

NOVEMBER 18, 2019 COMMUNITY DEVELOPMENT AGENCY MINUTES

A regular meeting of the CDA of the City of Fort Calhoun, Nebraska, was held in open and public session at 7:00, on Monday, November 18, 2019 at the Fort Calhoun Council Chambers, in Fort Calhoun, Nebraska.

Notice of the meeting was given in advance thereof by publication, said form of notice being a designated method for giving notice, an affidavit of publication being attached to these minutes.

Advance notice of this meeting was also given to the Chairman and all CDA Members. Availability of the agenda was communicated in the advance notice and in the notice to the Chairman and CDA Members.

Chairman Robinson publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act was available for review and indicated the location of such copy in the room where the meeting was being held.

Please note that the meeting minutes are not approved until the next regular City Council meeting.

On roll call, the following CDA Members answered present: Nick Schuler, Lori Lammers, Bob Prieksat, and Terry Fitzgerald.

With a quorum present, Chairman Robinson presided, and the secretary recorded the proceedings.

Member Schuler introduced **Resolution 2019-13 – Redevelopment Plan Amendment – Northern Hills Ventures Redevelopment Project**. Andrew Willis, TIF Council for the City of Fort Calhoun, discussed the amendment to the redevelopment plan. He explained what they look at in terms of legal matters, such as TIF amounts, TIF uses, and if it's in the blighted area. He doesn't see any issues and believes it meets all of the requirements. Michael Sands, TIF Attorney for Northern Hills Ventures, discussed the details of the project and design. Member Schuler moved for its passage and adoption. Motion seconded by member Lammers. On roll call the following voted "Aye": Fitzgerald, Schuler, Lammers, and Prieksat. The passage and adoption of said Resolution having been concurred by most of all members of the CDA, the Chairman declared the Resolution adopted and, in the presence of the CDA, signed and approved the Resolution and the Secretary attested the passage and approval of the same and affixed her signature thereto.

A true and complete copy of the said Resolution is as follows:

COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF FORT CALHOUN, NEBRASKA

RESOLUTION 2019-13

(Amendment to Redevelopment Plan – Northern Hills Ventures, LLC Redevelopment Project)

A RESOLUTION OF THE COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF FORT CALHOUN, NEBRASKA, RECOMMENDING APPROVAL AND ADOPTING AN AMENDMENT TO THE REDEVELOPMENT PLAN OF THE CITY OF FORT CALHOUN, NEBRASKA AND COST BENEFIT ANALYSIS FOR THE REDEVELOPMENT PROJECT IN THE REDEVELOPMENT PLAN AMENDMENT.

RECITALS

A. The City of Fort Calhoun, Nebraska ("City"), has adopted a general redevelopment plan ("Redevelopment Plan") for certain portions of the City of Fort Calhoun, Nebraska as defined in the Redevelopment Plan (the "Redevelopment Area").

B. The Community Development Agency of the City of Fort Calhoun, Nebraska ("CDA"), in furtherance of the purposes and pursuant to the provisions of the Community Development Law, Neb. Rev. Stat. §§ 18-2101 to 18-2154, as amended (the "Act") has prepared the Amendment to the Redevelopment Plan attached hereto as Exhibit "A" and incorporated by this reference (the "Amendment").

C. The Amendment would create a specific redevelopment project on a portion of the Redevelopment Area as described in the Amendment ("Project").

D. The Project would use tax increment financing from a specified project site pursuant to Section 18-2147 of the Act to assist in paying for the costs incurred by the City to construct the eligible public improvements for the Project.

E. The CDA is required under Section 18-2113(2) of the Act to conduct a cost-benefit analysis for any project which shall use tax increment financing.

F. The CDA has conducted a cost-benefit analysis for the Project, and said cost-benefit analysis is attached to the Amendment as Exhibit "G" (the "Cost-Benefit Analysis").

G. The CDA submitted the question of whether the Redevelopment Plan Amendment should be recommended to the City Council to the Planning Commission of the City of Fort Calhoun.

H. The Planning Commission recommended the approval of the Redevelopment Plan Amendment on November 12, 2019.

I. The CDA has determined that the Project would not occur in the Redevelopment Area and could not be financed or constructed but for the use of Tax Increment Financing.

J. Statements of the proposed method and estimated cost of the acquisition and preparation for redevelopment of the redevelopment project area and the estimated proceeds or revenue from its disposal to redevelopers, the proposed method of financing the redevelopment project, and a feasible method proposed for the relocation of families to be displaced from the redevelopment project area, if applicable, are set forth in the Amendment to the Redevelopment Plan and the Cost-Benefit Analysis.

