

City of Cambridge
Regular City Council Meeting
Monday, October 5, 2020
6:30 P.M.

Notice of meeting was given in advance by publication in *The Valley Voice*, Thursday, October 1, 2020, the designated method of giving notice, convening at 6:30 P.M. Advance notice of the meeting was given to the Mayor, Members of the City Council, and *The Valley Voice*. Present were Mayor David Gunderson, City Council Members Vernita Saylor, Tony Groshong, Jeff Ommert, Derek Raburn and Kevin Banzhaf. Councilman Mike Harris was absent. City Staff present were City Clerk/Treasurer Kandra Kinne, City Attorney Lisa Shifflet and Economic Development Director Melissa Jackson. Visitors present for all or a portion of the meeting were Genny Kubik for *The Valley Voice*; Ashley Rice-Gerlach for the *Nebraska Department of Economic Development*, Jessica Fisher for *Tri Valley Health System*; Darcy Johnson for *Cambridge Economic Development*; Alan Koerperich; Morgan & Sally Farquhar; Dow Newcomb; and Daren Mowry.

Mayor Gunderson announced the open meeting law poster is posted on the east wall of the meeting room and available for public inspection. Mayor Gunderson opened the meeting with the Pledge of Allegiance.

Public Hearing: Conditional Use Permit Application for a Feed & Seed Store – Harvest Meadows Third

Addition: Mayor Gunderson opened the Public Hearing. Mayor Gunderson announced the public hearing would not be held to allow property owners 14 days to file a petition. Mayor Gunderson said since the hearing was published the public would be allowed to comment on the conditional use permit application and would limit time to three minutes for each person wishing to speak. Morgan Farquhar, property owner in Harvest Meadows, presented a petition and addressed Council with his concerns: the 14-day notice between Planning Commission and City Council was not provided; the City Clerk has received the petition; to override the petition it will take a $\frac{3}{4}$ majority of all Cambridge City Council Members to approve the conditional use permit application; concern that dirt work has already commenced on the lot for the feed & seed store; semi traffic and safety concerns expressed by homeowners within the 300' foot notice area; Planning Commission did not do Findings of Fact; a prior business application was denied equal fairness to put storage units on the same property; has concerns about a grant provided by the Economic Development Board to the potential property owner for that lot and stated that grants should be offered equally to all businesses; storm water drainage; and property valuations of neighboring homes. Dow Newcomb, property owner in Harvest Meadows, addressed Council with his concerns: he wants to see a drawing of the proposed building to ensure that it is pleasing to the neighboring community; other lots are available for commercial businesses; traffic; and prefers development of another street for this business access. Sally Farquhar, property owner in Harvest Meadows, addressed Council with her concerns: she has spoken to four Council members about her belief that the Conditional Use Permit Ordinance was violated by not meeting all seven requirements; and she believes the duty of the Planning Commission and City Council is to provide safeguards for the citizens of Harvest Meadows. Alan Koerperich, applicant for the Feed & Seed Store, addressed Council: he explained the dirt work, drainage for utilities and storm drainage, and that he had looked at other commercial lots, but there is no access. Mayor Gunderson advised that sewer,

water and streets need to be added and the funds secured for the project Mayor Gunderson closed the Public Hearing at 7:00 p.m.

Consent Agenda – Minutes of September 21, 2020 and the Claims Report: City Council received the Minutes of the September 21, 2020 Meeting and the Claims Report prior to this meeting. Derek Raburn stated the motion, seconded by Vernita Saylor to approve the Minutes of September 21, 2020 Meeting and the Claims Report. Voting yes were Vernita Saylor, Tony Groshong, Jeff Ommert, Derek Raburn and Kevin Banzhaf, none voted no, and Mike Harris was absent and not voting. Motion carried unanimously by City Council members present for approval of the Minutes of September 21, 2020 Meeting, and the following Claims:

