

The regular meeting of the Mayor and City Council of the City of Henderson, Nebraska was held at 7:00 p.m. on October 10, 2023, at City Hall in Henderson, Nebraska. Notice of this meeting was posted at City Hall and published in the October 5, 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: Kevin J. Friesen, Brian Hiebner, Teri Pollet and Mitch Huxoll. Also present was Planning Commission member Eric Traxler.

Minutes from the September 12 regular council meeting, September 27 budget summary hearing and September 27, 2023 final tax request meeting were reviewed. Kevin J. Friesen made a motion to accept the minutes with the correction of adding Mitch Huxoll to the approval of minutes vote for August 8, 2023 meeting. Teri Pollet seconded. Roll vote: Ayes - Kevin Friesen, Teri Pollet, Brian Hiebner and Mitch Huxoll. Motion carried.

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

Three building permits were issued since the last meeting including Daniel O'Brien for a garage, Steve Palmer for a fence and Mainstay Communications for a sign.

The third and final reading of the ordinance for the annexation of the recently purchased real estate from Johnnie and Lori Steingard north of the ballfields was held. Teri Pollet made a motion to adopt Ordinance #452. Kevin Friesen seconded. Roll vote: Ayes - Teri Pollet, Kevin Friesen, Mitch Huxoll and Brian Hiebner.

Kevin Friesen made a motion to convene as the Community Development Agency (CDA). Teri Pollet seconded. Roll vote: Ayes - Kevin Friesen, Teri Pollet, Mitch Huxoll and Brian Hiebner.

Brian Hiebner made a motion to adopt Resolution 2023-01, a resolution recommending approval of an amendment to the Redevelopment Plan for the City of Henderson, Nebraska, to the City Council of the City of Henderson, Nebraska and adopting a Cost Benefit Analysis for the Redevelopment Project in the Redevelopment Plan. Kevin Friesen seconded. Roll vote: Ayes - Brian Hiebner, Kevin Friesen, Teri Pollet and Mitch Huxoll. Motion carried.

Kevin Friesen made a motion to adopt Resolution 2023-02, a resolution of the Community Development Agency of the City of Henderson, Nebraska, authorizing and approving a Redevelopment Agreement including the use of Tax Increment Financing for a redevelopment project; and taking other actions required or permitted under the Community Development Law. Teri Pollet seconded. Roll vote: Ayes - Kevin Friesen, Teri Pollet, Brian Hiebner and Mitch Huxoll. Motion carried.

Brian Hiebner made a motion to adopt Resolution 2023 - 03, a resolution of the Community Development Agency of the City of Henderson, Nebraska, approving the acquisition of certain real property from the City of Henderson and authorizing the procedures to create a specific redevelopment project on the acquired property; and taking other actions required or permitted under the Community Development Law. Mitch Huxoll seconded. Roll vote: Ayes - Brian Hiebner, Mitch Huxoll, Kevin Friesen and Teri Pollet. Motion carried.

Teri Pollet made a motion to adopt Resolution 2023 - 04, a resolution of the Community Development Agency of the City of Henderson, York County, Nebraska approving the form of the Real Estate Purchase Agreement and Redevelopment Agreement for each phase of the Henderson West Redevelopment Project. Mitch Huxoll seconded. Roll vote: Ayes - Teri Pollet, Mitch Huxoll, Kevin Friesen and Brian Hiebner. Motion carried.

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

At 7:20 p.m., Mayor Tessman opened the public hearing for consideration of the Henderson West Redevelopment Plan that will utilize Tax Increment Financing.

At 7:27 p.m., Mayor Tessman closed the public hearing as there were no patrons present for discussion.

Teri Pollet made a motion to adopt Resolution 2023 - 11, a resolution of the City Council of the City of Henderson, Nebraska, approving the Henderson West Redevelopment Plan, including the Henderson West Redevelopment Project. Brian Hiebner seconded. Roll vote: Ayes - Teri Pollet, Brian Hiebner, Mitch Huxoll and Kevin Friesen. Motion carried.

