

## Minutes of a Special Meeting of the Mayor and City Council

A special meeting of the Mayor and City Council of the City of Henderson, Nebraska was held at 5:30 p.m. on February 27, 2018 at City Hall in Henderson, Nebraska. Notice of this meeting was posted at the City Hall and Post Office and published in the February 15, 2018 *Henderson News*.

Mayor Mike Yoder called the meeting to order at 5:30 p.m. Mayor Yoder declared the meeting to be legal and properly advertised with all members having been informed of the nature of the meeting and having received related information. Mayor Yoder also referred to the open meetings law poster at the back of the council chambers.

Roll call showed the following present: Mayor Mike Yoder. Council members: Mike Wall, Corbin Tessman Jeb Mierau and Lee Thiessen (5:40 p.m.). Also present were Milan Mierau and Cheryl Brown.

Mayor Mike Yoder stated the purpose of the special meeting was to hold a public hearing to amend the duplicity of terms in the permitted use and conditional use sections of the Henderson City Zoning Sections 5.06, 5.07 and 5.08.

At 5:32 p.m., Mayor Mike Yoder opened the public hearing for the purpose of determining whether to amend the City of Henderson Zoning Ordinance for the R-1, R-2 and R-3 districts by deleting the conditional use provided in such districts for hospitals, clinics, institutions, including educational, religious and philanthropic institutions, and convalescent homes.

The planning commission made a recommendation to the city council to correct the conflict of terms by amending sections 5.06 R-1, 5.07 R-2 and 5.08 R-3 by deleting from the *Conditional Uses* sections the following provisions:

*Hospitals, clinics, institutions, including educational, religious and philanthropic institutions, and convalescent homes, provide the following and/or other conditions and standards are met:*

- a. Building shall not occupy more than 40% of the total lot area.*
- b. Building setbacks from all yards shall not be less than one foot per foot of building height.*

As no public was present for the public hearing, Mayor Yoder closed the public hearing at 5:45 p.m.

After consideration and discussion, Mike Wall made a motion to accept the planning commission's recommendation on how to correct the conflict of terms in the zoning regulations. Corbin Tessman seconded. Roll vote: Ayes - Mike Wall, Corbin Tessman and Jeb Mierau. Absent: Lee Thiessen. Motion carried.

Mike Wall made a motion to adopt Ordinance #414, an ordinance to amend sections 5.06, 5.07 and 5.08 of the Henderson City Code Zoning Ordinance for the R-1 Low Density Residential District, R-2 Medium Density Residential District, and R-3 High Density Residential District to remove from the ordinance a conditional use defined for each of the districts; to repeal all ordinances in conflict herewith; and to provide for the effective date of the ordinance and to suspend the three readings on three different days. Corbin Tessman seconded the motion. Roll vote: Ayes - Mike Wall, Corbin Tessman and Jeb Mierau. Absent: Lee Thiessen. Motion carried.

Reports were given. No formal action taken.

Mike Wall made a motion to adjourn. Corbin Tessman seconded. Roll vote: Ayes - Mike Wall, Corbin Tessman, Jeb Mierau and Lee Thiessen. Motion carried.

Mike Yoder, Mayor  
Connie Brown, City Clerk