

Resolution No. 20240226
RESOLUTION CALLING AN ELECTION IN THE CITY OF HARTINGTON,
NEBRASKA; AND RELATED MATTERS.

BE IT RESOLVED BY THE CITY COUNCIL OF CITY OF HARTINGTON, NEBRASKA:

Section 1. The City Council (the “**Council**”) of City of Hartington, Nebraska (the “**City**”) hereby finds and determines that the City is duly organized and validly existing as a city of the second class under and pursuant to Chapter 17, Reissue Revised Statutes of Nebraska, as amended, the City embracing territory having a population of more than 800 but less than 5,000 inhabitants.

Section 2. The Council further finds and determines that (a) it is necessary, desirable, advisable and in the best interest of the City to pay the costs of purchasing and moving an existing building known as the Skylon Ballroom, to pay the costs of related modifications, furnishings, equipment and improvements to or related to such facilities, and to purchase real estate for such building and improvements (collectively, the “**Skylon Project**”) pursuant to Sections 17-953 to 17-955, inclusive, Reissue Revised Statutes of Nebraska, as amended (the “**Act**”); (b) to pay the costs of the Skylon Project, it is necessary that general obligations bonds of the City in an amount not to exceed One Million Six Hundred Thousand Dollars (\$1,600,000) be issued pursuant to the Act for the purpose of paying the costs of the Skylon Project; (c) a proposition for the issuance of bonds for the purpose of the Skylon Project has not been submitted to the electors of the City within six months preceding the date of the election called by this Resolution; and (d) a petition to call such election for the Skylon Project signed by at least ten percent of the legal voters of the City (as described in Section 17-954, Reissue Revised Statutes of Nebraska) has been presented to the Council.

Section 3. A special election is hereby called and shall be held in the City in conjunction with the statewide primary election on May 14, 2024, at which election there shall be submitted to the qualified electors of the City the following proposition for the Skylon Project (“**Proposition A**”):

“Shall the City of Hartington, Nebraska, borrow money and pledge the property and credit of the City upon its negotiable bonds in the principal amount of not to exceed One Million Six Hundred Thousand Dollars (\$1,600,000) for the purpose of purchasing and moving an existing building known as the Skylon Ballroom, paying the costs of related modifications, furnishings, equipment and improvements to or related to such facilities, and purchasing real estate for such building and improvements; with such bonds to be issued in one or more series, at such time or times, to bear interest at such rate or rates, to be sold at such prices and to become due at such time or times as may be fixed by, or determined at the direction of the Mayor and Council of the City of Hartington; and

“Shall the City cause to be levied and collected annually a special levy of taxes on the taxable value of all the taxable property in the City, in addition to all other taxes, if not paid from other revenue sources, in an amount sufficient to pay the principal of and interest on said bonds as such principal and interest become due?”

If a majority of the votes cast upon such question shall be in favor of such bonds and tax, then the Mayor and Council of the City shall be empowered to issue such bonds and to impose a tax upon all of the taxable property in the City, if not paid from other revenue sources, sufficient to pay the interest on and principal of such bonds as the same shall fall due. If a majority of those voting on the question shall be opposed to such bonds and tax, then the Mayor and Council of the City shall not issue such bonds or impose such tax.

The ballots to be voted on and cast at such election shall have printed thereon the foregoing proposition with the words “FOR such bonds and tax” and “AGAINST such bonds and tax” following each proposition.

Qualified electors voting in favor of a proposition shall blacken the oval opposite the words “FOR such bonds and tax” following such proposition, and qualified electors voting against such proposition shall blacken the oval opposite the words “AGAINST such bonds and tax” following such proposition.

