

A special meeting followed immediately after the conclusion of Budget Hearing of the Budget Summary of the Mayor and City Council of the City of Henderson, Nebraska on September 28, 2022 at City Hall in Henderson, Nebraska. Notice of this meeting was posted at the City Hall, and published in the September 22, 2022 *Henderson News*.

Mayor Don Regier called the special meeting to order at 12:28 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. Council members: Stan Friesen and Mike Wall. Absent: Corbin Tessman and Brian Hiebner.

With two council members absent, state statute gives the mayor of a second class the right to vote on a city council action when his or her vote will provide the additional vote required to create a number of votes equal to the majority of the council.

At 12:30 p.m., Mayor Regier opened the public hearing concerning the setting of the final tax request for the 2022-2023 Fiscal Year for the General Fund at \$293,680 and the Bond Fund at \$280,000.

At 12:40 p.m., Mayor Regier closed the public hearing as no public was present for discussion.

Mike Wall made a motion to approve Resolution 2022-06, a resolution setting the 2022-2023 Property Tax Request at \$293,680 for the General Fund and \$280,000 for the Bond Fund. Stan Friesen seconded. Roll vote: Ayes - Mike Wall, Stan Friesen and Don Regier. Absent: Corbin Tessman and Brian Hiebner. Motion carried.

Mike Wall made a motion to approve the additional 1% increase in the total funds subject to limitation. Don Regier seconded. Roll vote: Ayes - Mike Wall, Don Regier and Stan Friesen. Absent: Corbin Tessman and Brian Hiebner. Motion carried.

Mayor Regier recommend to the council to consider 8% cost of living increase in wages for employees and 3% for performance increase. After discussion, Mike Wall made a motion to approve the 8% cost of living increase in wages for the employees immediately and to allow up to 3% increase following the performance evaluations being completed by the Mayor and reviewed with council. Stan Friesen seconded. Roll vote: Ayes - Mike Wall, Stan Friesen and Don Regier. Absent: Corbin Tessman and Brian Hiebner. Motion carried.

Stan Friesen made a motion to adopt Ordinance #446, an ordinance known as "the annual appropriation bill of the City of Henderson, Nebraska; to adopt the budget statements pursuant to the Nebraska Budget Act for the fiscal year commencing October 1, 2022 and ending September 30, 2023; to appropriate sums for necessary expenses and liabilities; to provide for publication and an effective date of this ordinance and to suspend the three readings on three different days. Mike Wall seconded. Roll vote: Ayes - Stan Friesen, Mike Wall and Don Regier. Absent: Corbin Tessman and Brian Hiebner. Motion carried.

Mike Wall made a motion to approve Diamond Engineering's Change Order #1 to incorporate 1" layer of 3/8" crushed concrete fines into the top 4" of subgrade instead of fly ash for the 2022 Street Reconstruction Project in the amount of \$42,315. Stan Friesen seconded. Roll vote: Ayes - Mike Wall, Stan Friesen and Mike Wall. Absent: Corbin Tessman and Brian Hiebner.

Black Hills' representatives Craig Nelson and Jeff Hohnholt and Diamond Engineering's Matt Ley were present to discuss the moving of the gas line along Maple Street. Black Hills would like to bore gas lines approximately 10' behind curb and still in the utility easement and eliminate all gas lines with the exception of one crossing under Maple Street. Black Hills will pay for the boring if the council would consider waiting for the storm sewer to be constructed in the Spring of 2023. Diamond Engineering agreed this would be ok to wait and requested a one-month extension to the completion date. The council will take formal action on this request with a change order at the next regular meeting.

Mike Wall approved the resignation of Council Member Brian Hiebner effective immediately. Stan Friesen seconded. Roll vote: Ayes - Mike Wall, Stan Friesen and Don Regier. Absent: Corbin Tessman. Motion carried.

Stan Friesen made a motion to adjourn the meeting. Mike Wall seconded. Roll vote: Ayes Stan Friesen, Mike Wall and Don Regier. Absent: Corbin Tessman. Motion carried.