Madison City Council Chambers
211 S. Lincoln Street
Madison, NE 68748

CITY COUNCIL AGENDA

July 8, 2026

Welcome and reminder to turn off electronic devices.

ACKNOWLEDGEMENT OF OPEN MEETINGS ACT

ROLL CALL

PLEDGE OF ALLEGIANCE

CONSENT AGENDA ***(one motion to approve items 1 – 7)***

1. Regular Agenda
2. June 10th, 2026 Regular Meeting Minutes
3. Claims
4. Treasurer's Report
5. Approval of the Appointment of Llolanda Hernandez to the City Park Board
6. Approval of Resolution 2026-6 pertaining to Main Street Closure for the MHS Alumni Celebration on Saturday, August 15th, from 4:00PM till 12:00 Midnight.
7. Approval to Amend the June 10 Minutes with the following corrections;
    a. On the consent agenda, "Approved the Appointment of Christian Castillo to the Madison Volunteer Fire and Rescue Department" instead of hire.
    b. On the Regular Agenda, "Motion made by Councilmember Biehle, Seconded by Councilmember Schommer, to Pass Ordinance 837 and Wave the 3 Readings. "An Ordinance Amending Section 173.10 of the Municipal Code relating to E-Bike and E-Scooter regulations." Also, if needed, to adjust it at a later time.

PUBLIC HEARINGS AND RELATED ACTION

8. Public Hearing on an Application for a Tower Development Permit to Construct a Verizon Telecommunications Tower on Property described as a Part in the NE ¼ of Section 31, Township 22 North, Range 1 west of the 6th P.M., Madison County, Nebraska. The approximate location of property is Northwest of the intersection of Fairgrounds Road and W 6th St, Madison, Nebraska. (Parcel Id# 590139452).
9. Discussion/Action on a Resolution Approving a Tower Development Permit to Construct a Verizon Telecommunications Tower on Property described as a Part in the NE ¼ of Section 31, Township 22 North, Range 1 west of the 6th P.M., Madison County, Nebraska. The approximate location of property is Northwest of the intersection of Fairgrounds Road and W 6th St, Madison, Nebraska. (Parcel Id# 590139452).
10. Discussion/Action on a Resolution City of Madison, Nebraska, a Class II Municipality, submitting to the November 3, 2026 Statewide General Election the question of whether the City shall establish and conduct a lottery (keno) pursuant to the Nebraska County and City Lottery Act.

REGULAR AGENDA

11. Discussion/Action on Grant Proposal for Parks and Recreation Infrastructure.
12. Discussion/Action on City Pool Admission Rates.
13. Discussion/Action on Fowl in the City of Madison.
14. Closed Session for the protection of the public interest to discuss contract terms and negotiations for the lease and management of the Countryside Care Center Building.

ADJOURN

The City Council will review the above matters and take such action as they deem appropriate and necessary.
The City Council reserves the right to enter executive session on certain matters authorized under the Nebraska Open Meetings Act.

REGULAR MEETING OF THE COUNCIL

The Mayor and City Council of the City of Madison met in regular session at the City Council Chambers, Madison, Nebraska, on Wednesday, June 10, 2026, beginning at 5:30 p.m.

CALL TO ORDER

Mayor Rob Fite called the meeting to order. Roll call found the following council members present: Rick Schommer, Paula Biehle, Mindy Spray, and Steve Ainsworth. Staff members present: City Treasurer Deputy Clerk Amy Wegener, City Clerk Ruth Yuman, Economic Development Director Andy Colvin, City Attorney Mike Brogan, Police Chief Mike Hopen, and Utilities Superintendent Matt Schnebel.

The Mayor presided over the meeting, and the City Clerk recorded the proceedings. Upon opening of the meeting at 5:30 p.m. the Mayor welcomed all guests.

The Mayor informed the public about the location of the current copy of the Open Meetings Act at the back of the City Council room and made it accessible to members of the public.

