

City of Cambridge
City Council Meeting
Monday January 18, 2021
6:30 P.M.
Cambridge Community Building
722 Patterson St

Pursuant to notice published in the Valley Voice, Thursday January 14, 2021, the Cambridge City Council convened in open public meeting at 6:30 P.M. on January 18, 2021 at the Cambridge Community Building. Present were Mayor David Gunderson, City Council Members Vernita Saylor, Jeff Ommert, Mike Harris, Derek Raburn, and Kevin Banzhaf. Absent was City Council Member Tony Groshong. City Staff present were Utility Supervisor David Houghtelling, City Clerk/Treasurer Kandra Kinne, and City Attorney Lisa Shifflet. Visitors present were Genny Kubik for the Valley Voice; Jessica Fischer for Tri Valley Health System; Jay Sayer and Blake Soucie for the Cambridge Fire Department; Maria Downer, Director of Butler Memorial Library; and Morgan Farquhar. 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 January 4, 2021 and the claims report. The City Council received a copy of the minutes of January 4, 2021 and the claims report prior to this meeting. Jeff Ommert stated the motion, seconded by Vernita Saylor to approve the minutes of January 4, 2021 and the claims report. Voting yes were Vernita Saylor, Mike Harris, Derek Raburn, and Kevin Banzhaf, absent not voting was Tony Groshong, abstaining on Ommert Technologies claim was Jeff Ommert, Jeff Ommert voted yes on all other claims and minutes, none voted no. Motion carried for the minutes of January 4, 2021 and the following claims report:

<i>City of Cambridge</i>			
<i>Claims Report</i>			
<i>To Mayor and City Council</i>			
<i>18-Jan-21</i>			
<i>Period 01/05/2021 to 01/18/2021</i>			
<i>Check No.</i>	<i>Vendor, For</i>	<i>Amount</i>	<i>Dept. Total</i>
	<u>Combined Utility:</u>		
31871	void		
31872	Payroll	35,000.00	
31873-31878	Payroll	8,831.87	
31879	Ag Valley, Fuel	229.69	
31880	Blackburn MFG, Flags	667.76	
31881	Blue Cross, Blue Shield Insurance	10,631.14	
31882	BRICO Pest Control, Spray Buildings	67.25	
31883	Cambridge General Store, Supplies	116.55	
31884	Card Member Services, Postage, Picture, Flags, Supplies	81.25	
31885	Lord's, Inc., Soap Dispenser	73.94	

31886	Municipal Supply, Service Contract Meter Reading equip.	4,929.70	
31887	Nebr. Dept. Environmental Quality, Recertification	150.00	
31888	Nebr. Public Health Lab, Water Testing	30.00	
31889	NMC Exchange, Repairs	145.61	
31890	Northwestern Mutual, Annuity	2,930.87	
31891	One Call concepts, Locates	27.65	
31892	Paper Tiger Shredding, Shred Paper	40.00	
31893	void	0.00	
31894	Twin Valleys Public Power, Utility	3,623.25	
31895	Usable Life, Life Insurance	81.00	
31896	Western Area Power Administration, Purchased Power	5,254.74	
31897	Cambridge General Store, Supplies	11.81	
31898	Employee Vision Care	84.80	
31899	Southwest Farm & Auto, Repairs	93.45	
ACH	Nebraska Department of Revenue, Sales Tax	8,874.31	
ACH	IRS, Federal With holdings	11,174.75	
ACH	IRS, Federal With holdings	3,058.58	
ACH	Black Hills Energy, Utility	1,138.93	
ACH	American Family Life, Insurance	299.16	97,648.06
	<u>City Account (General Fund):</u>		
48691-48712	Payroll	8,519.22	
48713	Ag Valley, Fuel	212.91	
48714	CAMAS Publishing, Publications	232.15	
48715	Card Member Services, Postage, Flag Poles	213.91	
48716	First Central Bank, Fire Equipment Loan Payment	793.92	
48717	Employee Health Insurance Deductible	5.13	
48718	Michael Todd & Company, Signs	1,992.84	
48719	Southwest Farm & Auto, Repairs	19.48	
48720	Twin Valleys Public Power, Utility	59.85	
48721	Waypoint Bank, Golf Loan Payment	1,545.00	
48722	Employee Health Insurance Deductible	202.40	
ACH	Black Hills Energy, Utility	1,256.55	
ACH	Cambridge Telephone, Utility	168.95	
ACH	IRS, Federal With Holdings	1,411.56	16,633.87
	<u>City of Cambridge TIF:</u>		
1104	Furnas County Treasurer, Property Tax Judgement	15,028.49	
1105	Cline Williams, Attorney Fees	5,736.78	
1106	Furnas County Clerk, Filing Fee	80.00	20,845.27
	<u>LB840/ Revolving Loan/ HTC:</u>		
4352	CAMAS Publishing, Business of the Month Ads	882.50	
4353	Card Member Services, Meeting Meal	65.99	