Section 4. The Council further finds and determines that (a) it is necessary, desirable, advisable and in the best interest of the City to pay the costs of acquisition and construction of a building for general use of the city including public works and other functions, together with furnishings and equipment (collectively, the “**City Shop Project**”) pursuant to the Act; (b) to pay the costs of the City Shop Project, it is necessary that general obligations bonds of the City in an amount not to exceed One Million Three Hundred Thousand Dollars (\$1,300,000) be issued pursuant to the Act for the purpose of paying the costs of the City Shop Project; (c) a proposition for the issuance of bonds for the purpose of the City Shop Project has not been submitted to the electors of the City within six months preceding the date of the election called by this Resolution; and (d) a petition to call such election for the City Shop Project signed by at least ten percent of the legal voters of the City (as described in Section 17-954, Reissue Revised Statutes of Nebraska) has been presented to the Council.

Section 5. A special election is hereby called and shall be held in the City in conjunction with the statewide primary election on May 14, 2024, at which election there shall be submitted to the qualified electors of the City the following proposition for the City Shop Project (“**Proposition B**”):

“Shall the City of Hartington, Nebraska, borrow money and pledge the property and credit of the City upon its negotiable bonds in the principal amount of not to exceed One Million Three Hundred Thousand Dollars (\$1,300,000) for the purpose of paying the costs of acquisition and construction of a building for general use of the city including public works and other functions, together with furnishings and equipment; with such bonds to be issued in one or more series, at such time or times, to bear interest at such rate or rates, to be sold at such prices and to become due at such time or times as may be fixed by, or determined at the direction of the Mayor and Council of the City of Hartington; and

“Shall the City cause to be levied and collected annually a special levy of taxes on the taxable value of all the taxable property in the City, in addition to all other taxes, if not paid from other revenue sources, in an amount sufficient to pay the principal of and interest on said bonds as such principal and interest become due?”

If a majority of the votes cast upon such question shall be in favor of such bonds and tax, then the Mayor and Council of the City shall be empowered to issue such bonds and to impose a tax upon all of the taxable property in the City, if not paid from other revenue sources, sufficient to pay the interest on and principal of such bonds as the same shall fall due. If a majority of those voting on the question shall be opposed to such bonds and tax, then the Mayor and Council of the City shall not issue such bonds or impose such tax.

The ballots to be voted on and cast at such election shall have printed thereon the foregoing proposition with the words “FOR such bonds and tax” and “AGAINST such bonds and tax” following each proposition.

Qualified electors voting in favor of a proposition shall blacken the oval opposite the words “FOR such bonds and tax” following such proposition, and qualified electors voting against such

proposition shall blacken the oval opposite the words "AGAINST such bonds and tax" following such proposition.

Section 6. Notice of such election and a copy of the sample ballot for each proposition shall be published pursuant to the Act and the Election Act, or as otherwise provided by law, with such notice and sample ballot to be published in the *Cedar County Newspaper*, a newspaper of general circulation in the City, and the Clerk be and hereby is directed to cause such notice and sample ballot to be published.

Section 7. The Clerk is hereby authorized and directed to certify a copy of this Resolution by March 1, 2024, to the County Clerk of Cedar County, Nebraska, who shall designate the polling places, appoint the election officials and otherwise conduct the election as provided by law. The City hereby agrees to reimburse such County Clerk for the expenses of conducting the election.

Section 8. The form of ballot and form of notice for such bond election shall be in the form attached to this Resolution as **Attachment I**, with such additions and changes determined appropriate by the County Clerk. The City Clerk is hereby authorized and directed in conjunction with the County Clerk conducting the election, to arrange for the printing of the necessary ballots for such election and to do all other things and to take all other appropriate or necessary action in order to cause such propositions to be submitted to the qualified electors of the City as above provided.

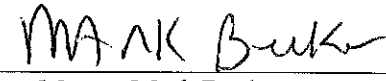
Section 9. This Resolution shall take effect and be in force from and after its passage as provided by law.

PASSED AND ADOPTED: February 26th, 2024.

