

CITY OF HENDERSON

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The regular meeting of the Mayor and City Council of the City of Henderson, Nebraska was held at 7:00 p.m. on November 10, 2020 at City Hall in Henderson, Nebraska. Notice of this meeting was posted at the City Hall and Post Office and published in the November 5, 2020 *Henderson News*.

Mayor Mike Yoder called the meeting to order at 7:00 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: Brian Hiebner, Stan Friesen and Corbin Tessman. Absent: Matt Friesen.

Minutes from the October 13, 2020 meeting were reviewed. Stan Friesen made a motion to accept the minutes as presented. Brian Hiebner seconded. Roll vote: Ayes - Stan Friesen, Brian Hiebner and Corbin Tessman. Absent: Matt Friesen. Motion carried.

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

Two building permits were submitted since last meeting. Jim Epp for a deck and Justin Nelson for a new residential home. No formal action taken.

Jess Nunnenkamp was present to discuss the sidewalk that will be constructed at his house during the street construction next year. He wanted to know if he could pour his own sidewalk and if he could construct it narrower since his front yard is shallow already and then the sidewalk wouldn't interfere with his existing berm and landscaping. Council will consider at a future meeting after they have had a chance to look at the situation. No formal action taken.

Engineer Reed Miller was present to discuss the restroom progress. The contractor did not submit the payment request in time for council review. Reed mentioned the contractor did request a two week extension since there were unforeseen delays with existing water lines and additional change orders. The contractor is to submit a revised time schedule to engineers.

Paulsen's Inc. submitted a pay request in the amount of \$203,621.40 for the storm sewer and water works that has been completed to-date for the 2020 Street Reconstruction Project. Corbin Tessman made a motion approve the Paulsen's Inc. pay request in the amount of \$203,621.40. Brian Hiebner seconded. Roll vote: Corbin Tessman, Brian Hiebner and Stan Friesen. Absent: Matt Friesen. Motion carried.

After review, Brian Hiebner made a motion to approve Miller and Associates pay request for \$15,053 for the 2020 Restroom Project. Stan Friesen seconded. Roll vote: Ayes - Brian Hiebner, Stan Friesen and Corbin Tessman. Absent: Matt Friesen. Motion carried.

The crack sealing bid from Nielsen Contracting was reviewed with the engineers. The council has requested the engineers to ask the contractor for a 30-day extension on the bid. No formal action taken.

Corbin Tessman made a motion to approve Resolution No. 2020-09, a resolution to declare under the Internal Revenue Code of 1986, as amended, the official intent of the City of Henderson, Nebraska, to reimburse certain capital expenditures from the proceeds of tax-exempt or tax-favored debt obligations. Brian Hiebner seconded. Roll vote: Ayes - Corbin Tessman, Brian Hiebner and Stan Friesen. Absent: Matt Friesen. Motion carried.

Brian Hiebner introduced Ordinance 434 and made a motion to adopt Ordinance 434, an ordinance of the City of Henderson, Nebraska, creating Sidewalk Improvement District No. 2020-01 within the city; defining the boundaries of said district and the property contained therein; and providing for the construction of sidewalks and the improvement of sidewalk space therein and to suspend the three readings on three different days. Corbin Tessman seconded. Roll vote: Ayes - Brian Hiebner, Corbin Tessman and Stan Friesen. Absent: Matt Friesen. Motion carried.

Corbin Tessman introduced Ordinance 435 and made a motion to adopt Ordinance 435, an ordinance authorizing the issuance, sale and delivery of Street Improvement District Bond Anticipation Notes, Series 2020, of the City of Henderson, Nebraska, in one or more series and in an aggregate principal amount of not to exceed two million nine hundred thousand dollars (\$2,900,000), to provide interim financing for the costs of constructing and improving streets and other improvements in the Street Improvement District No. 2020-01 of the city; authorizing certain officials to determine the final aggregate principal amount, maturities, rates, redemption provisions, term and

other details of such notes; prescribing the form and details of the notes; covenanting to issue general obligation paving bonds to pay the notes at maturity or earlier redemption or to pay the notes from other available funds, including refunding notes; designating the notes as qualified tax-exempt obligations; adopting certain post-issuance tax compliance and disclosure procedures with respect to the notes; and authorizing certain other documents and actions in connection therewith and to suspend the three readings on three different days. Stan Friesen seconded. Roll vote: Ayes - Corbin Tessman, Stan Friesen and Brian Hiebner. Absent: Matt Friesen. Motion carried.

Paul Buller was present to further discuss the tabled item from October 13, 2020 meeting of extending the time line to start construction on Lot 6 in Providence Subdivision or have the council purchase the lot back from the Bullers at a lower price. No formal action taken. This will be on the December agenda.

Corbin Tessman made a motion to table item #16 of the agenda of reviewing an ordinance for dollying down trailers within city limits until the December meeting. Brian Hiebner seconded. Roll vote: Ayes - Corbin Tessman, Brian Hiebner and Stan Friesen. Absent: Matt Friesen. Motion carried.

Stan Friesen made a motion to table item #17 of the agenda of budget and repair items submitted by the contractor Ron Grimes. Corbin Tessman seconded. Roll vote: Ayes - Stan Friesen, Corbin Tessman and Brian Hiebner. Absent: Matt Friesen. Motion carried.

Mike Yoder gave a mayor's report for the council to consider for the future. Items included the code book interpretations specifically Chapter 9 - Building Permits, additional city employee, additional benefit of life insurance for city employees and council or supplemental insurance that allows them to take with if employment ceases. Chamber position in the next few years and if beneficial to have that position become city employee and contract as the Chamber Director. Finish current projects and see where the city is financially before moving forward with other projects. No formal action taken.

Reports were given. No formal action taken.

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

Michael A. Yoder, Mayor
Connie Brown, City Clerk