

City of Cambridge  
City Council Meeting  
Monday, August 16 2021  
6:30 P.M.  
Cambridge Community Building  
722 Patterson St

Pursuant to notice published in the Valley Voice on Thursday, August 12, 2021, the Cambridge City Council convened in open public meeting at 6:30 P.M. on August 16, 2021 at the Cambridge Community Building, 722 Patterson Street. Present were Mayor David Gunderson, City Council Members Vernita Saylor, Tony Groshong, Derek Raburn, Mike Harris and Kevin Banzhaf. City Council Member Jeff Ommert was absent. City Staff present were City Clerk/Treasurer Kandra Kinne, Utility Supervisor Dave Houghtelling and City Attorney Lisa Shifflet. Visitors present were Genny Kubik for the *Valley Voice* and Jessica Fisher for *Tri Valley Health System*. 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.

**Consent Agenda:** Minutes of August 2, 2021 and the claims report. The City Council received a copy of the minutes of August 2, 2021 and the claims report. Derek Raburn stated the motion, seconded by Tony Groshong, to approve the minutes of August 2, 2021, and the claims report. Voting yes were Vernita Saylor, Tony Groshong, Derek Raburn, Mike Harris and Kevin Banzhaf. Jeff Ommert was absent and not voting. Motion carried for the minutes of August 2, 2021, and the following claims report by City Council members present:

<i>City of Cambridge</i>			
<i>Claims Report</i>			
<i>To Mayor and City Council</i>			
<i>16-Aug-21</i>			
<i>Period 08/03/2021 TO 08/16/2021</i>			
Check No.	Vendor, For	Amount	Dept. Total
	<u>Combined Utility:</u>		
32265-32269	Payroll	6,422.02	
32270	Ag Valley, Fuel	252.21	
32271	Blue Cross Blue Shield Insurance	9,689.17	
32272	BRICO Pest Control, Spray Buildings	67.25	
32273	Cambridge General Store, Supplies	47.62	
32274	Cambridge Super Market, Supplies	19.24	
32275	Card Member Services, Postage, Supplies	444.08	
32276	CAT Financial, Skid steer Lease	2,472.94	
32277	Cummins Sales & Service, Inspection	528.02	
32278	Dutton-Lainson, Supplies	286.17	
32279	Eakes Office Solutions, Supplies	36.96	
32280	Employee Dental Benefit	110.00	

32281	Municipal Supply, Inc., Supplies	1,978.47	
32282	Northwestern Mutual, Annuity	2,735.90	
32283	Production Creek specialties, T-shirts	532.00	
32284	Southwest Farm & Auto, Supplies	34.99	
32285	Twin Valleys Public Power, Contract Services, Utility	9,866.71	
32286	USABLE Life, Insurance	81.00	
ACH	Payroll	2,724.99	
ACH	IRS, Federal With holdings	2,814.30	
ACH	Nebraska Department of Revenue, Sales Tax	10,084.69	
ACH	Black Hills Energy, Utility	121.43	51,350.16
	<u>Security Deposit Account:</u>		
2047-2048	Security Deposit Refunds	600.00	600.00
	<u>City Account (General Fund):</u>		
49376-49384	Payroll	1,457.97	
49385	Amazon, Library Supplies	170.38	
49386	Jodi Cobb, Library Supplies	100.00	
49387	Ag Valley, Fuel	388.21	
49388	Anew Travel Center, Fuel	387.27	
49389	Bernie Jones Auto, Repairs	589.79	
49390	Cambridge General Store, Supplies	130.50	
49391	Cambridge Super Market, Supplies	12.78	
49392	Card Member Services, Postage, Supplies	80.49	
49393	Century Link, Police Phone	59.96	
49394	Employee Deductible	100.23	
49395	Frontier, Police Phone	45.37	
49396	Employee Deductible	6.34	
49397	Jim's Triple D Service, Tire Repair	50.68	
49398	Southwest Farm & Auto, Supplies	51.86	
49399	Tri Valley Health System, Pre-employment	22.90	
49400	Twin Valleys Public Power, Utility	59.85	
49401	Waypoint Bank, Loan Payment	1,545.00	
49402	Employee Deductible	139.74	
49403	Shirley Houlden, Purchase Cemetery Lots	300.00	
49404	Figgins Construction, Cold Mix	2,208.00	
ACH	Payroll	1,525.96	
ACH	IRS, Federal With holdings	527.78	
ACH	Nebraska Department of Revenue, Sales Tax	74.58	
ACH	Black Hills Energy, Utility	552.55	10,588.19
	<u>Cambridge Pool Concessions:</u>		
565	Cambridge Super Market, Supplies	19.59	19.59
	<u>City of Cambridge TIF:</u>		