Notice of the meeting was given in advance thereof by posting in the Madison Star Mail and three public places.

Notice was given to the Mayor and all members of the Council, and a copy of their Acknowledgement of Receipt for Notice is attached to the Minutes. Availability of the agenda was communicated in advance to the Mayor and Council of this meeting. All proceedings shown hereafter were taken while the convened meeting was open to the public.

CONSENT AGENDA

Motion by Councilmember Schommer, Seconded by Councilmember Spray to approve the Consent Agenda : Motion will include 1 through 6 as one,
1. Agenda. 2. May 13th Minutes. 3. Claims 4. Treasurer's Report. 5. Approval of Resolution No. 2026-5-pertaining to changing the Water Billing from Quarterly to Monthly, effective July 1st, 2026. 6. Approved the Appointment of Christian Castillo to the Madison Volunteer Fire and Rescue Department.

BUSINESS

Discussion: Jeanne Reigle gave updates on the Alumni Weekend Celebration Activities at the City Memorial Park. As well as the street dance on Main Street. No action.

Discussion: No action, Steve Lloyd was not present to discuss on Building Permits and Inspections.

Motion made by Councilmember Schommer, Seconded by Councilmember Spray to Approve moving forward with Applied Connective Managed IT and Phone services. Also, for the proposal to be ready for the Annual Budget Meeting. Roll Call: Yeas: Schommer, Spray, Biehle, and Ainsworth Nays: None. Motion Carried.

Motion made by Councilmember Biehle, Seconded by Councilmember Ainsworth to Approve to Hire Kyler Mosel from Full-time Code Enforcement to Transitioning to Regular Police Officer for a Salary Schedule of $24.40 for 40 hours a week. Roll Call: Yeas: Biehle, Ainsworth, Spray, and Schommer. Nays: None. Motion Carried.

Motion made by Councilmember Biehle, Seconded by Councilmember Schommer to Pass Ordinance 837, Wave the 3 Readings, and Publish in Pamphlet form. An Ordinance Amending Section 173.10 of the Municipal Code relating to E-Bike and E-Scooter regulations. Also, if needed, to adjust it at a later time. Roll Call: Yeas: Biehle, Schommer, Spray, and Ainsworth. Nays: None. Motion Carried.

Motion made by Councilmember Biehle, Seconded by Councilmember Spray to Adjourn at 6:49PM. Roll Call: Yeas: Biehle, Spray, Schommer, and Ainsworth. Nays: None. Motion Carried.

_____ _____

Ruth Yuman, City Clerk **Robert Fite, Mayor**

I, the undersigned City Clerk, hereby certify that the foregoing is the full, true and correct original document of the Madison City Council Meeting proceedings had and done by the Mayor and City Council; that all of the subjects included in the proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the office of the Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to 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 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.

