

City of Cambridge
City Council Meeting
Monday, May 17 2021
6:30 P.M.
Cambridge Community Building
722 Patterson St

Pursuant to notice published in the Valley Voice on Thursday, May 13, 2021, the Cambridge City Council convened in open public meeting at 6:30 P.M. on May 17, 2021 at the Cambridge Community Building. Present were Mayor David Gunderson, City Council Members Vernita Saylor, Tony Groshong, Jeff Ommert, Derek Raburn, Mike Harris and Kevin Banzhaf. City Staff present were City Clerk/Treasurer Kandra Kinne, Utility Supervisor Dave Houghtelling and City Attorney Lisa Shifflet. Visitors present were Jessica Fischer and Joyce Deaver for *Tri Valley Health System*, Cheryl Haakenson, Debbi Runner, Vicki Brown, Sondra Jonson, Konner Banzhaf and Kristian Banzhaf. 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.

Public Hearing: Conditional Use Permit Application of Kristian Banzhaf, Kevin Banzhaf, Owner, for daycare at 102 Paxton Street –

6:33 p.m. Mayor Gunderson opening the Public Hearing and clarified that the daycare will be in a residence, but no one will reside in the residence. The seven minimum requirements were provided in writing by the Owner and attached to the application as Exhibit 1. There was no other public comment.

6:35 p.m. Mayor Gunderson closed the Public Hearing. Mayor Gunderson announced that City Councilman Kevin Banzhaf, owner, has provided a conflict of interest statement. He read the seven minimum requirements (Exhibit 1). Vernita Saylor stated the motion, seconded by Tony Groshong, to adopt the seven questions in Exhibit 1 as written findings of fact. Voting yes were Vernita Saylor, Tony Groshong, Jeff Ommert, Derek Raburn and Mike Harris. Kevin Banzhaf abstained. Motion carried. Derek Raburn stated the motion, seconded by Mike Harris, to approve the Conditional Use Permit Application of Kristian Banzhaf and Kevin Banzhaf, Owner, for a daycare at 102 Paxton Street. Voting yes were Vernita Saylor, Tony Groshong, Jeff Ommert, Derek Raburn and Mike Harris. Kevin Banzhaf abstained. Motion carried.

Consent Agenda: Minutes of May 3, 2021 and the claims report. The City Council received a copy of the minutes of May 3, 2021, and the claims report prior to this meeting. Vernita Saylor stated the motion, seconded by Tony Groshong, to approve the minutes of May 3, 2021, with correction and the claims report. Voting yes were Vernita Saylor, Tony Groshong, Jeff Ommert, Mike Harris and Kevin Banzhaf. Derek Raburn voted yes except abstain on purchase of concession stand grill. Motion carried for the minutes of May 3, 2021, and the following claims report:

City of Cambridge			
Claims Report			
To Mayor and City Council			
17-May-21			
Period 05/04/2021 TO 05/17/2021			
Check No.	Vendor, For	Amount	Dept. Total
<u>Combined Utility:</u>			
32097-32103	Payroll	9,596.24	
13104	Ag Valley, Fuel	362.89	
32105	Blue Cross Blue Shield, Insurance	10,631.14	
32106	BRICO Pest Control, Spray Bugs	167.25	
32107	CAMAS Publishing, Publications	288.00	
32108	Cambridge General Store, Supplies	157.08	
32109	Cambridge Post Office, Box Rent and Permit Fees	367.00	
32110	Card Member Services, Postage, Zoom, Fees	317.50	
32111	Eakes Office Solutions, Supplies	75.60	
32112	Municipal Supply, Supplies	374.77	
32113	NMC Exchange, Repairs	672.00	
32114	Northwestern Mutual, Annuity	2,930.87	
32115	Paper Tiger Shredding, Shred Pager	40.00	
32116	River Valley Services, Repairs	170.30	
32117	Schaben Sanitation, Trash Fees	13,816.74	
32118	Southwest Farm & Auto, Repairs	184.26	
32119	Twin Valleys Public Power, Contract, Services	7,757.26	
32120	Unitech, Supplies	149.00	
32121	Usable Life, Insurance	81.00	
32122	Western Area Power Administration, Purchased Power	5,091.16	
32123	Western Area Power Administration, Purchased Power	3.00	
ACH	Black Hills Energy, Utility	475.06	
ACH	Nebraska Department of Revenue, Sales Tax	8,569.99	
ACH	IRS, With holdings	3,225.51	65,503.62
<u>Security Deposits:</u>			
2045	Security Deposit Refund	300.00	300.00
<u>City Account (General Fund):</u>			
49019	Payroll	901.96	
49020	Ag Valley, Fuel	84.00	
49021	Anew Travel, Fuel	60.88	
49022	Bernie Jones Auto, Repairs	495.51	
49023	BRICO Pest Control, Spray Bugs	100.00	
49024	CAMAS Publishing, Publications	59.99	
49025	Cambridge General Store, Supplies	92.69	

