the term of the tax set out in Proposition No. 1?

[] Yes (for continuation of the program)

[] No (against continuation of the program)

Electors desiring to vote in favor of the Proposition shall mark the appropriate space preceding the words "Yes (for continuation of the program)".

Electors desiring to vote against the Proposition shall mark the appropriate space preceding the words "No (against continuation of the program)".

a. Description of the Economic Development and Water Fund Support Program:

The Economic Development Program presented by the City Council is summarized as follows:

The goals of the Cambridge Economic Development Program support the development of new jobs and the retention of existing jobs for the citizens of Cambridge. The success of the Program will be measured by the number of jobs created and retained as well as income improvement for the length of the Program. The goals will be achieved by providing technical assistance to existing or new businesses with planning, technology education and use, workforce housing, marketing, and providing direct loans to qualifying businesses through administration of the existing Cambridge Area Revolving Loan Fund. The priority activities of Business Development, Retail Business Initiatives, Technology Business Initiatives as well as a variety of additional eligible activities will be implemented with the Nebraska Local Option Municipal Economic Development Act.

The Water Fund Support Program presented by the City Council is summarized as follows:

The Program will subsidize increasing financial needs for water system construction and operation. The fund will be utilized to lessen the burden of these increases on the citizens of Cambridge.

- b. Duration of the Program: The length of time that the Program shall be in existence shall be twenty years.
- c. Years for Collection of Funds: Collection of funds for the Program shall be on all taxable sales beginning on April 1, 2021, and shall end on March 31, 2036 (fifteen years).
- d. Source of Funds: The source shall be a 1% City Sales and Use Tax provided for in Proposition No. 1 above.
- e. Total Amount to be Collected: The total amount to be collected is estimated to be \$183,000.00 per year in fiscal years 2021-2022, 2022-2023, 2023-2024, 2024-2025, 2025-2026, 2026-2027, 2027-2028, 2028-2029, 2029-2030, 2030-2031, 2031-2032, 2032-2033, 2033-2034, 2034-2035, 2035-2036. The City shall have the authority to issue bonds pursuant to the Local Option Municipal Economic Development Act (as defined by statute) to leverage additional funds if necessary, which shall be retired by the revenue of the fund.
- f. The City will seek additional funds from other sources beyond those derived from local sources of revenue.

If a majority of the votes cast upon such question shall be in favor of continuation of such plan and tax, then the Mayor and City Council of the City of Cambridge shall be empowered as provided by Section 77-27,142 and shall forthwith proceed to impose a tax pursuant to the Local Option Revenue Act. If a majority of those voting on the question shall be opposed to such tax, then the Mayor and City Council of the City of Cambridge shall not impose such tax and the existing Cambridge Economic Development Program will be discontinued at the close of business on March 31, 2026.

Swimming Pool Bond. Mayor Harpst presented the Resolutions for call for election to submit to voters of the City a proposition regarding the issuance of bonds for the swimming pool project. After discussion City Council Member Tony Groshong stated the motion, seconded by Tom McCarville, to approve Resolution 2018-08-02. On roll call vote Derek Raburn, Jeff Ommert, Tony Groshong, Vernita Saylor and Tom McCarville voted yes, none voted no. Motion carried unanimously for Resolution 2018-08-02 as follows:

RESOLUTION NO. 2018-08-02

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF CAMBRIDGE, NEBRASKA CALLING FOR A SPECIAL ELECTION TO BE HELD IN CONJUNCTION WITH THE STATEWIDE GENERAL ELECTION ON NOVEMBER 6, 2018 REGARDING A PROPOSITION FOR THE ISSUANCE BY THE CITY OF ITS GENERAL OBLIGATION BONDS IN AN AMOUNT NOT TO EXCEED ONE MILLION TWO HUNDRED FIFTY THOUSAND DOLLARS (\$1,250,000) TO PAY THE COSTS OF CONSTRUCTING EQUIPPING AND IMPROVING THE EXISTING SWIMMING POOL AND RELATED FACILITIES OF THE CITY.