_____

Ruth Yuman, City Clerk

A.S.A.P. EXPRESS 20.00
ALBRACHT DISPOSAL SERVICE 222.00
ALLO BUSINESS 567.05
APPEARA 49.59
AQUA-CHEM 1138.67
ASCAP 12.00
BALL INSURANCE SERVICES 6590.48
BIERMAN SANDBLAST & PAINT LLC 50376.40
BLACK HILLS ENERGY 634.89
BOMGAARS 154.63
BRADY & AMY'S GAS-N-GO 2381.36
BROGAN & STAFFORD P.C. 1586.75
CAR AND DRIVER 15.00
CENGAGE Learning-GALE 190.50
CENTER POINT LARGE PRINT 149.82
CENTURY LUMBER CENTER 800.00
CHEMQUEST INC. 695.00
CHOICE FOODS-3412 810.32
CITY OF MADISON 3903.25
CITY PETTY CASH 173.84
COMPLETE PEST ELIMINATION 300.00
COURTESY FORD 168.00
CREDIT BUREAU SERVICES 173.77
CUSTOM SPORTS 62.00
D & D Industries 300.00
D & L TOWING 1157.50
DWEE 150.00
DYG CONSTRUCTION 17690.00
EAKES OFFICE PLUS 118.86
EISENMANN AG SUPPLY, LLC 15.84
FAITH REGIONAL HEALTH SERVICES 14.76
FARMERS PRIDE 988.19
FED W/H & SOC SEC 4834.58, 1130.70, 3310.64, 4929.70, 1152.90, 3258.36
FIELD'S HARDWARE 8.34
FIELD'S HARDWARE-NONTAX 732.99
GEHRING CONSTRUCTION 1725.00
Guardian Insurance 395.78
HENRY SCHEIN 401.63
HOST COFFEE SERVICE, INC. 130.31
ITRON, INC 2554.87
J.F. AHERN CO. 1562.58
JACKSON SERVICES 160.71
JAMES BELTZ 3000.00
JOSEPH HOBELMAN 4500.00
KCL GROUP BENEFITS 453.83
LARM 1460.67
LAURA REEVES 3999.03
LOVE SIGNS 4970.00
M&K WELDING & REPAIR, LLC 1825.65
MARKWARDTS MOBILE WELDING & FABRICATION 2812.27
MENARDS 933.54
MMPS1, LLC 31591.11
NAOMI HEMPHILL 27.85
NATIONWIDE FINANCIAL 1422.06, 500.72, 161.67, 1422.06, 1374.95, 478.19, 161.67, 1374.95
NE POWER REVIEW BOARD 997.96
NE PUBLIC HEALTH ENVIR. LAB 30.00
EDWARD NEIDIG 8106.83
NIPPON SANSO MATHESON TRI-GAS 79.60
NORTHEAST COMM. COLLEGE 504.00
NORTHEAST NE ECONOMIC DEV 95.00
NEBR PUBLIC POWER 1251.77
NYKODYM LAWN SERVICE 150.00
ONE CALL CONCEPTS INC 28.93
ONE OFFICE SOLUTION 185.59
OVERHEAD DOOR CO. OF NORFOLK 60.00
POLLARD PUMPING, INC. 592.50
PRINCIPAL LIFE INSURANCE CO 856.68
Pitzer Digital, LLC 898.55
REIGLE IMPLEMENT 1522.47
RICK SCHOMMER 152.49
SCRANTON FLOORING & SUPPLY 13354.78
STEALTH BROADBAND 983.12
STOP STICK, LTD. 562.50
TEECO INC 33.25
US CELLULAR 36.04
VERIZON 407.90
WEILAND WELL CO 1220.00
WESCO DISTRIBUTION 265.00
ZELLE HUMAN RESOURCE SOLUTIONS 3500.00

TREASURER'S REPORT

06/30/26	*Begin Balance*	*Disbursed*	*Received*	*End Balance*
CDBG Non-Interest	$ 0.35			$ 0.35
CRA - TIF Funds	$ 898.61	(847.52)	$2,830.83	$ 2,881.92
CRA - Operations	$ 8,473.71		$18.11	$ 8,491.82
CRA - Land Purchase	$ 22,825.45		$48.78	$ 22,874.23
Youth Rec	$ 570.24	(3,345.00)	$3,690.55	$ 915.79
Countryside Home	$ 58,648.13	(17,038.78)	$19,304.85	$ 60,914.20
General Checking	$ 100,220.82	(1,499,640.48)	$1,499,633.36	$ 100,213.70

Current Available balance as of 6-30-26 $7,038,425.40

CSH Therapy/RTU replacement Loan Principal Balance $ 408,787.56 (Monthly Pmts: $17,038.78) Pinnacle Bank

PUBLIC NOTICE
MADISON CITY COUNCIL

Notice is hereby given that a meeting of the City Council will be held **WEDNESDAY, July 8th**, 2026, at **5:30 PM**, in the **Madison Council Chambers at 211 South Lincoln Street**, in Madison, Nebraska. This meeting will be open to the public. An agenda for such meetings kept continuously current, is available for public inspection at the office of the City Clerk at City Hall.