NOW THEREFORE, BE IT RESOLVED by the Community Development Agency of the City of Fort Calhoun, Nebraska, as follows:

1. The Amendment will, in accordance with the present and future needs of the City of Fort Calhoun, promote the health, safety, morals, order, convenience, prosperity, and the general welfare of the community in conformance with the legislative declarations and determinations set forth in the Act.
2. The Amendment is in conformance with the general plan for development of the City of Fort Calhoun as a whole, as set forth in the City of Fort Calhoun Comprehensive Plan, as amended.
3. The costs and benefits of the Project defined in the Amendment have been found to be in the best interest of the City of Fort Calhoun.
4. The Project Site is within the Redevelopment Area.
5. The Project would not be economically feasible and would not occur in the Redevelopment Area without the use of Tax Increment Financing on the Project.

BE IT FURTHER RESOLVED, pursuant to the provisions of the Act and in light of the foregoing findings and determinations, the CDA hereby approves the Amendment and the Cost Benefit Analysis and recommends approval of the same by the City Council of the City of Fort Calhoun.

BE IT FURTHER RESOLVED, the CDA hereby rescinds any other resolutions or actions that are contradictory or incompatible with this Resolution.

Dated this 18th day of November, 2019.

COMMUNITY DEVELOPMENT AGENCY
of the City of Fort Calhoun, Nebraska
Mitch Robinson, Chairman

ATTEST:
Alicia Koziol, Secretary

Following a motion and vote, Mayor Robinson declared the meeting adjourned at 7:16 p.m.

Mitch Robinson, Chairman

ATTEST: Alicia Koziol, Secretary

NOVEMBER 18, 2019 CITY COUNCIL MINUTES

A regular meeting of the City Council of the City of Fort Calhoun, Nebraska, was held in open and public session at 7:17, on Monday, November 18, 2019 at the Fort Calhoun Council Chambers, in Fort Calhoun, Nebraska.

Notice of the meeting was given in advance thereof by publication, said form of notice being a designated method for giving notice, an affidavit of publication being attached to these minutes.

Mayor Robinson publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act was available for review and indicated the location of such copy in the room where the meeting was being held.

In accordance with Section 84-1412 sub section eight (8) of the Reissue Revised State Statutes of the State of Nebraska 1943, as amended, one copy of all reproducible written material to be discussed is available to the public at this meeting for examination and copying.

Mayor Robinson stated persons wishing to address the Governing Body on an agenda item shall wait to be identified by the Presiding Officer; then, after stating their name and address for the record, may proceed to speak. No person, other than the Council and the person having the floor will be permitted to enter any discussion without the permission of the Presiding Officer. Remarks shall be limited to five minutes unless extended or limited and repetitive or cumulative remarks may be limited or excluded by the Presiding Officer.

Please note that the meeting minutes are not approved until the next regular City Council meeting.

On roll call, the following Council Members answered present: Terry Fitzgerald, Nick Schuler Lori Lammers, and Bob Prieksat.

With a quorum present, Mayor Robinson presided, and the clerk recorded the proceedings.

Member Prieksat made a motion, seconded by member Fitzgerald to approve the consent as presented. With members Prieksat, Fitzgerald, Schuler, and Lammers voting "Aye", motion carried.

(The consent agenda included: October 21, 2019 City Council minutes; October Treasurers Report; November 12, 2019 Planning Commission minutes; November 7, 2019 Park Board minutes; October 28, 2019 Enhancement Committee minutes; Maintenance Report; October 2019 Washington County Sheriff's Report)

Member Prieksat made a motion seconded by member Schuler to approve the following bills:

OPPD, 2544.08, utl; MUD, 130.17, utl; Papio M-R NRD, 4508.35, water; Abe's Trash, 179.70, ser; Access Systems Leasing, 187.44, sup; Aflac, 378.64, ben; Am. Broadband, 532.49, utl; Barco, 361.00, sup; Blair Ace Hardware, 111.77, sup; Bobcat of Omaha, 1812.00, ser; BOK Financial, 7665.76, bond; Bomgaars, 1766.15, sup; City of Blair, 6011.91, ser; Conoco Fleet, 388.93, ser; Cornerstone Surveying, 910.00, ser; EFTPS, 2202.67, payroll tax; Electric Pump, 12453.20, ser; Enterprise Media, 377.36, ser; JDW Midwest, 561.93, ser; Jensen Well Co, 817.43, ser; JEO Consulting, 1445.00, ser; John Deere Financial, 7.23, sup; Michael Todd & Co, 46.20, sup; NE DHHS Public Health, 28.75, lic; NE Municipal Power Pool, 16515.00, software; NE Sales Tax, 2732.33, tax; One Call Concepts, 80.99, ser; Postmaster, 142.10, ser; Quality Pest Control, 221.93, ser; Talbot Law, 1015.00, ser; United Healthcare, 6747.74, ins; Verizon, 130.74, exp; VISA(Two Rivers), 2963.38, sup; Washington County Sheriff, 11384.60, ser; Washington County, 12654.89, ser; Washington County Roads, 280.00, sup; With members Lammers, Prieksat, Fitzgerald, and Schuler voting "Aye", motion carried.