WHEREAS, the City of Cambridge, Nebraska (the “**City**”) is a body corporate and politic and a city of the second class validly existing under the Constitution and laws of the State of Nebraska (the “**State**”); and

WHEREAS, Section 17-950, Reissue Revised Statutes of Nebraska, as amended (the “**Bond Act**”), authorizes the City to issue its bonds for the purposes of acquiring real estate, improving, equipping, and furnishing such real estate as parks and recreational grounds and building swimming pools and dams, but only after the question of issuing such bonds has been submitted to the electors of the City at a general or special election therein and a majority of the electors voting have voted in favor of issuing such bonds; and

WHEREAS, the Mayor and City Council (the “**Council**”) finds and determines that it is necessary, desirable, advisable and in the best interest of the City and its residents that the City construct, equip and improve the existing swimming pool and related facilities of the City (the “**Project**”); and

WHEREAS, to finance the costs of the Project, it will be necessary for the City to issue its general obligation bonds in a total principal amount not to exceed \$1,250,000 in one or more series, bearing interest at such rates, maturing on such dates, being sold at such prices and having such other terms and provisions, all as shall be determined by the Council and to levy and collect annually a special levy of taxes against all the taxable property in the City sufficient in rate and amount to pay the principal of, the premium, if any, and the interest on said bonds as the same become due; and

WHEREAS, during the past six months there has not been submitted to the electors of the City a proposition for the issuance of bonds pursuant to the Bond Act to finance the costs of the Project or a substantially similar project.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CAMBRIDGE, NEBRASKA, AS FOLLOWS:

Section 1. The Council hereby directs and calls for a special election to be held in conjunction with the Statewide General Election on Tuesday, November 6, 2018 (the “**Election**”), at which time there shall be submitted to the qualified electors of the City the following proposition:

“Shall the City of Cambridge, Nebraska (the “**City**”) issue its bonds in a principal amount not to exceed One Million Two Hundred Fifty Thousand Dollars (\$1,250,000) for the purpose of financing the costs of constructing, equipping and improving the existing municipal swimming pool and related facilities within the City; said bonds to be issued from time to time, to be sold at such prices, to bear interest at such rates, to become due at such times, and to have such other terms and provisions, all as may be fixed and determined by the Mayor and Council of the City; and

“Shall the City cause to be levied and collected annually a special levy of taxes against all the taxable property in the City sufficient in rate and amount to pay the interest, principal and premium on said bonds as the same become due?”



FOR said bonds and tax



AGAINST said bonds and tax

The ballots to be voted upon and cast at said election shall have printed thereon the foregoing proposition, followed by the words: “FOR said bonds and tax” and “AGAINST said bonds and tax” following said proposition. Qualified electors voting in favor of said proposition shall blacken completely the oval

opposite the words "FOR said bonds and tax" following said proposition, and qualified electors voting against said proposition shall blacken completely the oval opposite the words "AGAINST said bonds and tax" following said proposition.

Section 2. The City Clerk is hereby directed to certify a copy of this Resolution to the Election Commissioner of Furnas County, Nebraska (the "**Election Commissioner**"), no later than September 1, 2018.

Section 3. The Election shall be conducted by the Election Commissioner in accordance with the Bond Act and Sections 32-101 et seq., Reissue Revised Statutes of Nebraska, as amended (the "**Election Act**"). The Council authorizes and directs each of the Mayor and the City Clerk, in conjunction with the Election Commissioner, to do all other things and take all other action appropriate or necessary in order to cause the proposition described herein to be submitted to the qualified electors of the City. The City shall reimburse the Election Commissioner for the expenses of conducting the Election, if any.

Section 4. The Council requests that the Election Commissioner publish notice of the Election (which may be included in the notice of the Statewide General Election) and post notice of the Election in the offices of the Election Commissioner, in each case no later than 42 days prior to the date of the Election, as required by Section 32-802 of the Election Act.

Section 5. The Council authorizes and directs the City Clerk to publish, or to cause to be published, notice of the Election in the *Clarion*, a legal newspaper of general circulation in the City, one time each week for four consecutive weeks, the first such publication occurring at least 20 days prior to the Election. Such notice of the Election shall be substantially in the form attached hereto as Exhibit A, with such changes as may be required by the Election Commissioner.