Ruth Yuman
City Clerk
City of Madison

RESOLUTION NO. 2026-____

BE IT RESOLVED by the Mayor and City Council of the City of Madison, Nebraska:

WHEREAS, public safety requires a specific declaration for a special community event on Main Street and West 3rd Street and within the corporate limits of the City of Madison.

NOW, THEREFORE, in consideration of the foregoing recital, the Mayor and City Council of the City of Madison, Nebraska, hereby resolve and declare that there shall be a community event called "The MHS All-Alumni Celebration" which shall take place on August 14–16, 2026, including a street dance, with street closure starting at 4:00 p.m. on Saturday, August 15, 2026, and ending at 12:00 midnight on that same day. The street dance shall traverse a one-block portion of South Main Street in downtown Madison; specifically, from and including the intersection of 2nd Street and South Main Street to and including the intersection of 3rd Street and South Main Street, which is a segment of State Highway 32. The downtown street (part of Highway 32) used for the event shall be closed for this period of time, after which control of the highway portion shall be relinquished to the Nebraska Department of Roads. The governing body of the City of Madison accepts all duties set out in Nebraska Revised Statutes §39-1359(2). If a claim is made against the State of Nebraska, the City of Madison shall indemnify, defend, and hold harmless the State from all claims, demands, actions, damages, and liability, including reasonable attorney's fees, that may arise as a result of the special event. See the attached map of the street closure area, which will have barricades and signs covering all affected streets. This event is sponsored by the Madison Alumni Association, subject to such sponsor providing a certificate of liability insurance ($2,000,000 occurrence limits) naming the City of Madison as an insured.

IT IS FURTHER RESOLVED that, while alcohol consumption is generally prohibited on city-owned property per Madison City Code Section 111.03, the City Council hereby recognizes this event is sponsored by the Madison Alumni Association, which has obtained Special Designated License #162280_ authorizing the sale and consumption of alcoholic beverages on city property (the street portion of the event, plus SDL-designated sidewalk access from Whiskey River Saloon) pursuant to Neb.Rev.Stat. §53-186(2), from 4:00 p.m. to 12:00 midnight on Saturday, August 15, 2026, only within the designated one-block area shown on the attached map and described herein. This resolution shall not negate the applicability of Madison City Code Section 174.10, which prohibits open containers of alcohol on any streets and sidewalks outside the designated area. This resolution does not allow the consumption or possession of alcohol by minors.

IT IS FURTHER RESOLVED that any prior resolution in conflict with the provisions of this resolution is hereby repealed.