The public hearing relating to "AMENDMENT TO THE GENERAL REDEVELOPMENT PLAN OF THE CITY OF FORT CALHOUN, NEBRASKA (NORTHERN HILLS VENTURES, LLC, REDEVELOPMENT PROJECT)" FOR REDEVELOPMENT PURSUANT TO THE COMMUNITY DEVELOPMENT LAW, NEBRASKA REVISED STATUTES, SECTIONS 18-2101, ET SEQ., WITHIN THE BLIGHTED AND SUBSTANDARD REDEVELOPMENT AREA LEGALLY DESCRIBED AS NORTHERN LIGHTS, LOT 1 BLOCK 9, A SUBDIVISION OF THE CITY OF FORT CALHOUN, WASHINGTON COUNTY, NEBRASKA opened at 7:20 p.m. There were no written or public comments. The public hearing closed at 7:20 p.m.

Member Prieksat made a motion seconded by member Fitzgerald to approve the request for SDL for The Blair Cosmopolitan Wild Game Feed Friday, February 21, 2020 at Schwertly Hall, 5:00 p.m. – 9:00 p.m. With members Schuler, Lammers, Prieksat, and Fitzgerald voting "Aye", motion carried.

Member Prieksat made a motion seconded by member Lammers to approve the FCYSO Christmas in Calhoun 3 mile and 1 mile fun run route from 9:00 am to 11:00 am on December 14th, 2019. With members Fitzgerald, Schuler, Lammers, and Prieksat voting "Aye", motion carried.

Larry Kusek with the American Legion requested for the city to split the cost of a new set of 40 flags (\$800) for main street. The cost for the city would be \$400. Member Schuler made a motion seconded by member Fitzgerald for the city to pay the full amount of \$800 for the flags out of Keno funds. With members Prieksat, Fitzgerald, Schuler, and Lammers voting "Aye", motion carried.

Member Fitzgerald made a motion seconded by member Prieksat to approve the use of Keno funds to pay for Power Manager software (\$11,250), upon legal review for use of Keno funds. With members Lammers, Prieksat, Fitzgerald, and Schuler voting "Aye", motion carried.

Lucas Billesbach, City Engineer, gave an update on the 2019 Betts Circle Drainage project. The project is complete. A meeting is scheduled to discuss liquidated damages with the contractor.

City Engineer gave an update on the 2020 7th & Monroe Intersection Improvements Project. Game & Parks have executed their design agreement. Lucas said they are still looking at 2021 for a construction date.

City Engineer gave an update on the 2020 Adams Street Corridor Park Improvements Phase 2 & 3 Project. The committee had a kick-off meeting and plans should be submitted in February.

Member Schuler introduced **Resolution 2019-14 – Redevelopment Plan Amendment – Northern Hills Ventures Redevelopment Project** and moved for its passage and adoption. Motion seconded by member Prieksat. On roll call the following voted “Aye”: Schuler, Lammers, Prieksat, and Fitzgerald. The passage and adoption of said Resolution having been concurred by most of all members of the Council, the Mayor declared the Resolution adopted and, in the presence of the Council, signed and approved the Resolution and the Clerk attested the passage and approval of the same and affixed her signature thereto.

A true and complete copy of the said Resolution is as follows:

RESOLUTION 2019-14

(Amendment to Redevelopment Plan – Northern Hills Ventures, LLC Redevelopment Project)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA, APPROVING AN AMENDMENT OF THE REDEVELOPMENT PLAN FOR THE CITY OF FORT CALHOUN, NEBRASKA, INCLUDING A SPECIFIC REDEVELOPMENT PROJECT.

RECITALS

A. The Community Development Agency of the City of Fort Calhoun (“CDA”) has recommended that the Redevelopment Plan for the Redevelopment Area in the City of Fort Calhoun, a copy of which is on file and available for public inspection with the City Clerk, (the “Redevelopment Plan”) should be amended to include a project for the redevelopment of certain real property within the Redevelopment Area identified and legally defined in said amendment (the “Project Site”).

B. The proposed amendment to the Redevelopment Plan (“Redevelopment Plan Amendment”) is on file and available for public inspection with the Fort Calhoun City Clerk.

C. The Redevelopment Plan Amendment includes the Northern Hills Ventures, LLC redevelopment project (the “Project”) that will utilize tax increment financing pursuant to Neb. Rev. Stat. § 18-2147.

D. The CDA submitted the question of whether the Redevelopment Plan Amendment should be recommended to the City Council to the Planning Commission of the City of Fort Calhoun.