Section 6. The Council authorizes and directs the City Clerk to furnish the final form of the ballot for the Election to the Election Commissioner no later than 40 days prior to the date of such Election (or such other date as may be requested by the Election Commissioner). The ballot shall be substantially in the form submitted attached hereto as Exhibit B, with such changes as may be required by the Election Commissioner. The Council further authorizes and directs the City Clerk to publish, or shall cause to be published, the form of the sample ballot in the *Clarion*, a legal newspaper of general circulation in the City, one time not more than 10 days nor less than 3 days prior to the Election.

Section 7. This Resolution shall be in force and take effect from and after its passage as provided by law.

Mayor Harpst presented Resolution 2018-08-09 for consideration and submitting to the voters of the City regarding issuance of bonds. Derek Raburn stated the motion, seconded by Vernita Saylor, to approve Resolution 2018-08-09. On roll call vote Jeff Ommert, Tony Groshong, Vernita Saylor, Tom McCarville and Derek Raburn voted yes, none voted no and Keith Luedders was absent and not voting. Motion carried unanimously by City Council Members present for Resolution 2018-08-09 as follows:

RESOLUTION NO. 2018-08-09

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF CAMBRIDGE, NEBRASKA CALLING FOR A SPECIAL ELECTION TO BE HELD IN CONJUNCTION WITH THE STATEWIDE GENERAL ELECTION ON NOVEMBER 6, 2018 REGARDING A PROPOSITION TO IMPOSE A ONE-HALF PERCENT (0.50%) SALES AND USE TAX, IN ADDITION TO THE CITY'S EXISTING ONE AND ONE-HALF PERCENT SALES AND USE TAX (1.50%), ON THE SAME TRANSACTIONS WITHIN THE CITY ON WHICH THE STATE IS AUTHORIZED TO IMPOSE A SALES AND USE TAX, AND TO INCREASE THE CITY'S BUDGETED RESTRICTED FUNDS, FOR THE FINANCING, REFINANCING, ACQUISITION, CONSTRUCTION, RENOVATION, IMPROVEMENT, EQUIPPING, MAINTENANCE AND OPERATION OF PUBLIC INFRASTRUCTURE PROJECTS, INCLUDING PLEDGING ALL OR A PORTION OF THE

RECEIPTS FROM SUCH TAX TO THE REPAYMENT OF INDEBTEDNESS INCURRED IN CONNECTION WITH SUCH PUBLIC INFRASTRUCTURE PROJECTS.

WHEREAS, the City of Cambridge, Nebraska (the “**City**”) is a body corporate and politic and a city of the second class validly existing under the Constitution and laws of the State of Nebraska (the “**State**”); and

WHEREAS, the Local Option Revenue Act, Sections 77-27,142 to and including 77-27,148, Reissue Revised Statutes of Nebraska, as amended (the “**Local Option Act**”), authorizes the City to impose a sales and use tax of one-half percent, one percent, one and one-half percent, one and three-quarters percent, or two percent upon the same transactions within the City on which the State is authorized to impose a tax pursuant to the Nebraska Revenue Act, Sections 77-2701 et seq., Reissue Revised Statutes of Nebraska, as amended (the “**Revenue Act**”), but only after the question of imposing a sales and use tax has been submitted to the electors of the City at a general or special election therein and a majority of the electors voting have voted in favor of imposing such sales and use tax; and

WHEREAS, the Local Option Act further authorizes the City to issue bonds in one or more series for any municipal purpose and pay the principal of and interest on any such bonds by pledging receipts from the increase in the municipal sales and use taxes authorized by the City, and further permits the City to dedicate a portion of its property tax levy authority as provided in section 77-3442 to meet debt service obligations under such bonds; and

WHEREAS, a sales and use tax above one and one-half percent may not be imposed unless the City is a party to an inter-local agreement pursuant to the Inter-local Cooperation Act, Sections 13-801 to and including 13-1827, Reissue Revised Statutes of Nebraska, as amended (the “**Inter-local Act**”), with a political subdivision within the municipality or the county in which the City is located, which inter-local agreement creates a separate legal or administrative entity relating to a public infrastructure project (provided that such separate legal or administrative entity has not been in existence for one calendar year preceding the submission of the question of such tax at a primary or general election held within the City); and

