ARAPAHOE, NEBRASKA April 2, 2024

The Community Redevelopment Authority of the City of Arapahoe, Nebraska, met in regular session at the EMCC Council Room at 7:28 P. M. on April 2, 2024, pursuant to notice posted in the city office and published in the Valley Voice. CRA members present: Middagh, Kreutzer, tenBensel, Polston. Absent: Carpenter. City Staff present City Clerk/Treasurer Donna Tannahill.

**COMMUNITY REDEVELOPMENT AUTHORITY**

**OF THE CITY OF ARAPAHOE, NEBRASKA**

**RESOLUTION NO. 2024-07**

(Sale of Property to Cakin Care of Business, LLC)

**A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AUTHORITY OF THE CITY OF ARAPAHOE, NEBRASKA, APPROVING THE SALE OF CERTAIN REAL PROPERTY.**

**Recitals**

1. The Community Redevelopment Authority of the City of Arapahoe, Nebraska (the “CRA”) owns or will own certain real property legally defined as:

Lots 10, 11 & 12, Block 77, Original Town, Arapahoe, Furnas County, Nebraska (the “Property”).

1. Pursuant to the Community Development Law, Neb. Rev. Stat. §§ 18-2101 to 18-2157 (the “Act”), the City has adopted a Redevelopment Plan for a certain redevelopment area identified as Redevelopment Area #2 (the “Redevelopment Area”) in the City of Arapahoe, as amended (the “Redevelopment Plan”).
2. The Property is located within the Redevelopment Area.
3. The CRA desires to sell the Property to Takin Care of Business, LLC, a Nebraska Based Business (“Buyer”), for purposes of constructing a building on the Property and operating a Retail Bakery on the Property (the “Project”).
4. The Project is consistent with the Redevelopment Plan.
5. Pursuant to Section 18-2118 of the Act, the CRA may sell real property in the Redevelopment Area at its fair value for uses in accordance with the Redevelopment Plan. In determining fair value of real property for uses in accordance with the Redevelopment Plan, the CRA shall take into account into account and give consideration to: (1) the uses and purposes required by the Redevelopment Plan; (2) the restrictions upon, and the covenants, conditions, and obligations assumed by the redeveloper; (3) the objectives of the Redevelopment Plan for the prevention of the recurrence of substandard and blighted areas; and (4) such other matters as the CRA shall specify as being appropriate.
6. The CRA has prepared a Real Estate Purchase Agreement for the Project, a copy of which is attached hereto as Exhibit “A” (the “Purchase Agreement”) and incorporated by this reference.
7. The CRA has determined that the Property will be sold to Buyer for fair value based upon the purchase price set forth in the Purchase Agreement, the construction requirements set forth in the Purchase Agreement, Buyer’s use of the Property for commercial purposes, and the elimination of blight and substandard conditions on the Property.

NOW THEREFORE, be it resolved by the CRA:

1. The CRA hereby approves the sale of the Property to Buyer and the form of the Purchase Agreement.
2. The CRA authorizes the Chairperson of the CRA to execute and enter into the Purchase Agreement on the CRA’s behalf and to take any further actions necessary to effectuate the sale of the Property to Buyer.
3. The CRA hereby rescinds any other resolutions or actions that are contradictory or incompatible with this Resolution.

Dated this 2nd day of April, 2024.

COMMUNITY REDEVELOPMENT AUTHORITY OF THE CITY OF

ARAPAHOE, NEBRASKA

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Chris Middagh, Chairperson

ATTEST:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Donna Tannahill, Clerk

Motion by CRA member Kreutzer and seconded by CRA Member tenBensel to move for the passage of Resolution 2024-07 selling 212 7th St to Cakin’ Care of Business LLC and Nebraska Limited Liability Corporation.

Roll call to vote on Resolution 2024-07 was as follows:

Ayes: Middagh, Polston, Kreutzer, tenBensel

Nays: None

Abstain:

Absent and Not Voting: Carpenter

The CRA Chairman declared the motion carried.

There being no further business, the meeting adjourned by unanimous consent 7:31 p.m.

I, the undersigned, City Clerk, of the City of Arapahoe, Nebraska, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Council on April 2, 2024 that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the office of the City Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that such agenda items were sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes from which the foregoing proceedings have been extracted were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting and that a current copy of the Nebraska Open Meetings Act was available and accessible to members of the public, posted during such meeting in the room in which such meeting was held.

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Donna Tannahill, City Clerk

ARAPAHOE, NEBRASKA April 2, 2024

The City Council of the City of Arapahoe, Nebraska, met in regular session at the EMCC Council Room at 7:31 P. M. on April 2, 2024, pursuant to notice posted in the city office and published in the Valley Voice. Councilmen present: Middagh, Kreutzer, Paulsen, tenBensel, Polston. Absent: Carpenter City Staff present: Greg Schievelbein City Superintendent, City Clerk/Treasurer Donna Tannahill.