49026	Cambridge Super Market, Supplies	19.36	
49027	Card Member Services, Postage, Zoom, Fees	931.42	
49028	Century Link, Police Phone	59.96	
49029	Common Scents, Tree for Arbor Day	184.99	
49030	Employee Deductible	170.97	
49031	First Central Bank, Fire Equipment Loan Payment	793.92	
49032	Frontier, Police Phone	45.37	
49033	Employee Deductible	18.16	
49034	Island Sprinkler Supply, Supplies	233.48	
49035	Jim's Triple D, Tire Repairs	15.00	
49036	Miller & Associates, Flood Plain Administration	100.00	
49037	River Valley Services, Repairs	514.00	
49038	Southwest Farm & Auto, Repairs	6.99	
49039	Tri Valley Health System, Pre-employment Physicals	1,176.00	
49040	Twin Valleys Public Power, Street Lights	59.85	
49041	Waypoint Bank, Golf Loan Payment	1,545.00	
49042	West Central Nebraska Development District, Dues	2,730.00	
ACH	Black Hills Energy, Utility	540.34	
ACH	IRS, With holdings	200.60	11,140.44
	<u>Baseball League:</u>		
207	Cody Gerlach, Hats, Pants, Equipment	688.37	
208	Derek Raburn, Grill for Concession Stand	376.24	1,064.61
	<u>Cambridge TIF:</u>		
1115	Waypoint Bank, TIF Loan Payment	149,608.41	
1116	First Central Bank, McCook, TIF Payment	8,744.36	158,352.77
	<u>LB840/ Revolving Loan/ HTC:</u>		
4403	CAMAS Publishing, Publications	706.00	
4404	Cambridge Chamber, Sign Grant	1,756.50	
4405	Card Member Services, Postage, Zoom, Fees	225.81	
4406	City of Cambridge, Distribution of Sales Tax	19,596.92	
4407	Cross Creek Golf Links, Distribution of Sales Tax	7,227.27	
4408	void	0.00	
4409	Furnas County Clerk, Filing Fees	80.00	
4410	MP Design, Business Promotion	175.00	
4411	Furnas County Clerk, Filing Fees	40.00	29,807.50
	Total:	266,168.94	266,168.94

New Business: Tri Valley Public Transportation Matching Funds – Joyce Deaver presented to Council information regarding matching funds for buses. Ridership has been increasing she advised and anticipates more growth. She is asking for funding from the City in the amount of \$5,841 for 2022 and for 2023. This request will be addressed at budget.

Appointments: Airport Authority Board - The Airport Authority would like to appoint Jared Sewell to replace Morgan Farquhar and re-appoint Eric Eisenhart, Doug Jones and Roger Jones. Vernita Saylor stated the motion, seconded by Tony Groshong to appoint Jared Sewell to 2025 to the Airport Authority Board and to re-appoint Eric Eisenhart to 2026, Doug Jones to 2024 and Roger Jones to 2023. Voting yes were Vernita Saylor, Tony Groshong, Jeff Ommert, Derek Raburn, Mike Harris and Kevin Banzhaf. Motion carried unanimously.

Reports of Officers, Boards and Committees:

a. Planning Commission Report –

1. City of Cambridge – 115 Nelson Street – American Legion Post No. 199. Sondra Jonson was present to explain the proposal for the flagpole area in the Park. The panels will be made of steel and installed behind the flagpole. A silhouette of a soldier will be in the front of the flagpole and made out of steel. Besler Industries will do the steel work.

2. Brad Williams – Two (2) single family dwellings applications. Council reviewed the letter from Miller & Associates regarding Zoning 3-103 only allows for one principal structure per lot or tract.

3. Waid Vontz, GTA Insurance – Council discussed the plan for trees in lieu of a fence between residential property and commercial property.

Kevin Banzhaf stated the motion, seconded by Vernita Saylor, to approve the site plan and land use permit applications/floodplain developments of Donald Brophy at 521 Nevada Street for a carport addition; Nebraska Corn Processing at 107 Potter Street for two business signs; Gregg & Andrea Sayer at 415 Dolan Street to add flat concrete to existing back patio; Anna Whyman at 1015 Nasby Street to install 6' tall wooden fence; City of Cambridge of 115 Nelson Street for metal signage and statute; and Brett Cribelli at 921 Neosha Street for the addition of a roof to cover existing cement patio and to deny the two applications of Brad Williams for single family dwellings; and to deny the request of GTA Insurance to plant trees in lieu of a fence. Voting yes were Vernita Saylor, Tony Groshong, Jeff Ommert, Derek Raburn, Mike Harris and Kevin Banzhaf. Motion carried unanimously.