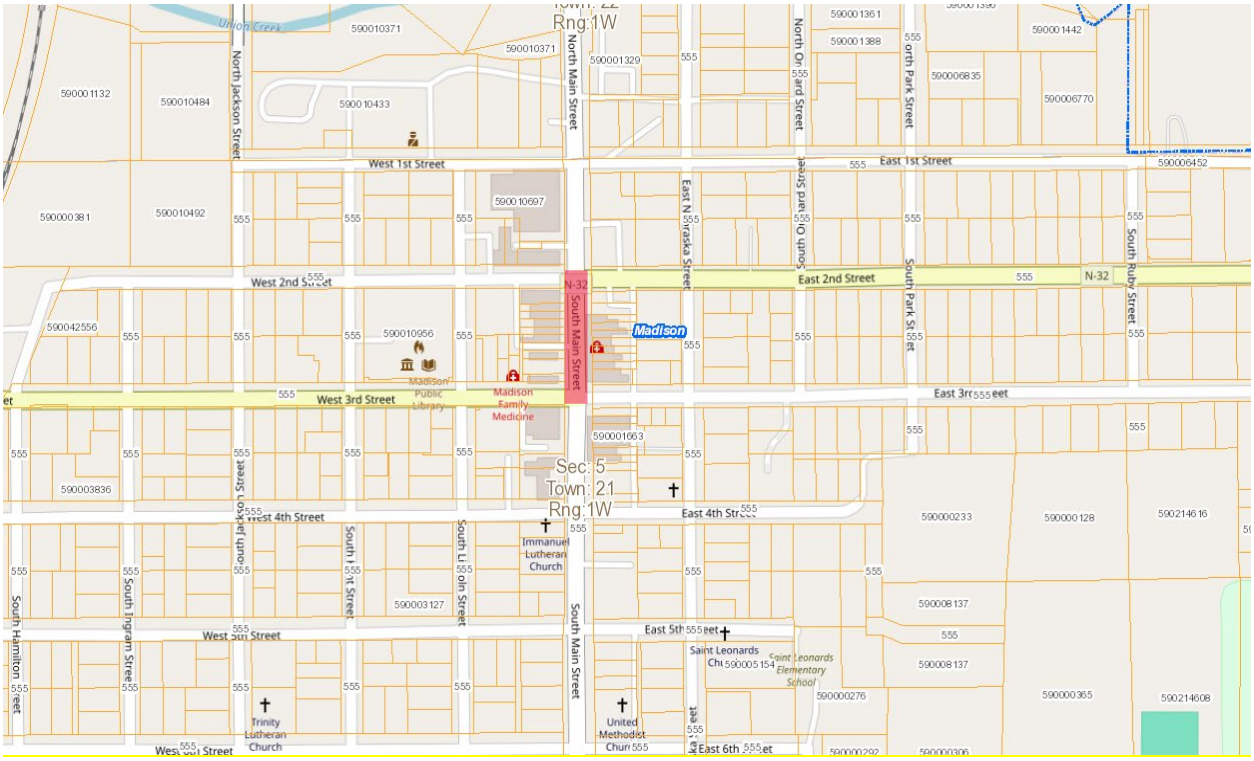
Passed and approved on July 8, 2026.

CITY OF MADISON

ATTEST:

_____
Mayor

_____
City Clerk


Rng:1W
North Main Street
West 1st Street
East 1st Street
West 2nd Street
East 2nd Street
N-32
South Main Street
Madison
West 3rd Street
East 3rd Street
Madison Public Library
Madison Family Medicine
Sec: 5
Town: 21
Rng:1W
West 4th Street
East 4th Street
Immanuel Lutheran Church
West 5th Street
East 5th Street
Saint Leonards Ch
Saint Leonards Elementary School
Trinity Lutheran Church
United Methodist Church
East 6th Street
North Jackson Street
South Jackson Street
South Ingram Street
South Hamilton Street
South Lincoln Street
North Orchard Street
South Orchard Street
East Nebraska Street
North Park Street
South Park Street
South Ruby Street
Union Creek
590001132
590010484
590010371
590010433
590001329
590001361
590001388
590001442
590006835
590006770
590006452
590000381
590010492
590010697
590042556
590010956
590001663
590003836
590003127
590000233
590000128
590214616
590008137
590000276
590000365
590214608

PUBLIC NOTICE

Notice is hereby given that the Madison City Council will hold a Public Hearing on Wednesday, July 8, 2026 beginning at 5:30 p.m. in the Madison City Council Chambers 211 S. Lincoln Street, Madison, Nebraska. The purpose of this hearing is to receive public comments concerning the application of Vertical Bridge (The Towers) for a Tower Development Permit to construct a Verizon telecommunications tower on property described as a Part in the NE ¼ of Section 31, Township 22 North, Range 1 west of the 6th P.M., Madison County, Nebraska. The approximate location of property is Northwest of the intersection of Fairgrounds Road and W 6th St, Madison, Nebraska. (Parcel Id# 590139452)