WHEREAS, pursuant to the Inter-local Act, the City and Furnas County School District 0021 (Cambridge Public Schools), a class III school district (the “**District**”), will enter into an Inter-local Cooperation Act Agreement (the “**Inter-local Agreement**”) prior to the imposition of any additional sales and use tax, creating the Cambridge Inter-local Cooperative Agency (the “**Agency**”) for the purpose of administering one or more of the hereinafter-described Municipal Projects; and

WHEREAS, the Mayor and City Council of the City (the “**Council**”) finds and determines that it is necessary, desirable, advisable and in the best interest of the City and its residents that the City (a) impose a sales and use tax in the amount of one-half percent (0.50%), in addition to the City’s one-and-one-half percent (1.50%) sales and use tax currently in effect, on the same transactions within the City on which the State is authorized to tax pursuant to the Revenue Act, (b) increase its budgeted restricted funds for the 2019-20 fiscal year by \$87,000 (14.0%) over the City’s current fiscal year’s restricted funds, (c) use the additional sales and use tax referred to herein for financing, acquiring, constructing, renovating, improving, equipping, operating and maintaining public infrastructure projects (each a “**Municipal Project**”), including but not limited to constructing, equipping and improving the existing swimming pool and related facilities of the City, which Municipal Project is used in the operation of municipal government, with 100% of the receipts collected therefrom used for the purposes of the Inter-local Agreement between the City and the District for such Municipal Projects, including the repayment of indebtedness incurred in connection with Municipal Projects, (d) impose the additional one-half percent (0.50%) sales and use tax for not more than 10 years or the payment of any bonds, including refunding bonds, to which such sales and use tax is pledged, whichever is later, and (e) pledge the receipts from such additional one-half percent (0.50%) sales and use tax to the repayment of bonds, including any refunding bonds, issued to finance and refinance the costs of Municipal Projects; and

WHEREAS, during the past twenty-three months there has not been submitted to the electors of the City a proposition for the imposition of a sales and use tax pursuant to the Local Option Act.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CAMBRIDGE, NEBRASKA, AS FOLLOWS:

Section 1. The Council hereby directs and calls for a special election to be held in the City in connection with the Statewide General Election on Tuesday, November 6, 2018 (the “**Election**”), at which time there shall be submitted to the qualified electors of the City the following proposition:

“Shall the City Council of the City of Cambridge, Nebraska impose a one-half percent (0.50%) sales and use tax, in addition to the City’s one-and-one-half percent (1.50%) sales and use tax currently in effect, on the same transactions within the City on which the State of Nebraska is authorized to impose a sales and use tax, and shall the City increase its budgeted restricted funds for the 2019-20 fiscal year by \$87,000 (14.0%) over the City’s current fiscal year’s restricted funds, all subject to the following terms and conditions:

(A) All of the receipts from the additional sales and use tax referred to in this Proposition shall be used solely for the purposes of the Inter-local Agreement between the City and Furnas County School District 0021 (Cambridge Public Schools), which purposes consist of financing, refinancing, acquiring, constructing, renovating, improving, equipping, operating and maintaining public infrastructure projects (each a “Municipal Project”), including but not limited to constructing, equipping and improving the existing municipal swimming pool and related facilities of the City;

(B) The City may issue bonds, including refunding bonds, to finance and refinance the costs of one or more Municipal Projects, may pledge the receipts from the additional sales and use tax referred to in this Proposition to pay the principal of, the premium on, and the interest on such bonds and refunding bonds, and may dedicate a portion of its property tax levy authority as provided in section 77-3442 to meet debt service obligations under such bonds and refunding bonds; and

(C) The City shall impose the additional sales and use tax referred to in this Proposition for not more than 10 years or until the final payment of any bonds, including refunding bonds, to which such sales and use tax is pledged, whichever is later?”