1120	Cline Williams, Attorney Fees	535.00	535.00
	<u>LB840/ Revolving Loan/ HTC:</u>		
4437	Butler Memorial Library Foundation, Internship	1,000.00	
4438	Card Member Service, Adobe, Meeting Meals	115.03	
4439	City of Cambridge, Distribution of Sales Tax	28,735.90	
4440	Cross Creek Golf Links, Distribution of Sales Tax	8,476.54	
4441	Town Talk Restaurant, DED Meeting Lunch	150.00	38,477.47
	Total:	101,570.41	101,570.41

**Reports of Officers, Board & Committees:**

- a. Miller & Associates – Approval of Swimming Pool Modification Change Order #1 – Contractor, Hackel Construction, Inc., proposal to remove existing ceiling in the office area and replace with PVC Ceiling. Vernita Saylor stated the motion, seconded by Derek Raburn, to approve Change Order #1 of the Swimming Pool Modification to remove the existing admissions office area ceiling with Extrutech at a cost of \$2,144.80. Voting yes were Vernita Saylor, Tony Groshong, Derek Raburn, Mike Harris and Kevin Banzhaf. Jeff Ommert was absent and not voting. Motion carried unanimously by City Council members present.
- b. Planning Commission Report of August 11, 2021 – Tony Groshong stated the motion, seconded by Mike Harris to approve the August 11, 2021 Planning Commission report excluding the Twin Valleys Public Power District Public Hearing item. The Site Plan & Land Use Permit Applications approved by the Planning Commission were: Jeffery & Ronda Cross of 910 Flannery for fencing, steps and to replace window with French doors; City of Cambridge at 605 Patterson Street to install a Rotary sign; Jennifer Warwick of 614 Parker Street to replace a deck; Carla Voss of 1319 Nelson Street for awning & deck; Austin & Lindsey White of 1225 North Street for backyard chain link fence; Andrew Benson to construct a new home at 40309 Harvest Drive; John Ekberg of 1111 Park Avenue to replace roof and add a deck; Deanna Hankins of 40101 Prairie View Drive for backyard fencing; Wanda Warwick of 1205 Johnson Street to update kitchen; and Derek Raburn of 1229 Johnson Street to construct a 24’ x 25’ x 10’ two-car garage and cement slab. Voting yes were Vernita Saylor, Tony Groshong, Derek Raburn, Mike Harris and Kevin Banzhaf. Jeff Ommert was absent and not voting. Motion carried unanimously by City Council members present.
- c. Museum Board Report – Vernita Saylor stated the motion, seconded by Mike Harris, to approve the July 21, 2021 Museum Board Report. Voting yes were Vernita Saylor, Tony Groshong, Derek Raburn, Mike Harris and Kevin Banzhaf. Jeff Ommert was absent and not voting. Motion carried unanimously by City Council members present.
- d. Park Board/Tree Advisory Report – Vernita Saylor stated the motion seconded by Tony Groshong, to approve the August 10, 2021 Park Board report. Voting yes were Vernita Saylor, Tony Groshong, Derek Raburn, Mike Harris and Kevin Banzhaf. Jeff Ommert was absent and not voting. Motion carried unanimously by City Council members present.
- e. Utility Supervisor Report – Dave Houghtelling reported on the following items: received a letter from BIC sent to all three towns regarding the high expense for the SCADA system – rates may need to be raised; NDEE was in town for a sanitary survey – there

were no deficiencies for that or for BIC; concrete block removed from the pool has been used for other purposes; a deep hole was found at City water tower perhaps from an old windmill – Burton Well Drilling will do formal closing – apply for funding to assist with the cost; and Dave has been spraying weeds and the drainage ditch.

- f. City Clerk/Treasurer Report – Kandra Kinne reported that a laptop computer has been set up to use the mobile unit to read meters. Mike Tomlin, MiKayla Kent and Kandra participated in training. The Citizen Advisory Committee will meet later in August. West Central will be unable to do perform the Nuisance Abatement Program this year. G-works is working on the census information.

**Unfinished Business:**

- a. Brad Williams request to modify Cambridge Zoning Regulation 12-102 – Mayor David Gunderson provided City Council with State Statutes pertaining to acreage, both City and County. The City Council discussed leaving zoning regulations the same to mimic Nebraska State Statue. Lisa will send a letter to Mr. Williams.
- b. Approve Public Safety Bond Issue for ambulance purchase,

**Ordinance No. 788**

An Ordinance authorizing the issuance of Public Safety Department Tax Anticipation Bonds, Series 2021, of the City of Cambridge, Nebraska, in the principal amount of not to exceed \$195,000.00 issued for the purpose of paying the cost of acquiring Public Safety Equipment for the City; prescribing the form of said bonds, providing for the levy of taxes to pay said bonds; providing for the sale of the bonds; authorizing the delivery of the bonds to the purchaser, providing for the disposition of the bond proceeds and ordering the Ordinance published in pamphlet form.