4354	City of Cambridge, Distribution of Sales Tax	19,210.53	
4355	Cross Creek Golf Links, Distribution of Sales Tax	6,525.06	
4356	Furnas County Clerk, Filing Fee	40.00	
4357	Michael Brodd, Reimburse Filing Fee	150.00	26,874.08
	Total:	162,001.28	162,001.28

Appointments: Cambridge Housing Authority. Vernita Saylor stated the motion, seconded by Derek Raburn to approve the five-year re-appointment of Colleen Vandegrift to the Cambridge Housing Authority. Voting yes were Vernita Saylor, Jeff Ommert, Derek Raburn, Mike Harris and Kevin Banzhaf. Absent and not voting was Tony Groshong, none voted no. Motion carried by City Council Members present.

Reports of Officers, Boards and Committees:

Fire Department – Jay Sayer reported that the Fire Department is looking for a rescue truck; he explained the budget - \$75,000 by Rural Fire Department and the same amount by the City. The interest is for a 2007 Crimson Spartan Rescue Pumper from Brindlee Mountain Fire Apparatus LLC in Alabama. Vernita Saylor stated the motion, seconded by Derek Raburn to approve funding of \$75,000 from the City towards the purchase if finalized. Voting yes were Vernita Saylor, Jeff Ommert, Derek Raburn, Mike Harris and Kevin Banzhaf. Absent and not voting was Tony Groshong, none voted no. Motion carried by City Council members present.

Planning Commission – Vernita Saylor stated the motion, seconded by Derek Raburn, to approve the site plan and land use permit application of City of Cambridge as requested by Jack Swisher, Renter of Lot 2, Harvest Meadows 5th Addition to install a two-post business sign. Voting yes were Vernita Saylor, Jeff Ommert, Derek Raburn, Mike Harris and Kevin Banzhaf. Absent and not voting was Tony Groshong, none voted no. Motion carried unanimously by City Council members present. Jeff Ommert noted that Planning Commission discussed adding Day Care Center to the permitted uses for “C-1” and “C-2” zones. Kandra advised Jeff that a public hearing is being scheduled for these items at the next Planning Commission Meeting.

Library Report – Maria Downer reported that the Library Board approved enclosing one wall for the Innovative Studio. The innovative studio equipment will be picked up March 1st. The Library Board approved improvements and equipment for a Makerspace Studio Room to replace the innovative studio. Funding for the makerspace studio room has come from an anonymous donor. She also submitted a quote from River Valley Services to change all lighting to LED. Vernita Saylor stated the motion, seconded by Jeff Ommert, to approve the remodel for Innovative Studio and installation of LED lighting. Voting yes were Vernita Saylor, Jeff Ommert, Derek Raburn, Mike Harris and Kevin Banzhaf. Absent and not voting was Tony Groshong, none voted no. Motion carried by City Council members present.

Park/Tree Board – Notes from the meeting of January 14, 2021, included discussion on disc golf and pickle ball.

Utility Supervisor – Dave Houghtelling reported that he is working on repairs to the backhoe, flags are installed for Martin Luther King Day, and the grader is back from North Platte after a repair.

City Clerk/Treasurer Report – Kandra Kinne reported on the following: a letter was sent to Sherwood giving a deadline for filling the basement at 504 Patterson Street; and an update for utility disconnect policy will be heard at the next Council meeting. Gworks have updated the software to provide a layer of identification to protect sensitive information. Kandra discussed Electrician licensing requirement in the municipal code. Kandra had been contacted about the requirement to license electricians but no other trades. City Attorney Shifflet would contact other communities about what they do. Kandra provided the financial report for December 31, 2020 and the line loss reports in the City Council Packets. Kandra reported the Lottery license will be due from the City to the Department of Revenue in the amount of \$100.00.