The ballots to be voted upon and cast at the Election for the proposition shall have printed thereon the foregoing proposition, followed by the words: “FOR imposition of said sales and use tax and increase in restricted funds budget” and “AGAINST imposition of said sales and use tax and increase in restricted funds budget” following said proposition. Qualified electors voting in favor of the proposition shall blacken completely the oval opposite the words “FOR imposition of said sales and use tax and increase in restricted funds budget” following said proposition, and qualified electors voting against the proposition shall blacken completely the oval opposite the words “AGAINST imposition of said sales and use tax and increase in restricted funds budget” following said proposition.

Section 2. The City Clerk is hereby directed to transmit a certified copy of this Resolution to the Election Commissioner of Furnas County, Nebraska (the “**Election Commissioner**”) no later than September 1, 2018.

Section 3. The Election shall be conducted by the Election Commissioner in accordance with the Local Option Act and Sections 32-101 et seq., Reissue Revised Statutes of Nebraska, as amended (the “**Election Act**”). The Election Commissioner shall designate the polling places, appoint the election officials and otherwise conduct the Election as provided by law. The City shall reimburse the Election Commissioner for the expenses of conducting the Election, if any.

Section 4. The Council authorizes and directs each of the Mayor and the City Clerk, in conjunction with the Election Commissioner, to do all other things and take all other action appropriate or

necessary in order to cause the proposition described herein to be submitted to the qualified electors of the City at the Election.

Section 5. The Council requests that the Election Commissioner publish notice of the Election (which may be included in the notice of the Statewide General Election) and post notice of the Election in the offices of the Election Commissioner and the City Clerk, in each case no later than 42 days prior to the Election, as required by Section 32-802 of the Election Act.

Section 6. The Council authorizes and directs the City Clerk to publish, or to cause to be published, notice of the Election, not more than thirty days nor less than ten days previous to the Election, by publication one time in the *Clarion*, being a legal newspaper of general circulation in the City. The form of such notice of the Election shall be substantially in the form attached hereto as Exhibit A, with such changes as may be required by the Election Commissioner.

Section 7. The Council authorizes and directs the City Clerk to furnish the final form of the ballot for the Election to the Election Commissioner no later than 42 days prior to the date of such Election or such earlier date as may be prescribed by the Election Commissioner. The form of ballot shall be substantially in the form attached hereto as Exhibit B, with such changes as may be required by the Election Commissioner.

Section 8. This Resolution shall be in force and take effect from and after its passage as provided by law.

SPECIAL SALES AND USE TAX ELECTION
CITY OF CAMBRIDGE, NEBRASKA
TUESDAY, NOVEMBER 6, 2018

“Shall the City Council of the City of Cambridge, Nebraska impose a one-half percent (0.50%) sales and use tax, in addition to the City’s one-and-one-half percent (1.50%) sales and use tax currently in effect, on the same transactions within the City on which the State of Nebraska is authorized to impose a sales and use tax, and shall the City increase its budgeted restricted funds for the 2019-20 fiscal year by \$87,000 (14.0%) over the City’s current fiscal year’s restricted funds, all subject to the following terms and conditions:

(A) All of the receipts from the additional sales and use tax referred to in this Proposition shall be used solely for the purposes of the Inter-local Agreement between the City and the Furnas County School District 0021 (Cambridge Public Schools), which purposes consist of financing, refinancing, acquiring, constructing, renovating, improving, equipping, operating and maintaining public infrastructure projects (each a “Municipal Project”), including but not limited to constructing, equipping and improving the existing municipal swimming pool and related facilities of the City;

(B) The City may issue bonds, including refunding bonds, to finance and refinance the costs of one or more Municipal Projects, may pledge the receipts from the additional sales and use tax referred to in this Proposition to pay the principal of, the premium on, and the interest on such bonds and refunding bonds, and may dedicate a portion of its property tax levy authority as provided in section 77-3442 to meet debt service obligations under such bonds and refunding bonds; and

(C) The City shall impose the additional sales and use tax referred to in this Proposition for not more than 10 years or until the final payment of any bonds, including refunding bonds, to which such sales and use tax is pledged, whichever is later?”