Mayor Koller presided over the meeting. Visitors present for all or a portion of the meeting were: Matt Faw with the golf board, Bobbi Pettit and with 5 Rule, Chase Edicott in Chambers and Angela Mitchell with Valley Voice and Doug Christiansen via Zoom. The location of the posted Open Meetings Act was stated. The Mayor welcomed all visitors and gave each the opportunity to state their name and the agenda item they wish to speak on.

Public Comments: Chase rents and sells heavy equipment. Council gave him ideas on places that might work for his business.

**Consent Agenda:**

Motion by Councilman Paulsen and second by Councilman Kreutzer for approval of the following consent agenda:

Minutes: Copy of the Minutes from the March 19, 2024 regular meeting were included in the Council packets.

Claims: Claims and Payroll for the period March 20, 2024 thru April 2, 2024

|  |  |  |
| --- | --- | --- |
|  | **March Receipts** |  |
|  | General Receipts | 37,373.89 |
|  | Street & Alley Receipts | 26,121.76 |
|  | Golf Receipts | 8,692.24 |
|  | Park Receipts | 345.00 |
|  | Fire Department Receipts | 1,366.84 |
|  | Library Receipts |  |
|  | Medical Receipts | 1,550.00 |
|  | Cemetery Receipts |  |
|  | Local Sales Tax | 25,135.33 |
|  | Light Receipts | 97,488.55 |
|  | Water Receipts | 49,294.74 |
|  | Sewer Receipts | 9,214.14 |
|  |  | **256,582.49** |
|  |  |  |
|  | **EXPENSES 3/20/24 - 4/2/24** |  |
|  | Payroll March 26 | 11,689.68 |
| 101830 | EFTPS - withholdings | 3,122.29 |
| 101827 | AFLAC - optional employee insurance | 284.04 |
| 101828-52 | Black Hills - city gas | 595.21 |
| 101832 | HSA - monthly contribution | 797.16 |
| 101823-71-72 | NE Dept Rev - wh & st tax | 7,242.13 |
| 101824 | Verizon - cell phones | 94.44 |
| 101835 | Charles Schwab - retirement | 2,404.40 |
| 101836 | Chesterman - soda | 45.00 |
| 101837-38 | CrawfordRepair - cart repairs | 1032.18 |
| 101839 | Credit Management - garnishment | 366.66 |
| 101840 | First Central Bank - ACH fees | 29.10 |
| 101841 | LARM - golf cart upgrade | 193.00 |
| 101842 | A Schrock - cleaning svc | 100.00 |
| 101843 | TVPPD - sub-Transmission | 6,962.32 |
| 101844 | Furnas County Treasurer - monthly fee | 5,666.67 |
| 101845 | Hometown Leasing - leases | 247.21 |
| 101846 | Century Link - police phone | 43.43 |
| 101847 | Debit - Clerk school expenses | 598.00 |
| 101848 | Dixie Sickels - mileage | 278.72 |
| 101849 | Ag Valley - fuel | 2,030.24 |
| 101850 | Aramark - mats and mops | 205.51 |
| 101851 | RayAnn Roskop – reimburse pool operators recert | 80.00 |
| 101853 | Margo Supplies - blanks, poppers and launcher | 299.16 |
| 101854 | Water & Light - city utilities | 5,141.16 |
| 101855 | Landmark - locknuts | 33.44 |
| 101856-57 | ATC - phones | 860.78 |
| 101858 | Postmaster - UB Postage | 252.80 |
| 101859 | D&N - faucets | 176.28 |
| 101860 | Eakes - supplies | 319.06 |
| 101861 | Five Rule Rural Planning - 3rd Qtr. invoice | 7,800.00 |
| 101862 | Olsson - street super svc final landmark | 2,150.99 |
| 101863 | S&W - repairs | 365.78 |
| 101864 | Menard's water heater | 673.03 |
| 101866 | 7-D Lock shop - padlocks | 179.40 |
| 101867 | Applied Communications Technology - wireless keyboard & Mouse | 38.95 |
| 101868 | Sharita Burton - mileage reimbursement | 42.58 |
| 101869 | NPPD - March Power | 47,839.98 |
| 101870 | Schaben Sanitation - March Fees | 10,127.73 |
| 101873 | D & D Service - repairs | 2,120.59 |
| 101874 | 1 Call Concepts - diggers hotline | 29.18 |
| 101875 | Gary Schievelbein - light bulb | 33.80 |
| 101876 | Vernon Manufacturing - lift station repairs | 360.00 |
|  | **TOTAL EXPENSES** | **122,952.08** |

Roll call vote on the consent agenda motion was as follows:

Ayes: Polston, Middagh, Kreutzer, tenBensel, Paulsen

Nays: None

Abstain: Middagh 101863 for $365.78

Absent and Not Voting: Carpenter

The Mayor declared the motion carried.

C**ITY REPORTS:**

Economic Development: VPR: 5 active properties. Herbert house on Chestnut needs to be put on VPR and or dangerous building, take pictures and send to Bobbi.

May 20th is planting date. Pine needles Pallet of.

Motion by Councilman Middagh and second by Councilman tenBensel to approve Common Scents quote for $4,857 estimated to plant the trees, shrubs and perennials in the downtown flower boxes.