City Attorney Reports - EMC Insurance has retained attorney Terry Waite for the appeal filed by Morgan Farquhar, Sally Farquhar and Paul D. Newcomb.

Unfinished Business:

Employee Handbook Update – Updates have been sent to the Olson Group.

Twin Valleys Public Power District Proposed Contract - A time to meet for contract negotiations will be set.

Resolution No. 2021-01-01 Public Records Procedure – Derek Raburn stated the motion, seconded by Mike Harris, to approve Resolution No. 2021-01-01 for a Public Records Procedure. Voting yes were Vernita Saylor, Jeff Ommert, Derek Raburn, Mike Harris and Kevin Banzhaf. Absent and not voting was Tony Groshong, none voted no. Motion carried by City Council members present for Resolution 2021-01-01 as follow:

RESOLUTION NUMBER: 2021-01-01

A Resolution establishing open records procedures for the City of Cambridge and fees to be charged to persons for accessing approved open public records.

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

SECTION 1. Statement of Purpose, Review. It is the purpose of this resolution to establish reasonable operating procedures, and appropriating fees for accessing approved open public records in the possession of the City. The City Clerk, shall periodically recommend to the City Council such changes in this resolution as may be necessary to secure this purpose. The City Clerk or his/her designated representative may exercise their discretion to reduce or waive any fees when such is in the public interest. No charge shall be assessed against any officers or employees of the City who make requests which are reasonably necessary to the performance of their official duties.

SECTION 2. Operating Procedure.

- (a) All requests for access or copies of public records shall be in writing. All person's requesting access or copies of public records (a Requester) shall provide a detailed

description of the document they are requesting, an address they can be contacted at, and a deposit as required. This section shall not be construed to require a custodian to copy any public record that is available to the Requester on the City's web site. The custodian of the public record is required to provide the location of the public record on the City's web site to the Requester. If the Requester does not have reasonable access to the internet due to lack of computer, lack of internet availability, or inability to use a computer or the internet, the custodian shall produce copies for the Requester pursuant to the fees and cost outlined herein.

- (b) Copies of City publications, regulations, or maps, etc., and other reports, that are not deemed a security breach or violation of the Homeland Security Act, and are determined to be accessible public records, shall be made available according to the fee schedule in this Resolution.
- (c) All requests for access or copies of public records shall be approved by the City Clerk or his/her designee prior to any records being disbursed.
- (d) If a request is denied, the City Clerk or his/her designee shall provide written denial to the Requester.
- (e) If a request cannot with reasonable good faith efforts be fulfilled within four(4) business days after actual receipt of the request, a written explanation shall be provided to the Requester which shall also include an estimate of the expected cost of the copies. The four (4) business days shall be computed by excluding the day the request is received, after which the designated period of time begins to run.
- (f) The Requester shall have ten (10) business days to review the estimated costs, including any special service charge, and request the custodian to fulfill the original request, negotiate with the custodian to narrow or simplify the request, or withdraw the request. If the Requester does not respond to the custodian within ten business days, the custodian shall not proceed to fulfill the request.
- (g) Business day does not include a Saturday, a Sunday, or a day during which the offices of the custodian of the public records are closed.

SECTION 3. Inspection and Production Fees.

- (a) Where a request has been made for inspection or production of any public record which is readily available to the Records Custodian, there shall be no inspection charge to the requester. Requests and appointments for inspection are desired.
- (b) Where a request has been made for inspection or production of any public record which is not readily available to the Records Custodian, there shall be no inspection or production charge to the requester for the first four (4) hours of cumulative searching, identifying, a physically redacting, or administrative copying.
- (c) In all cases not covered by subsection (a) and (b) above, a record inspection or production fee shall be charged at an hourly rate determined by the actual per hour rate of the employee(s) engaged in the record search plus 28% to cover benefits. A minimum charge of \$10.00 shall be charged for each request.
- (d) No inspection or production fee will be assessed when a denial of a request is made.
- (e) No inspection or production fee will be assessed for any charges for the services of an attorney to review the requested public records seeking a legal basis to withhold the public records from the public.

SECTION 4. Copying Fee

- (a) A fee of \$.25 per page shall be charged for photocopying public records, such fee to cover the cost of machine materials and equipment costs.

