

The regular meeting of the Mayor and City Council of the City of Henderson, Nebraska was held at 7:00 p.m. on January 11, 2022 at City Hall in Henderson, Nebraska. Notice of this meeting was posted at the City Hall and published in the January 6, 2022 *Henderson News*.

Mayor Don Regier called the meeting to order at 7:00 p.m. Mayor Regier 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 Regier also referred to the open meetings law poster at the back of the council chambers.

Roll call showed the following present: Mayor Don Regier and Council Members Brian Hiebner, Corbin Tessman, Matt Friesen and Stan Friesen.

Minutes from the December 14, 2021 regular meeting were reviewed. Matt Friesen made a motion to accept the minutes as presented. Brian Hiebner seconded. Roll vote: Ayes - Matt Friesen, Brian Hiebner, Stan Friesen and Corbin Tessman. Motion carried.

Stan Friesen made a motion to pay the claims as presented. Corbin Tessman seconded. Roll vote: Ayes - Stan Friesen, Corbin Tessman Matt Friesen and Brian Hiebner. Motion carried.

There were zero zoning permits for last month.

Aiden Swartzendruber did a telephone conference call with the council to give an update on the Lakeview Park Disc Golf fundraising and course layout. \$5,200 has been raised to-date for the project and he plans to contact more businesses and individuals. He has updated the course layout for safety and to make the course more interesting. Stan Friesen made a motion to approve the course layout and to move forward with ordering the baskets and signs and to keep fundraising for the pads. Brian Hiebner seconded. Roll vote: Ayes - Stan Friesen, Brian Hiebner, Corbin Tessman and Matt Friesen. Motion carried.

Reed Miller from Miller and Associates was present to discuss the Engineer's Professional Services Agreement for the Restoration of the Elevated Water Storage Facility. Probable cost of restoration of water storage facility is \$150,000 to \$175,000 and the City would be able to use the ARPA funds currently being received by the federal government. Brian Hiebner made a motion to approve the Miller and Associates' professional services agreement including Design/Bidding Services and Construction Phase Services in the amount not to exceed \$20,100 and to include alternate bid for color design for painting. Matt Friesen seconded. Roll vote: Ayes - Brian Hiebner, Matt Friesen, Corbin Tessman and Stan Friesen. Motion carried.

Corbin Tessman made a motion to table the Wastewater Facility Study until more details are available about the State and Local Fiscal Recovery Funds (SLFRF) program which is a part of the Federal Government American Rescue Plan. Stan Friesen seconded. Roll vote: Ayes - Corbin Tessman, Stan Friesen, Matt Friesen and Brian Hiebner. Motion Carried. The final rule takes effect April 1, 2022 and the Wastewater Facility Study should be eligible for funding through this program.

Matt Friesen made a motion to approve the Engineer's Agreement for the Provision of Limited Professional Services for Street Improvements for 2022 including Preliminary Design Phase, Final Design Phase, Bidding or Negotiation Phase and Construction Phase in the amount not to exceed \$72,900 for all phases. Brian Hiebner seconded. Roll vote: Ayes - Matt Friesen, Brian Hiebner, Corbin Tessman and Stan Friesen. Motion carried. Streets included are 10th Street south of Maple, 12th Street north of Hickory Road, 12th Street between Front Street and Cedar Street, and 11th Street Between Birch Street and Front Street.

Matt Friesen made a motion to approve Ordinance #442, an ordinance to amend Ordinance #394 (dated December 13, 2011), granting unto Mainstay Communications, its successors and assigns, for a term of ten (10) years, the right to maintain, construct, and operate a telephone system within the City of Henderson, Nebraska, and environs thereof, and to use and occupy the streets and other public places of said city for such purposes. The compensation of \$5,000 to the City for the use of its streets and public places, and in lieu of any occupation or license taxes, will be paid by Mainstay annually until such ordinance is reviewed and negotiated in ten (10) years, and to suspend three different readings on three different days. Stan Friesen seconded. Roll vote: Ayes - Matt Friesen, Stan Friesen, Brian Hiebner and Corbin Tessman. Motion carried.

Brian Hiebner made a motion to approve Janzen Enterprises to remove 24 dead or damaged trees in the Lakeview Park area in the amount not to exceed \$11,000. Matt Friesen seconded. Roll vote: Ayes - Brian Hiebner, Matt Friesen, Stan Friesen and Corbin Tessman. Motion carried.

Corbin Tessman made a motion to hire Miller Painting & Decorating, Inc. from Hartington, Nebraska in the amount of \$26,925 to sandblast and repaint pool, cut out and replace caulk along gutter and replace bad caulk on floor, fix and replace patches around water inlets and cut out and replace patch along wall going in the deep end. Brian Hiebner seconded. Roll vote: Ayes Corbin Tessman, Brian Hiebner, Matt Friesen and Stan Friesen. Motion carried.

Corbin Tessman made a motion to adjourn. Matt Friesen seconded. Roll vote: Ayes - Corbin Tessman, Matt Friesen, Stan Friesen and Brian Hiebner. Motion carried.

Donald J. Regier, Mayor
Connie Brown, City Clerk