<i>City of Cambridge</i>			
<i>Claims Report</i>			
<i>To Mayor and City Council</i>			
<i>5-Oct-20</i>			
<i>Period 09/22/2020 to 10/05/2020</i>			
<i>Check No.</i>	<i>Vendor, For</i>	<i>Amount</i>	<i>Dept. Total</i>
	Combined Utility:		
31670	IRS, Federal With Holdings	763.28	
31672	void	0.00	
31671-31678	Payroll	8,895.32	
31679	Cambridge Post Office, Postage	260.50	
31680	Twin Valleys Public Power, Purchased Power	260,170.47	
31681	BIC, Purchased Water	7,751.70	
31682	Advanced Carpet Cleaning, Clean Carpets	245.00	
31683	Ag Valley, Fuel	409.13	
31684	American Agricultural Lab, Analysis	408.00	
31685	Cambridge General Store, Supplies	10.61	
31686	Cambridge Telephone Co., Utility	745.24	
31687	City of Cambridge, Transfer to General Fund	100,000.00	
31688	Double L Tree Service, Trim Trees	25,300.00	
31689	Dutton-Lainson, Electrical Supplies	5,424.97	
31690	Eakes Office Solutions, Supplies	42.55	
31691	Hometown Leasing, Copier Lease	641.74	
31692	Lord's, Inc., Soap Dispensers and Refills	87.70	
31693	Michael Todd & Company, Signs	119.67	
31694	Mike Smith, cove, drywall and paint	840.00	
31695	Municipal Supply, Water Dept. Supplies	35.83	
31696	Nebraska Unemployment Insurance, Unemployment Tax	8.49	
31697	Ommert Tech, Computer Lease	333.61	
31698	One Call Concepts, Locates	35.32	
31699	Paper Tiger Shredding, Shred paper	40.00	
31700	Verizon Wireless, Cell Phones	162.18	

31701	Weather craft Company, Sewer Plant Lift Station Roof Repair	697.00	
31702	Western Area Power Administration	5,068.38	
TR	Sewer Improvement, Transfer	1,000.00	
TR	Water System Extension, Transfer	1,083.37	
TR	City of Cambridge, General Fund Transfer	100,000.00	
ACH	IRS, Federal With Holdings	3,006.43	
ACH	Nebraska Department of Revenue, State With holdings	1,014.88	
ACH	City of Cambridge, Utilities	2,551.46	527,152.83
	City Account (General Fund):		
48389	IRS, Federal With Holdings	48.72	
48390-48412	Payroll	6,547.13	
48413	void	0.00	
48414	Ag Valley, Fuel	128.85	
48415	Amazon, Library Supplies	683.07	
48416	Arbor Day Foundation, Dues	15.00	
48417	Baker & Taylor, Books	485.46	
48418	Bound Tree Medical, Supplies	58.56	
48419	CAMAS Publishing, Publications	1,115.23	
48420	Cambridge General Store, Supplies	1.38	
48421	Cambridge General Store, Supplies	182.03	
48422	Cambridge Telephone Co., Utility	421.48	
48423	City of Cambridge, Golf Course Utility	800.00	
48424	D & S Hardware, Trimmer String	69.99	
48425	DEMCO, Library Supplies	1,430.04	
48426	Eakes Office Solutions, Library Book Card & Meter	1,259.43	
48427	Follett School Solutions, Hosted Site, Scanner	1,209.44	
48428	Frontier, Police Phone	45.37	
48429	Furnas County Treasurer, Police Contract	4,862.45	
48430	Gale, Library Books	89.80	
48431	Harlequin, Reader Service	29.96	
48432	Lord's, Inc. Trimmer	360.00	
48433	Maria Dower, Library Supplies	59.89	
48434	Mark's Pharmacy, EMT Supplies	3.30	
48435	Matheson Tri Gas, Oxygen	111.20	
48436	Michael Todd & Company, Signs	169.45	
48437	Mike Smith, cove, drywall and paint	960.00	
48438	Miller & Associates, Zoning Updates	4,245.00	
48439	void	0.00	
48440	Nebraska Unemployment Insurance, Unemployment Tax	168.51	
48441	Ommert Tech, Computer Lease	91.92	
48442	Oriental Trading, Library Supplies	45.47	