Roll call vote on the motion was as follows:

Ayes: Paulsen, Polston, Middagh, Kreutzer, tenBensel

Nays: None

Abstain:

Absent and Not Voting: Carpenter

The Mayor declared the motion carried.

Motion by Kreutzer and second by Paulsen to approve up all expenditures on the downtown planter boxes up to the 5 thousand match with the grant.

Roll call vote on the motion was as follows:

Ayes: tenBensel, Paulsen, Polston, Middagh, Kreutzer

Nays: None

Abstain:

Absent and Not Voting: Carpenter

The Mayor declared the motion carried.

City Superintendent: Gave Report.

City Treasurer: Gave Report.

**COMMITTEE REPORTS**:

Motion by Councilman Paulsen and second by Councilman tenBensel to agree to bring man from Cambridge to work on sprinklers in troubled areas only.

Roll call vote on the motion was as follows:

Ayes: tenBensel, Paulsen, Polston, Middagh, Kreutzer

Nays: None

Abstain:

Absent and Not Voting: Carpenter

The Mayor declared the motion carried.

**BUSINESS**

**Unfinished Business:**

**New Business:**

Motion by Councilman Middagh and second by Councilman tenBensel to suspend the statutory three readings for Ordinance 2024-03

Roll Call to Vote was as follows:

Ayes: Kreutzer, tenBensel, Paulsen Poston, Middagh

Nays: None

Absent: Carpenter

The Mayor declared motion passed.

Councilman Middagh introduced Ordinance 2024-03 and moved for its passage.

ORDINANCE NO. 2024-03

AN ORDINANCE AMENDING ORDINANCE 2008-07 AND ORDERING PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF ARAPAHOE, NEBRASKA:

SECTION 1.  **PROPERTY AFFECTED**:

Lots Nine (9) and Ten (10), Block Seventy-eight (78), Original Town of Arapahoe, Furnas County, Nebraska

SECTION 2. **RELEASE OF LIEN**: WHEREAS, THE CITY HAS TRANSFERRED THE ABOVE PROPERTY TO THE COMMUNITY REDEVELOPMENT AUTHORITY, AND THE SAME HAS BEEN SUBSEQUENTLY SOLD BY THE CRA, THE CITY DESIRES TO RELEASE THE LIEN IN THE AMOUNT OF $4000.OO UPON SAID PROPERTY CREATED BY ORDINANCE 2008-07.

SECTION 3. **CERTIFIED COPY TO COUNTY CLERK**. THE CITY CLERK IS HEREBY AUTHORIZED FORTHWITH UPON THE PASSAGE, APPROVAL AND PUBLICATION OF THIS ORDINANCE TO FORWARD A CERTIFIED COPY THEREOF TO THE COUNTY CLERK OF FURNAS COUNTY, NEBRASKA.

SECTION 4. **WHEN OPERATIVE**. THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

PASSED AND APPROVED THIS 2nd DAY OF April, 2024.

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MAYOR

ATTEST:

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CITY CLERK

*STATE OF NEBRASKA )*

*COUNTY OF FURNAS )SS.*

*CITY OF ARAPAHOE )*

I, the undersigned city clerk of the city of Arapahoe, Furnas county, Nebraska, hereby certify that the above and foregoing is a true and correct copy of the original ordinance duly passed by the mayor and city council of the city of Arapahoe, Nebraska, as the same appears in my records as such city clerk.

Witness my hand and the Seal of the City of Arapahoe, this 2nd day of April, 2024.

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Donna Tannahill, City Clerk

( S E A L )

Councilman Kreutzer second the motion for passage of Ordinance 2024-03.

Roll Call to Vote on Ordinance 2024-03 was as follows:

Ayes: Middagh, Kreutzer, tenBensel, Paulsen, Poston

Nays: None

Absent: Carpenter

The Mayor declared Ordinance No 2024-03 passed.

Motion by Councilman Middagh and second by Councilman Kreutzer to approve Claim #101865 to Carlos Tena for 810 Vine Street also known as West Side Apartments for first half of Rehab Grant $10,000.

Roll Call to Vote on the motion was as follows:

Ayes: Polston, Middagh, Kreutzer, tenBensel, Paulsen

Nays: None

Absent: Carpenter

The Mayor declared motion passed.

Motion by Councilman Kreutzer and second by Councilman Middagh to approve the CRA application for Micro TIF on 212 7th St.

Roll Call to Vote was as follows:

Ayes: Middagh, tenBensel, Polston, Kreutzer, Paulsen

Nays: None

Absent: Carpenter

The Mayor declared motion passed.

**ELECTED OFFICIAL COMMENTS.**

There being no further business, the meeting adjourned by unanimous consent 9:25 p.m.

I, the undersigned, City Clerk, of the City of Arapahoe, Nebraska, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Council on April 2, 2024 that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the office of the City Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that such agenda items were sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes from which the foregoing proceedings have been extracted were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting and that a current copy of the Nebraska Open Meetings Act was available and accessible to members of the public, posted during such meeting in the room in which such meeting was held.

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Donna Tannahill, City Clerk