Vernita Saylor stated the motion, seconded by Derek Raburn, to waive three readings of Ordinance No. 788. Voting yes were Vernita Saylor, Tony Groshong, Derek Raburn, Mike Harris and Kevin Banzhaf. Jeff Ommert was absent and not voting. Motion carried unanimously by City Council members present. Vernita Saylor stated the motion, seconded by Mike Harris, to approve Ordinance #788. Mayor Gunderson read Ordinance #788 by title. Voting yes were Vernita Saylor, Tony Groshong, Derek Raburn, Mike Harris and Kevin Banzhaf. Jeff Ommert was absent and not voting. Motion carried unanimously by City Council members present.

**New Business:**

- a. Approve Amateur’s Bar & Grill application for Special Designated Liquor Permit for Saturday, October 9, 2021. Tony Groshong stated the motion, seconded by Vernita Saylor to approve the Special Designated Liquor Permit for Saturday, October 9, 2021 for Amateur’s Bar & Grill. Voting yes were Vernita Saylor, Tony Groshong, Derek Raburn, Mike Harris and Kevin Banzhaf. Jeff Ommert was absent and not voting. Motion carried unanimously by City Council members present.
- b. Approve Anew Fuel Services, LLC new Corporation Manager Application submitted to the Nebraska Liquor Control Commission. Derek Raburn stated the motion, seconded by Kevin Banzhaf, to approve the new manager application for Anew Fuel Services LLC with the Nebraska Liquor Control Commission. Voting yes were Vernita Saylor, Tony

Groshong, Derek Raburn, Mike Harris and Kevin Banzhaf. Jeff Ommert was absent and not voting. Motion carried unanimously by City Council members present.

- c. Approve Annual Certification of Program Compliance with the Nebraska Board of Public Roads Classification and Standards, Resolution 2021-08-04 – Vernita Saylor stated the motion, seconded by Tony Groshong, to approve Resolution 2021-08-04. Voting yes were Vernita Saylor, Tony Groshong, Derek Raburn, Mike Harris and Kevin Banzhaf. Jeff Ommert was absent and not voting. Motion carried unanimously by City Council members present.
- d. Tree Trimming Regulations discussion and action - After discussion, it was decided that the action would be a notice in customers’ August utility bills and give public the opportunity to clear branches.
- e. John & Valerie MacLeod Application; Small Generation Interconnection & Service Agreement – This item was tabled until the Application is returned.
- f. Schedule Budget Workshop date – A budget workshop will be held on August 30<sup>th</sup> at 6:30 p.m.
- g. Set date for next City Council meeting – It was decided to hold the next City Council meeting on September 8<sup>th</sup> at 6:30 p.m.

**Motion to Adjourn City Council and Convene CDA**

Kevin Banzhaf stated the motion, seconded by Mike Harris, to adjourn City Council and convene CDA. Voting yes was Vernita Saylor, Tony Groshong, Derek Raburn, Mike Harris and Kevin Banzhaf. Jeff Ommert was absent and not voting. Motion carried unanimously by City Council members present.

7:30 p.m. Adjourn City Council and Convene CDA

- a. Adopt Resolution 2021-08-01 Derek Raburn stated the motion, seconded by Vernita Saylor, to approve Resolution 2021-08-01. Mayor Gunderson read Resolution 2021-08-01 by title. Voting yes were Vernita Saylor, Tony Groshong, Derek Raburn, Mike Harris and Kevin Banzhaf. Jeff Ommert was absent and not voting. Motion carried unanimously by City Council members present for Resolution #2021-08-01 as follows:

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

**RESOLUTION # 2021-08-01**

**(Redevelopment Plan Amendment - Harvest Meadows Fourth Project – Lot 5, Block 2)**

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 PHASE OF THE HARVEST MEADOWS FOURTH REDEVELOPMENT PROJECT IN THE REDEVELOPMENT AREA; ADOPTING A COST BENEFIT ANALYSIS FOR SAID PHASE OF THE 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 Redevelopment Plan includes a specific residential subdivision redevelopment project known as the Harvest Meadows Fourth Project (the “Subdivision Project”). The Subdivision Project was adopted and designed to be implemented and constructed in multiple phases.
- C. 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”).
- D. The Amendment would create a specific phase of the Subdivision Project (the specific phase shall be referred to as the “Project”).
- E. The Subdivision Project has been previously approved by the CDA pursuant to the Act, and the Project is the implementation of one phase of the approved Subdivision Project.
- F. The Amendment supplements the Redevelopment Plan amendment for the Subdivision Project to identify one phase of the Subdivision Project, and the Amendment will not constitute a substantial modification to the Redevelopment Plan.
- G. 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 Subdivision Project.
- H. 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.
- I. The CDA has previously conducted and approved a cost-benefit analysis for the Subdivision Project, but desires to supplement said cost-benefit analysis to specifically analyze the phase of the Subdivision Project constituting this Project.