- (b) For copying any public records which cannot be reproduced by the City's photocopying equipment, the Requester shall be charged the actual cost to the City, for reproducing such records, which shall include but not be limited to cds, dvds, and maps.
- (c) No copy fee shall be assessed when multiple copies of the record requested have been prepared for free public distribution, or when it has been determined that the cost of charging and handling the fee exceeds the cost of providing a copy without charge. No copying fee will be assessed when a denial of a request is made.

SECTION 5. Mailing or Electronic Transfer Fees. The City Clerk Shall determine and assess a charge covering mailing, electronic transfer, and handling costs accrued in responding to requests received and processed through the mail service or electronic media. Requests are encouraged to be picked up at the City Clerk's Office to ensure proper receipt and accuracy of end product.

SECTION 6. Other Records Fees.

- (a) A fee of \$.25 per page shall be charge for computer generated printouts of public records, such fee to cover the cost of materials and equipment.
- (b) A fee of \$1.00 per page shall be charged for facsimile transmission of public records, such fee to cover the cost of materials and equipment
- (c) A per page fee for large format maps and documents printed or scanned by the City Engineer to cover the costs of materials and equipment will be charged using the fees charged by the City Engineer plus any postage costs to mail the documents.

SECTION 7. Prepayment of Fees.

- (a) Prepayment of inspection and/or copying fees shall be required when such fees are estimated to exceed \$50.00.
- (b) The prepayment amount shall be an estimate of the inspection, copying charges, mailing or electronic transfer fees and any other records fees accrued in fulfilling the record request. Any overage or underage in the prepayment shall be settled prior to inspection of the requested record or delivery of the requested copies. Where prepayment is required, no record shall be made available to the requester until such prepayment has been made.

SECTION 8. Payment. All fees charged under this resolution shall be paid to the appropriate department of the records inspected and/or copied unless the Requester has established an open account, for purposes of billing and payment, with the City. All such accounts must be approved in advance by City Clerk and a deposit may be required. All fees shall be receipted immediately and placed in the City's General Fund and receipted.

SECTION 9. That all resolutions or parts of resolutions in conflict herewith are hereby repealed.

SECTION 10. That this resolution shall be in full force and effect beginning February 1, 2021

New Business:

EMT Roster – Derek Raburn stated the motion, seconded by Mike Harris, to approve the EMT Roster for 2021 as follows: Kristian Banzhaf, Chris Boley, Verena Farr, Cyndi Groshong, Judy Hayes, Mike Hotchkiss, Lucille Kutnink, John Kutnink, Larry Maatsch, Jeff Ommert, Nick Vargas and Megan Vargas. Voting yes were Vernita Saylor, Jeff Ommert, Derek Raburn, Mike Harris and Kevin Banzhaf. Absent and not voting was Tony Groshong, none voted no. Motion carried by City Council members present.

Applications for Summer Help – Discussion was held on hiring. Vernita Saylor stated the motion, seconded by Mike Harris, to approve the hiring of Ron Schelling for Park Maintenance, Lyle Calvert for Cemetery Maintenance and Sara Calvert as the Swimming Pool Manager, wages for these positions will be set at the next City Council Meeting. Voting yes were Vernita Saylor, Jeff Ommert, Derek Raburn, Mike Harris and Kevin Banzhaf. Absent and not voting was Tony Groshong, none voted no. Motion carried by City Council members present.

Mayor and City Council Comments – None

Citizen Comments – Morgan Farquhar stated his frustration with the recent Conditional use permit approval of Council in which he and his wife are now plaintiffs in legal action. He thought it was going to be a steel building with a cement floor, not a pole building. He thought the building permit was for a steel building.

Citizen Comments – Jessica Fischer was present for Tri Valley Health System. Jessica reported that Tri Valley will need power next week for some remodel work. Also, she is working with City staff on Covid vaccine. She explained the federal allocations and that Tri Valley will host clinics as soon as vaccine is available. Jessica informed that Heritage Plaza has another apartment rented.

Adjournment – Derek Raburn stated the motion, seconded by Vernita Saylor, to adjourn at 7:30 P.M. Voting yes were Vernita Saylor, Jeff Ommert, Derek Raburn, Mike Harris and Kevin Banzhaf. Absent and not voting was Tony Groshong, none voted no. Motion carried unanimously by City Council Members present.

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

David Gunderson, Mayor