Kevin Friesen made a motion to adopt Resolution 2023 - 12, a resolution of the City Council of the City of Henderson, Nebraska, approving the Redevelopment Agreement and Authorizing the City and Community Development Agency to enter into said agreement. Mitch Huxoll seconded. Roll vote: Ayes - Kevin Friesen, Mitch Huxoll, Teri Pollet and Brian Hiebner. Motion carried.

Brian Hiebner made a motion to adopt Resolution 2023 - 13, a resolution of the City Council of the City of Henderson, Nebraska, authorizing the conveyance of certain real property to the Community Development Agency of the City of Henderson. Kevin Friesen seconded. Roll vote: Ayes - Brian Hiebner, Kevin Friesen, Mitch Huxoll and Teri Pollet. Motion carried.

Recommendations from the Planning Commission to name the new west subdivision were Highland Subdivision or Prairie West Subdivision. Teri Pollet made a motion to name the west subdivision Highland Subdivision. Brian Hiebner seconded. Roll vote: Ayes - Teri Pollet and Brian Hiebner. Nays - Kevin Friesen and Mitch Huxoll. Mayor Tessman cast the decisive vote in favor of the motion of Highland Subdivision. Motion carried.

At 7:31 p.m., Mayor Tessman opened the public hearing for consideration of a special exception request from John and Kaelea Saulsberry located at 971 11th Street to allow a gunsmith and gun appraisal business in an R2 - Medium Residential zoned district.

Discussion of education, security, signs, appointments, gun testing, gun manufacturing, ammo storage, inspection of property by ATF were all had.

Mayor Tessman closed the public hearing at 7:49 p.m.

After this discussion, Brian Hiebner made a motion to table this agenda item until discussion can be had with the City Attorney for liability and to gather more information. Kevin Friesen seconded. Roll vote: Ayes - Brian Hiebner, Kevin Friesen, Teri Pollet and Mitch Huxoll. Motion carried. This agenda item will be on the November agenda.

Brian Hiebner made a motion to approve the D.A. Davidson's Engagement and Disclosure letter for the Henderson General Obligation Various Purpose Bonds Series 2023. Teri Pollet seconded. Roll vote: Ayes - Brian Hiebner, Teri Pollet, Kevin Friesen and Mitch Huxoll. Motion carried.

Teri Pollet made a motion to approve the D.A. Davidson's Engagement and Disclosure letter for the potential issuance of Bond Anticipation Notes, Series 2023 for the Highland Subdivision infrastructure. Kevin Friesen seconded. Roll vote: Ayes - Teri Pollet, Kevin Friesen, Brian Hiebner and Mitch Huxoll. Motion carried.

Kevin Friesen gave an update on Aurora's ordinances for the number of dogs and cats allowed. No formal action taken.

The first reading of the ordinance to increase water and sewer rates by 7% starting in January was had. For residential water and sewer rate combined increase will be \$2.85 per month. The next reading will be at the November 14 meeting.

Kevin Friesen made a motion to enter into a construction contract with SENDD Contracting to construct a house at 1141 N Main Street, Henderson, not to exceed \$299,000. Teri Pollet seconded. Roll vote: Ayes - Kevin Friesen, Teri Pollet, Mitch Huxoll and Brian Hiebner. Motion carried.

Brian Hiebner made a motion to approve Miller and Associates Agreement for professional services for the asphaltic concrete overlay for Oak Street Improvements in the amount of \$19,800. Kevin Friesen seconded. Roll vote: Ayes - Brian Hiebner, Kevin Friesen, Mitch Huxoll and Teri Pollet. Motion carried.

Budget items for 2023 - 24 were reviewed. No formal action taken.

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

Corbin A. Tessman, Mayor
Connie Brown, City Clerk