No action taken on the Conditional Use Permit application as the time period for such action has not run yet. The City Council will hold the public hearing June 7, 2021.

b. Park Advisory Board – Minutes from May 11, 2021 submitted.

c. Utility Supervisor Report – Dave Houghtelling reported on the progress of filling the swimming pool and turning on the splash pad. He will be scheduling interviews for the advertised position.

d. City Clerk/Treasurer Report – Kandra Kinne reported that the System of Awards Management has been updated; the April financial report is complete; and advised that she has sent mowing letters to some property owners. She also reported that Chamber would like to use the large room for rolling skating as an event for Medicine Creek Days. The event can be covered by insurance at a cost of \$50 which will be paid by Chamber. Vernita Saylor stated the motion, seconded by Tony Groshong, to approve the Chamber’s request to have roller skating in the large room of the Community Building for Medicine Creek Days provided that Chamber purchase insurance to cover the event. Voting yes were Vernita Saylor, Tony Groshong, Jeff Ommert, Derek Raburn, Mike Harris and Kevin Banzhaf. Motion carried unanimously.

e. City Attorney – Lisa Shifflet advised the appeal filed by Morgan and Sally Farquhar should be scheduled for trial soon as that is the next step.

f. Tri Valley Health System – Jessica Fisher reported that the Health Fair is being scheduled during Medicine Creek Days.

New Business:

a. Redistricting Wards – Proposals - Mike Harris stated the motion, seconded by Tony Groshong, to retain Gworks Advanced proposal for redistricting at a cost of \$2,500.00. Voting yes were Vernita Saylor, Tony Groshong, Jeff Ommert, Derek Raburn, Mike Harris and Kevin Banzhaf. Motion carried unanimously.

b. Nuisance Abatement Program – Council discussed and decided to move forward to review costs and options.

c. Citizen’s Comments – Cheryl Haakenson complimented Council on their discussion of items on the agenda.

Adjournment: Vernita Saylor stated the motion, seconded by Jeff Ommert, to adjourn City Council Meeting at 8:00 P.M. Voting yes were Vernita Saylor, Tony Groshong, Jeff Ommert, Derek Raburn, Mike Harris and Kevin Banzhaf. Motion carried unanimously.

Attest:


Kandra J. Kinne, City Clerk/Treasurer


David Gunderson, Mayor

EXHIBIT "1"

Minimum requirements. A conditional use permit shall not be granted unless specific written findings of fact directly based upon the particular evidence presented support the following conclusions:

1. The proposed conditional use complies with all applicable provisions of these regulations, including intensity of use regulations, yard regulations and use limitations.

In-Home Daycare complies with all provisions.

2. The proposed conditional use at the specified location will not adversely affect the welfare or convenience of the public.

Zoning Regulations – City of Cambridge, Nebraska CHAPTER 9 | pg 107

The public will have the same visibility and access to surrounding roads, alleys and properties. There is plenty of off-street parking for parents dropping kids off and picking them up.

3. The proposed conditional use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located.

Value to properties will not be negatively affected by having an In-home Daycare in the area. Property at 102 Paxton will still be a residential house. Upkeep and appearance of the property will be increased to provide a nice and safe place for parents to send their children to daycare.

4. The location and size of the conditional use, the nature and intensity of the operation involved in or conducted in connection with it, and the location of the site with respect to streets giving access to it are such that the conditional use will not dominate the immediate neighborhood so as to prevent development and use of neighboring property in accordance with the determining whether the conditional use will so dominate the immediate neighborhood, consideration shall be given to:

- a. The location, nature and height of buildings, structures, walls fences on the site, and
- b. The nature and extent of landscaping and screening on the site.

No changes are planned, at this point, to change any fencing, building size, or landscaping. If any changes are made in the future, they will be with-in the same regulations of all residential properties.

5. Off-street parking and loading areas will be provided in accordance with the standards set forth in these regulations, and such areas

will be screened from adjoining residential uses and located so as to protect such residential uses from any injurious effect.

There is off street parking already in existence on the east side of the home, giving plenty of parking space for child drop-off/pick-up.

6. Adequate utility, drainage, and other such necessary facilities have been or will be provided.

No changes are needed from what is already in place at the residence.

7. Adequate access roads or entrance and exit drives will be provided and shall be so designed to prevent traffic hazards and to minimize traffic congestion in public streets and alleys

As stated before, off-street parking is already available.