

The regular meeting of the Mayor and City Council of the City of Henderson, Nebraska was held at 7:00 p.m. on February 14 2023 at City Hall in Henderson, Nebraska. Notice of this meeting was posted at City Hall and published in the February 9, 2023 *Henderson News*.

Mayor Corbin Tessman called the meeting to order at 7:00 p.m. Mayor Tessman 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 Tessman referred to the open meetings law poster and stated if a member of the public wishes to speak on matters not listed on the agenda, they may speak during the Public Forum Period. Speakers will be given five minutes to address the Board. The public should be aware that the Board is unable, by law, to deliberate or act on the items raised during the Public Forum Period. The public may request the item to be placed on a future agenda for deliberation and/or action.

Roll call showed the following present: Mayor Corbin Tessman. Council members: Teri Pollet, Brian Hiebner and Kevin J. Friesen. Mitch Huxoll at 7:02 p.m.

Minutes from the January 10, 2023 meeting were reviewed. Teri Pollet made a motion to accept the minutes as presented. Brian Hiebner seconded. Roll vote: Ayes - Teri Pollet, Brian Hiebner and Kevin Friesen. Absent: - Mitch Huxoll. Motion carried.

Kevin Friesen made a motion to pay the claims as presented. Teri Pollet seconded. Roll vote: Ayes - Kevin Friesen, Teri Pollet, Mitch Huxoll and Brian Hiebner. Motion carried.

One building permits was issued since the last meeting for Clay and Jackie Bittinger to enclose front porch for additional living space.

Homer Peters was present for the public forum to express opinion on adoption of ordinances, placement of sidewalks for future projects to not be behind curb and to allow public to review code book prior to adoption. Tom and Diane Johnson informed the council of racoons crossing their rental property to go to a building on the neighbor's property that has a hole in the foundation and racoons are living under the building. Also, the neighbor runs a Wildlife Rescue/Rehabilitation Center from their home. No formal action could be taken.

After discussion on the generator for Well #1, Brian Hiebner made a motion to reject all bids from the previous meeting and rebid with the correct kilowatt rating of 80 instead of 60 and have available at next month's meeting. Mitch Huxoll seconded. Roll vote: Ayes - Brian Hiebner, Mitch Huxoll, Teri Pollet and Kevin Friesen. Motion carried.

At 7:24 p.m., Mayor Tessman opened the public hearing. The public hearing is for the liquor license request from Brooke McBride, owner of Sparrow's Branch Café at 1045 N Main Street for a Class C Liquor License. The application was submitted to the Liquor Control Commission and received by the City of Henderson on January 30, 2023. Notice to the general public of date, time and place of hearing was published on February 2, 2023 in the *Henderson News* and posted at City Hall.

Owners of Sparrow's Branch Café Terry and Brooke McBride expressed to the council there would not be any neon signs or alcohol signs displayed and want it to be a place where customers can have a drink with their meal and not run it as a bar.

Irl Gilliland, 720 Friesen Avenue, Henderson, spoke against Sparrow's Branch Café receiving a liquor license.

As no further public testimony was heard, Mayor Tessman closed the public hearing at 7:31 p.m.

After considering the input of the public of a local business requesting a liquor license, Brian Hiebner made a motion to adopt Resolution 2023-01, a resolution recommending the Liquor License Commission to approve the Class C Liquor License request from Brooke McBride, owner of Sparrow's Branch Café, LLC. Teri Pollet seconded. Roll vote: Ayes - Brian Hiebner, Teri Pollet, Kevin Friesen and Mitch Huxoll. Motion carried.

Jack Reimers of Midwest Mapping LLC and Virlyn Bolte of Land Services LLC presented to the council the high-resolution photography created to use as the base map with the current ArcGIS system and demonstrated some of the data set services available including platted subdivision layout, surveys, easements and other title limitations, land division with potential of adding more data sets as needed. The quote from Midwest Mapping LLCs for the high resolution photography was \$9,000 with future updates being \$1,800 per day with final price being dependent on area covered. The quote from Land Services LLC for the current data set services listed above was \$7,000.

After discussion, it was decided to wait on making a decision on purchasing the high resolution photography and data sets until the new members of the council have had a chance to use the current ArcGIS system and to also look for grants that would help pay for it. No formal action taken.

At 8:10 p.m., Mayor Tessman explained to the council due to recent conversations with the planning commission concerning Star Subdivision and the need for a drainage study and a certified engineer plat showing the layout of the street and utilities, this was only an update on the project instead of a public hearing as advertised as the drainage study and plat still need to be completed. No formal action taken.

Huebert Land Leveling submitted a quote on maintaining the current gravel roads in the N Industrial Park by replacing the gravel with crushed 1" size limestone rock in the amount of \$16,969. This bid would be for Henderson North Road, N Main Street north of Oak Street and Walnut Street from N Main Street to the State Spur. After discussion, Brian Hiebner made a motion to table Huebert Land Leveling's quote until further clarification of how much crushed limestone rock will be placed onto the roads for the \$16,969. Kevin Friesen seconded. Roll vote: Ayes - Brian Hiebner, Kevin Friesen, Teri Pollet and Mitch Huxoll. Motion carried.

Teri Pollet made a motion to adopt Resolution 2023-02, a resolution authorizing the City of Henderson to enter into a Membership Agreement and an Interlocal Agreement with the League Insurance Government Health Team (LIGHT) for employee health insurance. Mitch Huxoll seconded. Roll vote: Ayes - Teri Pollet, Mitch Huxoll, Brian Hiebner and Kevin Friesen. Motion carried.

Kevin Friesen made a motion to purchase the delete kit in the amount of \$1,250 plus shipping to fix the DPF Regeneration issue on the Kubota Tractor. Brian Hiebner seconded. Roll vote: Ayes - Kevin Friesen, Brian Hiebner, Teri Pollet and Mitch Huxoll. Motion carried.

Teri Pollet made a motion to approve the Mayor's recommendation of appointing Milan Mierau as the Henderson Zoning Administrator and to pay him \$2,500 annually. Kevin Friesen seconded. Roll vote: Ayes - Teri Pollet, Kevin Friesen, Mitch Huxoll and Brian Hiebner. Motion carried.

Brian Hiebner made a motion to approve the Mayor's recommendation of forming a subcommittee of himself and Teri Pollet to review the current code book and make recommendations to the council concerning the commissioner's duties. Kevin Friesen seconded. Roll vote: Ayes - Brian Hiebner, Kevin Friesen, Mitch Huxoll and Teri Pollet. Motion carried.

Teri Pollet made a motion to adjourn. Kevin Friesen seconded. Roll vote: Ayes - Teri Pollet, Kevin Friesen, Mitch Huxoll and Brian Hiebner. Motion carried.

Corbin Tessman, Mayor  
Connie Brown, City Clerk