

The regular meeting of the Mayor and City Council of the City of Henderson, Nebraska was held at 7:00 p.m. on December 9, 2024, at City Hall in Henderson, Nebraska. Notice of this meeting was posted at City Hall and published in the December 5, 2024, *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. The public may request the item to be placed on a future agenda for deliberation and/or action.

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.

Roll call showed the following present: Mayor Corbin Tessman. Council members: Mitch Huxoll, Brian Hiebner, Kevin Friesen and Teri Pollet.

Minutes from the November 12, 2024 meeting were reviewed. Kevin Friesen made a motion to accept the minutes as presented. Teri Pollet seconded. Roll vote: Ayes - Kevin Friesen, Teri Pollet, Brian Hiebner and Mitch Huxoll. Motion carried.

Mitch Huxoll made a motion to pay the claims as presented and to include the Cantrell Truck and Equipment Repair invoice in the amount of \$5,933.76 for repairs on the Case Payloader. Kevin Friesen seconded. Roll vote: Ayes - Mitch Huxoll, Kevin Friesen, Brian Hiebner and Teri Pollet. Motion carried.

Two building permits were issued since the last meeting. Rick Siebert for a mailbox and Corbin Tessman for storage containers located in the Industrial Park.

The third and final reading was held for Ordinance #461, an ordinance to increase water rates. Brian Hiebner made a motion to adopt Ordinance #461 to increase water rates by 3% starting January 1, 2025. Teri Pollet seconded. Roll vote: Ayes - Brian Hiebner, Teri Pollet, Kevin Friesen and Mitch Huxoll. Motion carried.

The third and final reading was held for Ordinance #462, an ordinance to increase sewer rates. Brian Hiebner made a motion to adopt Ordinance #462 to increase sewer rates by 3% starting January 1, 2025. Kevin Friesen seconded. Roll call: Ayes - Brian Hiebner, Kevin Friesen, Mitch Huxoll and Teri Pollet. Motion carried.

Kevin Friesen made a motion to adopt Resolution #2024-11, a resolution to authorize the Mayor to sign the Year-End Certification of Street Superintendent for 2024. Mitch Huxoll seconded. Roll vote: Ayes - Kevin Friesen, Mitch Huxoll, Teri Pollet and Brian Hiebner. Motion carried.

After reviewing the Well #2 Contract from Sargent Drilling, Brian Hiebner made a motion to approve the contract to drill a 16" x 205' municipal well with a 500 GPM submersible pump and a 6" discharge pipe in the amount of \$308,401. Kevin Friesen seconded. Roll vote: Ayes - Brian Hiebner, Kevin Friesen, Mitch Huxoll and Teri Pollet. Motion carried. This contract does not include electrical, NDEE review fee, site work, seeding or generator.

At 7:15 p.m., Mayor Tessman opened the public hearing to hear opposition, support or concerns for the following application submitted by the City of Henderson for re-zoning from R2 - Medium Density Residential District to F1 - Flex District for property located at Henderson Irrigation Subdivision, Midwest Addition, Part of IR Tr #39, Mainstay Subdivision and County Road Right-of-Way. The clerk explained when the council hired Marvin Planning Consultants to update the Comprehensive Plan and the Zoning Regulations, this area was zoned incorrectly and needed to be re-zoned to allow the existing businesses to be in compliance with zoning regulations.

At 7:20 p.m., Mayor Tessman closed the public hearing.

As there were no concerns or objections for the re-zoning, Kevin Friesen made a motion to adopt Ordinance #463, an ordinance to amend the Official Zoning Map by changing the zoning from R2- Medium Density Residential District to F1 - Flex District for property located at Henderson Irrigation Subdivision, Midwest Addition, Part of IR Tr #39, Mainstay Subdivision and County Road Right-of-Way; and to suspend the three readings on three different days. Brian Hiebner seconded. Roll vote: Ayes - Kevin Friesen, Brian Hiebner, Teri Pollet and Mitch Huxoll. Motion carried.