- FOR imposition of said sales and use tax and increase in restricted funds budget
- AGAINST imposition of said sales and use tax and increase in restricted funds budget

Qualified electors voting in favor of the proposition shall blacken completely the oval opposite the words “FOR imposition of said sales and use tax and increase in restricted funds budget” following said proposition, and qualified electors voting against the proposition shall blacken completely the

oval opposite the words “AGAINST imposition of said sales and use tax and increase in restricted funds budget” following said proposition.

Special Assessment -503 Neville Street. Kandra reported she has attempted to send the owners a bill for nuisance abatement to remove the trailer house and clear the property of nuisances at 503 Neville Street, to their last known address. The letters have been returned as undeliverable. Jeff Ommert stated the motion, seconded by Tony Groshong to file special assessment on real estate described as Lot 5, Block 5, First Addition, Cambridge, Furnas County, Nebraska, in the amount of \$7,227.77. On roll call vote Tony Groshong, Vernita Saylor, Tom McCarville, Derek Raburn and Jeff Ommert, voted yes, none voted no, Keith Luedders was absent and not voting. Motion carried unanimously.

Reports of Officers/Boards/Committees.

Miller & Associates – Down Town Revitalization. Mayor Harpst reported Staff will review the preliminary drawings in either August or September. The 5-10 year Planning Meeting will be held September 25th at 5:00 P.M.

Economic Development Report. Monica Lueking reported the Economic Development Board is discussing paying for the downtown lighting project in the Down Town Revitalization Project. The Economic Development Board will meet with the City Council in September.

Planning Commission Report. The City Council received the Planning Commission report. Derek Raburn stated the motion, seconded by Tony Groshong, to approve the Planning Commission report of their meeting August 8, 2018. On roll call vote Vernita Saylor, Tom McCarville, Derek Raburn, Jeff Ommert and Tony Groshong voted yes, none voted no, and Keith Luedders was absent and not voting. Motion carried unanimously by Council Members present for the following site plan and land use permit applications: William Hannah, 810 Nelson Street to replace back porch steps with wooden deck; Michael & Abby Schulte, 816 Pacific Street to replace deck, Hector Garcia 408 Dolan Ave for garage addition; Larry and Pamela Maatsch 819 North Street to replace/cover soffit and eaves with metal siding; Greg Sayer, 520 North Street for concrete pad; 714 Park, LLC, 714 Paxton Street for awning; Steve Chitwood, 714 Penn Street, install fence; Danny Webb, 72185 Cross Creek Road, for storage shed; Michael Callaway, 1012 Park Avenue, Addition; Michael Callaway, 1012 Park Avenue, addition; Austin Gydsen, 1022 Pacific Street, replace siding, soffit and fascia.

City Clerk/Treasurer Report. Kandra reported advertising has been sent to the Cambridge Clarion for the Summer Recreation Director position, but she has not received any responses. Kandra prepared a survey of Engineering Firms used by communities. The application has been submitted to Nebraska Cooperative Governments for the KENO lottery, Kandra presented the financial report for July 31, 2018

Utility Supervisor Report. Dave Houghtelling reported he is continuing to spray mosquitos, Dave is working with the Red Willow County Board of Commissioners on the BIC water line washout. Mayor Harpst reported the Nebraska Department of Environmental Quality has sent a survey and is requesting a return. Dave said he will consult with the City Engineer on the survey. Dave reported Dollar General Developers have contacted him about the electric needs for their project.

Consent Agenda- Minutes of August 6, 2018 and the claims report. Tony Groshong stated the motion, seconded by Vernita Saylor, to approve the minutes of August 6, 2018 and the claims report. On roll call vote Jeff Ommert, Tony Groshong, Vernita Saylor, Tom McCarville and Derek Raburn voted yes, none voted no, Keith Luedders was absent and not voting. Motion carried unanimously for the minutes of August 6, 2018 and the following claims report:

City of Cambridge
Claims Report
20-Aug-18

Check No.	Vendor, For	Amount	Dept.
			Totals
	<u>Combined Utility Account</u>		
30145	Cambridge Post Office, Postage	228.43	
30146-30151	Payroll	7,824.68	
30152	Ag Valley, Fuel	257.80	
30153	American Agricultural Lab, Analysis	609.10	
30154	American Family Life, Insurance	525.78	
30155	Aramark Uniform Services, Mats & Mops	73.17	
30156	Blue Cross Blue Shield, Insurance	8,563.20	
30157	Brico Pest Control, Spraying Buildings	67.10	
30158	Cambridge General Store, Supplies	202.87	
30159	Card member Services, Credit Card Payment	85.13	
30160	City of Cambridge, Petty Cash for Towels	2.00	
30161	Dutton-Lainson, Electrical Supplies	571.99	
30162	Eakes Office Solutions, Office Supplies	318.60	
30163	League of Nebraska Municipalities, Registration	180.00	
30164	Nebraska Public Health Environmental Lab, Water Analysis	30.00	
30165	Northwestern Mutual Life, Annuity	2,331.38	
30166	Schaben Sanitation, Trash Pickup	13,223.34	
30167	Twin Valleys Public Power District, Utility	3,644.45	
30168	USABLE Life, Insurance	81.00	
ACH	Nebraska Department of Revenue, Sales Tax	13,300.79	
ACH	Black Hills Energy, Utility	135.61	
ACH	IRS, Federal With holdings	2,652.87	54,909.29
	<u>City Account (General Fund)</u>		
46063-46087	Payroll	7,259.47	
46088	Ag Valley, Fuel	614.15	
46089	American Family Life, Insurance	157.32	
46090	Aramark Uniform Services, Mats	11.00	
46091	Bernie Jones Auto, LLC, Repairs	145.62	
46092	Bound Tree Medical, Supplies	799.75	
46093	Cambridge General Store, Supplies	10.82	
46094	Cambridge Super Market, Supplies	12.28	
46095	Card member Services, Credit Card Payment	247.11	
46096	Century Link, Police Phone Utility	59.96	
46097	City of Cambridge, Deposit Error	100.00	
46098	D & L Lammel's, LLC, Air Conditioner Repairs	772.96	
46099	Eakes Office Solutions, Office Supplies	104.96	
46100	First Central Bank, Fire Equipment Loan Payment	793.92	
46101	Jim's Triple D Service, Repairs	118.44	

46102	Miller & Associates, Flood Plain Administrator	100.00	
46103	Odiss Enterprises, Overhead Door Repair	1,231.00	
46104	River Valley Services, Ballast - General Store	103.50	
46105	Southwest Farm & Auto, Repairs	279.84	
46106	Tri Valley Health System, Employee Pre-employment physical	528.00	
46107	Twin Valleys Public Power District, Utility	59.85	
46108	Van Diest Supply Company, Mosquito Spray Chemical	3,740.00	
ACH	Nebraska Department of Revenue, Sales Tax	96.00	
ACH	IRS, Federal With holdings	365.36	
ACH	Black Hills Energy, Utility	542.74	
ACH	IRS, Federal With holdings	968.77	19,222.82
	<u>City of Cambridge TIF:</u>		
1041	Cline Williams, Attorney Fees	2,127.50	
	<u>LB840 Account:</u>		
3883	Diane Henderson, Contract	1,485.40	
3884	City of Cambridge, Distribution Sales Tax	12,384.41	
3885	Cross Creek Golf Links, Distribution Sales Tax	3,263.81	
3886	Payroll	1,152.92	
3887	Cambridge General Store, Supplies	5.68	
3888	Card member Services, Credit Card Payment	611.63	
3889	Northwestern Mutual Life, Annuity	180.00	
ACH	IRS, Federal With holdings	241.02	19,324.87
	Total	95,584.48	93,456.98

Adjournment. The Budget workshop is August 28th, the next regular meeting will be Tuesday September 4th due to the holiday, and the Planning Meeting will be September 12th. Vernita Saylor stated the motion, seconded by Tom McCarville, to adjourn at 8:05 P.M. On roll call vote Tony Groshong, Vernita Saylor, Tom McCarville, Derek Raburn and Jeff Ommert voted yes, none voted no, and Keith Luedders was absent and not voting. Motion carried unanimously by City Council Members present.

Attest: Kandra J. Kinne, City Clerk/Treasurer

Mark Harpst, Mayor