

A meeting of the Mayor and City Council of the City of Wisner, Nebraska, was held at the Council Chambers of the City on the 21<sup>st</sup> day of March, 2022, at 7 o'clock P.M. Present were Mayor: Chad Dixon, and Council Members: Terry Soden, Jay Meyer, Barry Meyer, and Cathy Gobar. Absent: None. Advance notice of the meeting was given by publication, a designated method of giving notice, as shown by the Affidavit of Publication attached to these minutes. Notice of this meeting was given to the Mayor and all members of the Council and a copy of their acknowledgment of receipt of notice and the agenda is attached to the minutes. The public notice and the notice to the Mayor and the Council of the meeting included a statement that the meeting agenda was available for inspection prior to the meeting. The proceedings shown below were conducted while the convened meeting was open to the public to attend. The Mayor 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 posted in the room where the meeting was held.

Council Member Soden introduced Ordinance No. 2022-1166 entitled:

**AN ORDINANCE AMENDING ORDINANCE NO. 2022-1165 CREATING STREET IMPROVEMENT DISTRICT NO. 2022-1 AND STREET IMPROVEMENT DISTRICT NO. 2022-2 IN THE CITY OF WISNER, NEBRASKA, AUTHORIZING THE CONSTRUCTION OF STREET IMPROVEMENTS IN SAID DISTRICTS, AND ORDERING THE PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM.**

and moved that the statutory rule requiring reading on three different days be suspended. Council Member Gobar seconded the motion to suspend the rule and upon roll call vote on the motion the following Council Members voted AYE: Soden, Jay, Barry, and Gobar. The following voted NAY: None. The motion to suspend the rule was adopted by three-fourths of the Council and the statutory rule was declared suspended for consideration of the ordinance.

The ordinance was then read by title and thereafter Council Member Gobar moved for final passage of the ordinance. The motion was seconded by Council Member Jay. The Mayor then stated the question was "Shall Ordinance No. 2022-1166 be passed and adopted?" Upon roll call vote, the following Council Members voted YEA: Soden, Jay, Barry, and Gobar. The following voted NAY: None. The passage and adoption of the ordinance having been concurred in by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor in the presence of the Council signed and approved said ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto and ordered the Ordinance to be published in pamphlet form as provided therein and to be posted in three public places in the City. A true, correct, and complete copy of the Ordinance is as follows:

ORDINANCE NO. 2022-1166

**AN ORDINANCE AMENDING ORDINANCE NO. 2022-1165 CREATING STREET IMPROVEMENT DISTRICT NO. 2022-1 AND STREET IMPROVEMENT DISTRICT NO. 2022-2 IN THE CITY OF WISNER, NEBRASKA, AUTHORIZING THE CONSTRUCTION OF STREET IMPROVEMENTS IN SAID DISTRICTS, AND ORDERING THE PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM.**

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WISNER, NEBRASKA, that Ordinance No. 2022-1165 adopted by the City Council on February 22, 2022, is hereby amended to revise and correct the cost estimates for the street improvements to be completed and make other minor modifications so that after amendment, the entire Ordinance shall be amended to read in its entirety as follows:

Section 1. That there is hereby created in the City of Wisner, Nebraska, a street improvement district to be known and designated as Street Improvement District No. 2022-1(Commercial) of the City of Wisner, Nebraska.

Section 2. That the outer boundaries of Street Improvement District No. 2022-1 (Commercial) shall include, in addition to the streets to be improved, all the property abutting on such streets to be improved and within which district, the following streets shall be graded, constructed and rocked/graveled as a 33-foot wide (more or less) street, together with all necessary appurtenances related thereto, including grading, subgrade preparation, earthwork, application of rock/gravel, and fine grading: **24<sup>th</sup> Street from Road S to M Avenue; M Avenue from 24<sup>th</sup> Street to 22<sup>nd</sup> Street, and 22<sup>nd</sup> Street from M Avenue to Road S.** The following parcels are included in the District: Lots 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42 and 42, Grandview Estates, City of Wisner, Cuming County, Nebraska.

Section 3. That there is hereby created in the City of Wisner, Nebraska, a street improvement district to be known and designated as Street Improvement District No. 2022-2 (Residential) of the City of Wisner, Nebraska.

Section 4. That the outer boundaries of Street Improvement District No. 2022-2 (Residential) shall include, in addition to the streets to be improved, all the property abutting on such streets to be improved and within which district, the following streets shall be graded, constructed and paved with 6" concrete as a 27-foot wide (more or less) street, together with all necessary appurtenances related thereto, including grading, subgrade preparation, earthwork, paving, driveways, and fine grading: **M Avenue from 18<sup>th</sup> Street to 20<sup>th</sup> Street; 20<sup>th</sup> Street to its termination point approximately 350 feet north of its intersection with M Avenue (including a cul de sac at said termination point); 19<sup>th</sup> Street from M Avenue to a point approximately 160 feet north of its intersection with M Avenue.** The following parcels are included in the District: Lots 5, 6,

7, 8, 9, 10, 11, 12, 13, 13, 15, 16, 17, 18, 19, 20 and 21, Grandview Estates, City of Wisner, Cuming County, Nebraska.

Section 5. Said streets shall be improved and said improvements shall be made in said Districts in accordance with the plans, specifications and estimates prepared by the special engineers for the City and to be approved by the Mayor and the Council. The estimated cost of the improvements in Street Improvement District No. 2022-1 is \$805,000. The estimated cost of the improvements in Street Improvement District No. 2022-2 is \$965,000. Pursuant to Section 17-509 of the Nebraska Revised Statutes, the cost of such improvements shall be funded at public cost and not by a special levy, such that no objection period or notice is required pursuant to Section 17-511 of the Nebraska Revised Statutes. Nothing herein shall obligate the City to proceed with all the improvements in the District herein established.

Section 6. Notice of the creation of said Districts shall be published as provided by law in a legal newspaper of general circulation in the City.

Section 7. This ordinance shall be published in pamphlet form and take effect as provided by law.

PASSED AND APPROVED this 21<sup>st</sup> day of March, 2022.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

[SEAL]