48443	Ranger Rick Zoo books, Subscription	19.95	
48444	Sandry Fire Supply, Bunker Gear	4,372.00	
48445	Southwest Farm & Auto, Supplies	13.97	
48446	The Pioneer Woman, Subscription	18.00	
48447	Verizon Wireless, Cell Phones & Hotspot	233.80	
48448	Wagner Ford Mercury, Ambulance Maintenance	87.11	
48449	Mousel, Brooks, Schneider, Attorney Fees	714.00	
TR	Monthly General Ledger Transfers	33,500.00	
TR	Fire/Ambulance Sinking Fund, Transfer	1,599.17	
ACH	Payroll	738.80	
ACH	Nebraska Waste Reduction Recycling Fee	25.00	
ACH	IRS, Federal With Holdings	195.75	
ACH	Nebraska Department of Revenue, State With holdings	88.28	
ACH	City of Cambridge, Utilities	4,819.27	
ACH	Eakes Office, Library Copier Lease	146.84	
ACH	First Central Bank, Library Computer Loan	240.00	72,510.07
	Housing Rehab		
227	Miller & Associates, Program Income Grant Administration	500.00	500.00
	LB840/ Revolving Loan/ HTC		
4304	Cambridge Chamber, Lunch	6.00	
4305	Phelps County Title Company, Down Payment Assistance	12,400.00	
4306	CAMAS Publishing, Business of the Month	972.50	
4307	Cambridge Telephone Co., Utility	49.90	
4308	Melissa Jackson, Contract	1,425.00	
4309	void	0.00	
4310	M P Design, Design for Business of the Month	157.50	
4311	Mousel, Brooks, Schneider, Attorney Fees	260.00	15,270.90
	Total:	615,433.80	615,433.80

Communications/Appointments: Ashley Rice-Gerlach of Nebraska Department of Economic Development presented the City with the Leadership Certified Community Re-Certification award. The original was awarded in 2015. Assisting Rice-Gerlach were Melissa Jackson, Kandra Kinne, and Mason Herrman of Miller & Associates prepared the application, advising was Rice-Gerlach.

Reports of Officers, Board and Committees:

Swimming Pool Project – Mayor Gunderson held discussion concerning the contractor bond. City Attorney Lisa Shifflet advised that there is not a problem until construction commences. The contractor will be responsible for stored materials. Jeff Ommert stated the motion, seconded by Tony Groshong to approve that the contractor shall not be required to have a construction bond until construction commences. Voting yes were Vernita Saylor, Tony Groshong, Jeff Ommert, Derek Raburn and Kevin

Banzhaf, none voted no, and Mike Harris was absent and not voting. Motion carried unanimously by City Council members present.

Harvest Meadows – Street Extension of Wheat Ridge Drive to Prairie View Drive - The Engineers estimates for this work from Miller & Associates were reviewed by City Council members. There is some work to be done on lot sizing. Morgan Farquhar commented: Lot sizes too small for residential; should be more of a distinction between the residential area and commercial area. He suggested a re-plat of the residential area.

Dow Newcomb commented: He agreed with Farquhar on size of residential lots and added that there is no access for backyards.

New Business:

Citizen Comments – Dow Newcomb requested that he be allowed to purchase the lot next to the lot he currently owns. His reason for this request is that he cannot access his backyard. He was denied this request at the September 21, 2020 Council meeting. Mayor Gunderson explained that the program to have an additional lot is no longer available. Discussion was held on the valuation for taxation for an additional lot. Since the City has a TIF contract with Newcomb on his current residential property, if the City would do a new TIF Contract the City would look the four years on the additional lot because of the current TIF contract on the lot he owns. Newcomb asked for a re-consideration. Mayor Gunderson advised Newcomb that his request was denied at a previous meeting.

Reports of Officers, Boards and Committees:

Economic Development Director Report - Melissa Jackson reported she is working on an annual report for the Economic Development Board. The consensus was that the Board will need to remain creative to support local businesses during COVID-19. NPPD has done some strategic planning which the Board intends to do also in January for a one to two-year plan. There is another intent to build in Harvest Meadows, she advised.

Planning Commission Report – Derek Raburn stated the motion, seconded by Tony Groshong, to approve the following Site Plan and Land Use Permits approved by the Planning Commission on September 23, 2020, and not approve the Conditional Use Permit Application of Alan Koerperich for 41503 Harvest Drive: Johnathan & Kim Fegley of 72179 Road 412 for a new home and Angie Cunningham for Robin Mustion of 1019 Park Avenue to remove 23 feet of privacy fence and install a two-car 23 x 30 enclosed carport. Voting yes were Vernita Saylor, Tony Groshong, Jeff Ommert, Derek Raburn and Kevin Banzhaf, none voted no, and Mike Harris was absent and not voting. Motion carried unanimously by City Council members present.