J. 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").

K. The CDA has previously determined that the Subdivision Project would not occur in the Redevelopment Area and could not be financed or constructed but for the use of Tax Increment Financing.

L. The Subdivision Project would not have been approved by the CDA without the anticipated and expected subsequent phases, including this Project.

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 (as the current phase of the Subdivision Project) have been found to be in the best interest of the City Cambridge.
4. The Project Site is within the Redevelopment Area.
5. The Project implements one phase of the Subdivision Project in conformance with the Redevelopment Plan.
6. The Subdivision Project would not be economically feasible and would not occur in the Redevelopment Area without the use of Tax Increment Financing on the Project (the current phase of the Subdivision 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.

- b. Adopt Resolution 2021-08-02. Vernita Saylor stated the motion, seconded by Tony Groshong to approve Resolution 2021-08-02. Mayor Gunderson read Resolution 2021-08-02 by title. Voting yes were Vernita Saylor, Tony Groshong, Derek Raburn, Mike Harris and Kevin Banzhaf. Jeff Ommert was absent and not voting. Motion carried unanimously by City Council members present for Resolution #2021-08-02 as follows:

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

**RESOLUTION # 2021-08-02**  
**(Redevelopment Contract – Harvest Meadows Fourth Project – Lot 5, Block 2)**

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 Fourth Project - Lot 5, Block 2 (“Project”) as one phase of the Harvest Meadows Fourth Project 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.

- c. Adopt Resolution 2021-08-03 –Vernita Saylor stated the motion, seconded by Mike Harris, to approve Resolution 2021-08-03. Mayor Gunderson read Resolution 2021-08-03 by title. Voting yes were Vernita Saylor, Tony Groshong, Derek Raburn, Mike Harris and Kevin Banzhaf. Jeff Ommert was absent and not voting. Motion carried unanimously by City Council members present for Resolution 2021-08-03 as follows:

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

**RESOLUTION #2021-08-03  
(First Amendment to Redevelopment Contract  
– Harvest Meadows Third Lot 1, Block 3 Redevelopment Project)**

A RESOLUTION OF THE COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF CAMBRIDGE, NEBRASKA, AUTHORIZING AND APPROVING THE FIRST AMENDMENT TO REDEVELOPMENT CONTRACT (HARVEST MEADOWS THIRD LOT 1, BLOCK 3 REDEVELOPMENT PROJECT).

RECITALS

- A. On or about September 8, 2020, the Community Development Agency of the City of Cambridge, Nebraska ("CDA") and Alan Koerperich ("Redeveloper"), entered into that certain Redevelopment Contract (the "Redevelopment Contract") to implement the Harvest Meadows Third Lot 1, Block 3 Redevelopment Project (the "Project").
- B. Redeveloper has requested that the Redevelopment Contract be amended to adjust the Effective Date based on delays in the construction of the Project.
- C. The CDA has prepared a First Amendment to Redevelopment Contract for the Project to amend the Effective Date of the Project, a copy of which is attached hereto as Exhibit "A" and incorporated by this reference (the "First Amendment").

NOW THEREFORE, BE IT RESOLVED, by the CDA, that the First Amendment is hereby approved.

BE IT FURTHER RESOLVED, the CDA authorizes the Chairperson of the CDA to execute and enter into the First Amendment.

BE IT FURTHER RESOLVED, the CDA authorizes the Chairperson of the CDA to take all such actions that are required to fulfill the terms of the First Amendment and to consummate the agreement set forth therein.

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

**Adjourn CDA:**

Tony Groshong stated the motion, seconded by Vernita Saylor, to adjourn CDA at 7:35 p.m. Voting yes were Vernita Saylor, Tony Groshong, Derek Raburn, Mike Harris and Kevin Banzhaf. Jeff Ommert was absent and not voting. Motion carried by City Council members present.

Attest: \_\_\_\_\_  
Kandra J. Kinne, City Clerk/Treasurer

\_\_\_\_\_  
David Gunderson, Mayor