E. The Planning Commission recommended the approval of the Redevelopment Plan Amendment on November 12, 2019.

F. On November 18, 2019, the City Council held a public hearing relating to the question of whether the Redevelopment Plan should be adopted and approved by the City. All interested parties were afforded at such public hearing a reasonable opportunity to express their views respecting the submitted question.

G. The City Council has reviewed the Redevelopment Plan Amendment, the cost benefit analysis for the Project prepared for the CDA and attached to the Redevelopment Plan Amendment, and the recommendations of the Planning Commission, and has duly considered all statements made and material submitted related to the submitted question.

NOW THEREFORE, it is found by the City Council of the City of Fort Calhoun, Nebraska, in accordance with the Community Development Law, Neb. Rev. Stat. §§ 18-2101 through 18-2154 (the “Act”), as follows:

1. The Project Site is in need of redevelopment to remove blight and substandard conditions identified pursuant to Section 18-2109 of the Act.
2. The Redevelopment Plan Amendment will, in accordance with the present and future needs of the City of Fort Calhoun, promote the health, safety, morals, order, convenience, prosperity, and the general welfare of the community in conformance with the legislative declarations and determinations set forth in the Act.
3. The Redevelopment Plan Amendment is in conformance with the general plan for development of the City of Fort Calhoun as a whole, as set forth in the City of Fort Calhoun Comprehensive Plan, as amended.
4. The cost and benefits set forth in the Project cost benefit analysis are found to be in the long-term best interest of the City of Fort Calhoun.
5. The Project would not be economically feasible without the use of tax increment financing.
6. The Project would not occur on the Redevelopment Area without the use of tax increment financing.

BE IT RESOLVED, that pursuant to the provisions of the Act and in light of the foregoing findings and determinations, the Redevelopment Plan Amendment is hereby approved and adopted by the City Council as the governing body for the City of Fort Calhoun.

Dated this 18th day of November, 2019.

CITY OF FORT CALHOUN, NEBRASKA
Mitch Robinson, Mayor

ATTEST: Alicia Koziol, City Clerk

Member Prieksat made introduced **Resolution 2019-15 – Year-End Certification of City Street Superintendent** and moved for its passage and adoption. Motion seconded by member Fitzgerald. On roll call the following voted “Aye”: Fitzgerald, Schuler, Lammers, and Prieksat. The passage and adoption of said Resolution having been concurred by most of all members of the Council, the Mayor declared the Resolution adopted and, in the presence of the Council, signed and approved the Resolution and the Clerk attested the passage and approval of the same and affixed her signature thereto.

A true and complete copy of the said Resolution is as follows:

**SIGNING OF THE
YEAR-END CERTIFICATION OF CITY STREET SUPERINTENDENT FORM
2019**

Whereas: State of Nebraska Statutes, sections 39-2302, and 39-2511 through 39-2515 details the requirements that must be met in order for a municipality to qualify for an annual Incentive Payment;

Whereas: The State of Nebraska Department of Transportation (NDOT) requires that each incorporated municipality must annually certify (by December 31st of each year) the appointment of the City Street Superintendent to the NDOT using the Year-End Certification of City Street Superintendent form;

Whereas: The NDOT requires that such certification shall also include a copy of the meeting minutes showing the appointment of the City Street Superintendent by their name as it appears on their License (if applicable), their License Number and Class of License (if applicable), and type of appointment, i.e., employed, contract (consultant, or interlocal agreement with another incorporated municipality and/or county), and the beginning date of the appointment; and

Whereas: The NDOT also requires that such Year-End Certification of City Street Superintendent form shall be signed by the Mayor or Village Board Chairperson and shall include a copy of a resolution of the governing body authorizing the signing of the Year-End Certification of City Street Superintendent form by the Mayor or Village Board Chairperson.

Be it resolved that the Mayor of Fort Calhoun is hereby authorized to sign the attached Year-End Certification of City Street Superintendent form.

Adopted this 18th day of November, 2019 at Fort Calhoun, Nebraska.

Attest: Alicia Koziol, City Clerk

Member Schuler made a motion seconded by member Fitzgerald to approve the use of Keno funds for Christmas lights (\$2,132.64). With members Prieksat, Fitzgerald, Schuler, and Lammers voting “Aye”, motion carried.

Mayor Robinson announced the member appointments for the Splash Pad Design Committee. The members include: Nick Schuler, Bob Prieksat, Tessa Rutledge, Kris Richardson, Sunny Welchert, Mike Smith, and Rance Johnson.

Following a motion and vote, Mayor Robinson declared the meeting adjourned at 7:37 p.m.

Mitch Robinson, Mayor

ATTEST: Alicia Koziol, City Clerk