CITY OF HARTINGTON, NEBRASKA

ATTEST:

By: 
City Clerk, Brittni Benschoter

By: 
Mayor, Mark Becker



FORM OF OFFICIAL BALLOT

BOND ELECTION

CITY OF HARTINGTON, NEBRASKA

TUESDAY, May 14, 2024

PROPOSITION A

“Shall the City of Hartington, Nebraska, borrow money and pledge the property and credit of the City upon its negotiable bonds in the principal amount of not to exceed One Million Six Hundred Thousand Dollars (\$1,600,000) for the purpose of purchasing and moving an existing building known as the Skylon Ballroom, paying the costs of related modifications, furnishings, equipment and improvements to or related to such facilities, and purchasing real estate for such building and improvements; with such bonds to be issued in one or more series, at such time or times, to bear interest at such rate or rates, to be sold at such prices and to become due at such time or times as may be fixed by, or determined at the direction of the Mayor and Council of the City of Hartington; and

“Shall the City cause to be levied and collected annually a special levy of taxes on the taxable value of all the taxable property in the City, in addition to all other taxes, if not paid from other revenue sources, in an amount sufficient to pay the principal of and interest on said bonds as such principal and interest become due?”

If a majority of the votes cast upon such question shall be in favor of such bonds and tax, then the Mayor and Council of the City shall be empowered to issue such bonds and to impose a tax upon all of the taxable property in the City, if not paid from other revenue sources, sufficient to pay the interest on and principal of such bonds as the same shall fall due. If a majority of those voting on the question shall be opposed to such bonds and tax, then the Mayor and Council of the City shall not issue such bonds or impose such tax.



FOR

said bonds and tax



AGAINST

said bonds and tax

Electors voting in favor of said proposition shall blacken completely the oval opposite the words “FOR said bonds and tax” following said proposition, and electors voting against said proposition shall blacken completely the oval opposite the words “AGAINST said bonds and tax” following said proposition.

PROPOSITION B

“Shall the City of Hartington, Nebraska, borrow money and pledge the property and credit of the City upon its negotiable bonds in the principal amount of not to exceed One Million Three Hundred Thousand Dollars (\$1,300,000) for the purpose of paying the costs of acquisition and construction of a building for general use of the city including public works and other functions, together with furnishings and equipment; with such bonds to be issued in one or more series, at such time or times, to bear interest at such rate or rates, to be sold at such prices and to become due at such time or times as may be fixed by, or determined at the direction of the Mayor and Council of the City of Hartington; and

“Shall the City cause to be levied and collected annually a special levy of taxes on the taxable value of all the taxable property in the City, in addition to all other taxes, if not paid from other revenue sources, in an amount sufficient to pay the principal of and interest on said bonds as such principal and interest become due?”

If a majority of the votes cast upon such question shall be in favor of such bonds and tax, then the Mayor and Council of the City shall be empowered to issue such bonds and to impose a tax upon all of the taxable property in the City, if not paid from other revenue sources, sufficient to pay the interest on and principal of such bonds as the same shall fall due. If a majority of those voting on the question shall be opposed to such bonds and tax, then the Mayor and Council of the City shall not issue such bonds or impose such tax.



FOR

said bonds and tax



AGAINST

said bonds and tax

Electors voting in favor of said proposition shall blacken completely the oval opposite the words “FOR said bonds and tax” following said proposition, and electors voting against said proposition shall blacken completely the oval opposite the words “AGAINST said bonds and tax” following said proposition.

NOTE: PUBLISH 1 time immediately before election

FORM OF NOTICE OF BOND ELECTION

CITY OF HARTINGTON, NEBRASKA

Public notice is hereby given to the qualified electors of City of Hartington, Nebraska (the "City") that a special election has been called and will be held in said City in conjunction with the statewide primary election on May 14, 2024, at which time there shall be submitted to the qualified electors of the City the following propositions:

PROPOSITION A

"Shall the City of Hartington, Nebraska, borrow money and pledge the property and credit of the City upon its negotiable bonds in the principal amount of not to exceed One Million Six Hundred Thousand Dollars (\$1,600,000) for the purpose of purchasing and moving an existing building known as the Skylon Ballroom, paying the costs of related modifications, furnishings, equipment and improvements to or related to such facilities, and purchasing real estate for such building and improvements; with such bonds to be issued in one or more series, at such time or times, to bear interest at such rate or rates, to be sold at such prices and to become due at such time or times as may be fixed by, or determined at the direction of the Mayor and Council of the City of Hartington; and

"Shall the City cause to be levied and collected annually a special levy of taxes on the taxable value of all the taxable property in the City, in addition to all other taxes, if not paid from other revenue sources, in an amount sufficient to pay the principal of and interest on said bonds as such principal and interest become due?"