Miller and Associates' Agreement for Professional Services to provide drawings and specifications for an upgrade to the well systems control program was reviewed. Homer and Ruth Peters were present to provide support on upgrading the well systems control program and to make sure the modifications that have been done on the current system throughout the years are included in the specifications before advertising for bids.

After review and discussion, Kevin Friesen made a motion to accept Miller and Associates' Agreement to provide the drawings and specifications for an upgrade to the well systems control program in the amount of \$11,750 and to provide construction-related services on an hourly basis. Mitch Huxoll seconded. Roll vote: Ayes - Kevin Friesen, Mitch Huxoll, Teri Pollet and Brian Hiebner. Motion carried. The city clerk will provide the engineers with a list of modifications that have been performed and need to be included in the specifications.

At the September 10, 2024 regular council meeting, a public hearing was held for the re-zoning from TA-1, Transitional Agricultural District to R2 - Medium Density Residential District of a part of the proposed Highland Addition. As no public was present at the September 10, 2024 public hearing, an ordinance has been created for the formal adoption of the aforementioned re-zoning.

After review of the ordinance, Teri Pollet made a motion to adopt Ordinance #464, and ordinance for the re-zoning from TA-1, Transitional Agricultural District to R2 - Medium Density Residential District of a part of the proposed Highland Addition and to suspend the three readings on three different days. Kevin Friesen seconded. Roll vote: Ayes - Teri Pollet, Kevin Friesen, Mitch Huxoll and Brian Hiebner. Motion carried.

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

Mitch Huxoll made a motion to adopt CDA Resolution #2024-01, a resolution to approve a Minor Modification to the Redevelopment Plan for the Henderson West Redevelopment Project for the purpose to 1) Update the name of the residential subdivision; 2) Update the legal description of the Project Site in the Redevelopment Plan and 3) Update the mix of lots and units for the Project. Teri Pollet seconded. Roll call: Ayes - Mitch Huxoll, Teri Pollet, Brian Hiebner and Kevin Friesen. Motion carried.

Kevin Friesen made a motion to adopt CDA Resolution #2024-02, a resolution to correct the legal description for transfer of property for the Henderson West Redevelopment Project from the City of Henderson in the previously adopted Resolution #2023-13 dated October 10, 2023. Teri Pollet seconded. Roll vote: Ayes - Teri Pollet, Mitch Huxoll and Kevin Friesen. Motion carried.

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

Kevin Friesen made a motion to adopt Resolution #2024-12, a resolution to correct the legal description of the real property identified in the previously approved Resolution #2023-13 dated October 10, 2023 approving the conveyance of said property to the Community Development Agency of the City of Henderson. Teri Pollet seconded. Roll vote: Ayes - Kevin Friesen, Teri Pollet, Mitch Huxoll and Brian Hiebner. Motion carried.

Teri Pollet made a motion approve the Mayor's recommendation for 2025 appointments to include Miller and Associates as the City Engineer and Reed Miller as the Street Superintendent. Brian Hiebner seconded. Roll vote: Ayes - Teri Pollet, Brian Hiebner, Kevin Friesen and Mitch Huxoll. Motion carried.

Mitch Huxoll made a motion to approve the Mayor's appointment recommendations for 2025. Kevin Friesen seconded. Roll vote: Mitch Huxoll, Kevin Friesen, Teri Pollet and Brian Hiebner. Motion carried.

Mayor appointment recommendations for 2025 are as follows:

Water & Sewer Commissioner	Brian Hiebner
Swimming Pool/Recreation Commissioner	Teri Pollet
Parks Commissioner	Mitch Huxoll
Street Commissioner	Kevin J. Friesen
City Clerk	Connie Brown
City Attorney	Charles Campbell
Deputy City Attorney	Mike Murphy
City Engineer	Miller & Associates
Street Superintendent	Reed Miller - Miller & Associates
Chief of Police	John Prusia
Zoning Administrator	Milan Mierau
Health Officer	Dr. Jim Ohrt/Dr. Chris Vanderneck
Recreation Administrators	Recreation Committee
Pool Administrator	Angie Bergen

Reports were given. No formal action taken.

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

Corbin A. Tessman, Mayor
Connie Brown, City Clerk