Park Board Report – McCook Work Ethic Camp cleaned and trimmed areas in the Park; Ann Besler had two bean toss games made; and John McLeod made a structure to hold a plaque noting the history of the Rankin Addition.

Schoolhouse Report – John McLeod made a sign-up book holder. Sam Jaeger had a sign made for over the front window which was installed by Mike Smith Construction.

Cemetery Report – Dave Houghtelling, Bob & Virginia Roberts assisted Jim Jones with a disinterment.

City Clerk/Treasurer Report – Kandra advised that October 1 starts the new fiscal year; and The Hazard Mitigation Plan for Quad Counties (Franklin, Furnas, Harland, and Red Willow) will be updated at two upcoming planning meetings. Council is invited to attend.

Unfinished Business:

Mayor Gunderson advised that he is working with Olson Group to update the Employee Handbook.

New Business:

Nebraska Department of Transportation Annual Certification of Program Compliance – Jeff Ommert stated the motion, seconded by Tony Groshong, to approve Resolution 2020-10-01 Municipal Annual Certification of Program Compliance Form. Voting yes were Vernita Saylor, Tony Groshong, Jeff Ommert, Derek Raburn and Kevin Banzhaf, none voted no, and Mike Harris was absent and not voting. Motion carried unanimously by City Council members present for Resolution 2020-10-01:

Resolution 2020-10-01

Signing of the Municipal Annual Certification of Program Compliance Form 2020

Whereas: State of Nebraska Statutes, Sections 39/2115, 39-2119, 39-2120, 39-2121, and 39-2520(2), requires an annual certification of program compliance to the Nebraska Board of Public Roads Classifications and Standards; and

Whereas: State of Nebraska Statute, section 39-2120 also requires that the annual certification of program compliance by each municipality shall be signed by the Mayor or Village Board Chairperson and shall include a copy of a resolution of the governing body of the municipality authorizing the signing of the certification form.

Be it resolved that the Mayor of the City of Cambridge is hereby authorized to sign he attached Municipal Annual Certification of Program Compliance form.

Mayor and City Council Comments - Comments included a suggestion for Harvest Meadows signage to stop truck traffic in the residential neighborhood. The Mayor advised that he viewed the video seminar on Nebraska's Planning & Zoning Law.

Citizen's Comments – Jessica Fisher of Tri Valley Health Systems advised that the annual meeting is October 14, 2020 at 9:00 a.m. at Heritage Plaza. Covid-19 screening will be performed.

Executive Session – Jeff Ommert stated the motion, seconded by Vernita Saylor, to adjourn to Executive Session for bad debt write-off. Voting yes were Vernita Saylor, Tony Groshong, Jeff Ommert, Derek Raburn and Kevin Banzhaf, none voted no, and Mike Harris was absent and not voting. Motion carried unanimously by City Council members present. Adjourn to Executive Session at 7:50 p.m. Tony Groshong stated the motion, seconded by Vernita Saylor, to adjourn to Executive Session and return to regular session. Voting yes were Vernita Saylor, Tony Groshong, Jeff Ommert, Derek Raburn and Kevin Banzhaf, none voted no, and Mike Harris was absent and not voting. Motion carried unanimously by City Council members present. Return to Regular Session at 7:55 p.m. Mayor Gunderson announced that the only item discussed was bad debt write-offs. Tony Groshong stated the motion, seconded by Derek Raburn to approve the following uncollectible accounts: 845002, 540001, 311511, 732104, 210002, 732708,

808012, 808002, 708510, 105107, 105312, 733013, 101012, 890503, 622005, 424504, 520502, 624004, 632501, 636513, 422502, 424502, 30009, 717007, 15039, 15040, 15046, 15047, 15061, 15067, 15068, 15065, 15085, 15086, 15087, 16022, 17023, 17025, 17089, 18042, 19015, 19038, 19054, 19056, 19061, 19081, 19101. Voting yes were Vernita Saylor, Tony Groshong, Jeff Ommert, Derek Raburn and Kevin Banzhaf, none voted no and Mike Harris was absent and not voting. Motion carried unanimously by City Council Members present.

Adjournment:

Tony Groshong stated the motion, seconded by Vernita Saylor to adjourn at 8:13 p.m. voting yes were Vernita Saylor, Tony Groshong, Jeff Ommert, Derek Raburn and Kevin Banzhaf, Mike Harris was absent and not voting. Motion carried unanimously by City Council members present.

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