If a majority of the votes cast upon such question shall be in favor of such bonds and tax, then the Mayor and Council of the City shall be empowered to issue such bonds and to impose a tax upon all of the taxable property in the City, if not paid from other revenue sources, sufficient to pay the interest on and principal of such bonds as the same shall fall due. If a majority of those voting on the question shall be opposed to such bonds and tax, then the Mayor and Council of the City shall not issue such bonds or impose such tax.



FOR

said bonds and tax



AGAINST

said bonds and tax

Electors voting in favor of said proposition shall blacken completely the oval opposite the words "FOR said bonds and tax" following said proposition, and electors voting against said proposition shall blacken completely the oval opposite the words "AGAINST said bonds and tax" following said proposition.

PROPOSITION B

“Shall the City of Hartington, Nebraska, borrow money and pledge the property and credit of the City upon its negotiable bonds in the principal amount of not to exceed One Million Three Hundred Thousand Dollars (\$1,300,000) for the purpose of paying the costs of acquisition and construction of a building for general use of the city including public works and other functions, together with furnishings and equipment; with such bonds to be issued in one or more series, at such time or times, to bear interest at such rate or rates, to be sold at such prices and to become due at such time or times as may be fixed by, or determined at the direction of the Mayor and Council of the City of Hartington; and

“Shall the City cause to be levied and collected annually a special levy of taxes on the taxable value of all the taxable property in the City, in addition to all other taxes, if not paid from other revenue sources, in an amount sufficient to pay the principal of and interest on said bonds as such principal and interest become due?”

If a majority of the votes cast upon such question shall be in favor of such bonds and tax, then the Mayor and Council of the City shall be empowered to issue such bonds and to impose a tax upon all of the taxable property in the City, if not paid from other revenue sources, sufficient to pay the interest on and principal of such bonds as the same shall fall due. If a majority of those voting on the question shall be opposed to such bonds and tax, then the Mayor and Council of the City shall not issue such bonds or impose such tax.

- FOR said bonds and tax
- AGAINST said bonds and tax

Electors voting in favor of said proposition shall blacken completely the oval opposite the words “FOR said bonds and tax” following said proposition, and electors voting against said proposition shall blacken completely the oval opposite the words “AGAINST said bonds and tax” following said proposition.

Primary Election

The polls will be open continuously from 8:00 a.m. to 8:00 p.m. on the election date. The voting places for qualified electors of the City will be the same voting places assigned for the statewide primary election. The polling places are accessible to individuals with physical mobility limitations. Ballots for early voting may be obtained from the Election Commissioner of Cedar County, Nebraska, and voted as provided by law

Voter Registration Deadlines

The deadline to register to vote at an agency, online, with a deputy registrar, by mail or delivered by an agent is April 29, 2024. The deadline for in-person registration is May 3, 2024, by 6:00 p.m. at the Cedar County Clerk/Election Commissioner's Office at the County Courthouse in Hartington, Nebraska.

Ballot Return Deadline

All voted ballots MUST be in the possession of the Cedar County Clerk/Election Commissioner no later than 8:00 p.m. on Tuesday, May 14, 2024, in the method provided by law.

BY ORDER OF THE MAYOR AND COUNCIL
OF THE CITY OF HARTINGTON, IN THE
STATE OF NEBRASKA

NOTE TO COUNTY CLERK: PUBLISH no less than 42 days prior to election.

NOTE TO CITY: PUBLISH weekly for 4 consecutive weekly publications immediately preceding the election.