Ruth Yuman, City Clerk
City of Madison

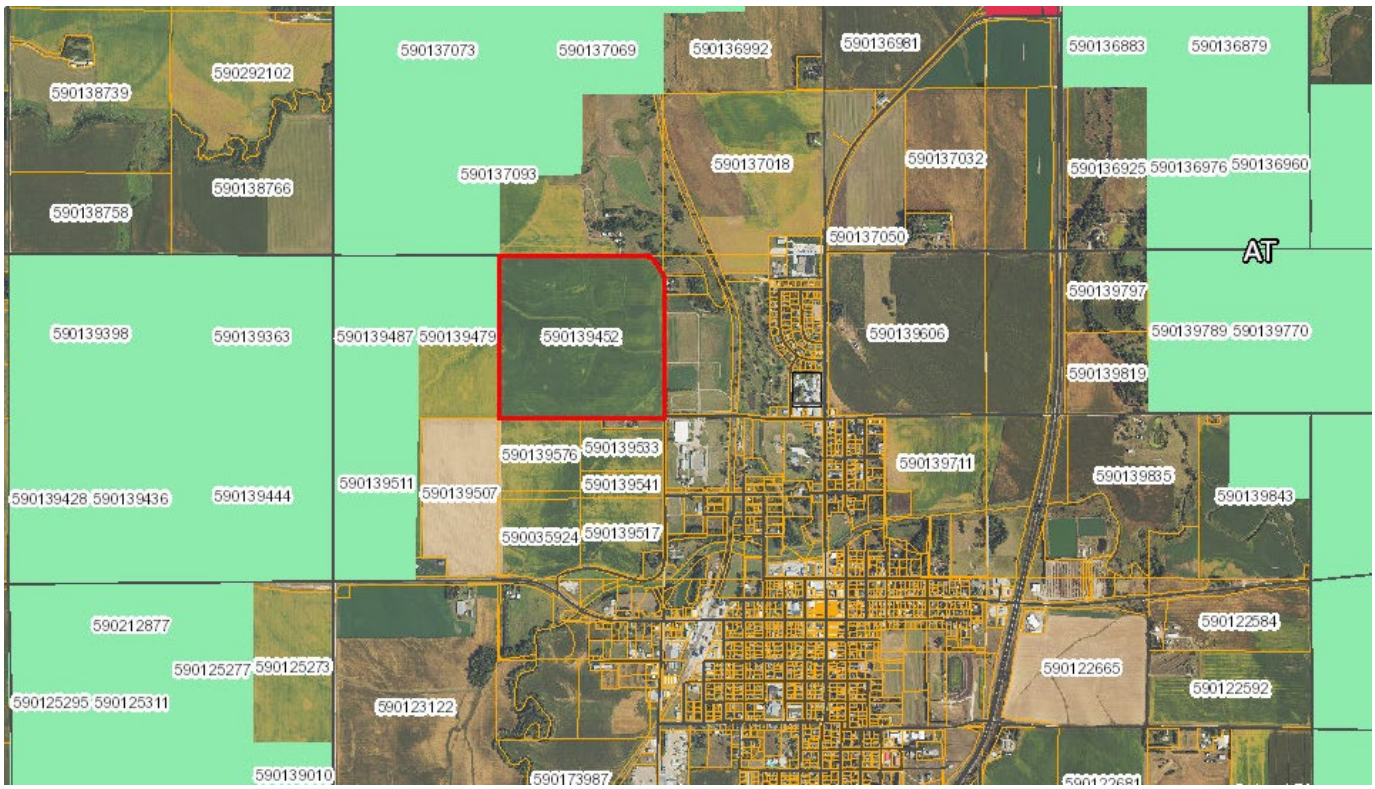
(PLEASE PUBLISH ONCE IN THE NEXT EDITION OF THE NEWSPAPER. SEND STATEMENT AND ONE PROOF OF PUBLICATION TO THE CITY OF MADISON, PO BOX 527, MADISON, NEBRASKA 68748.)

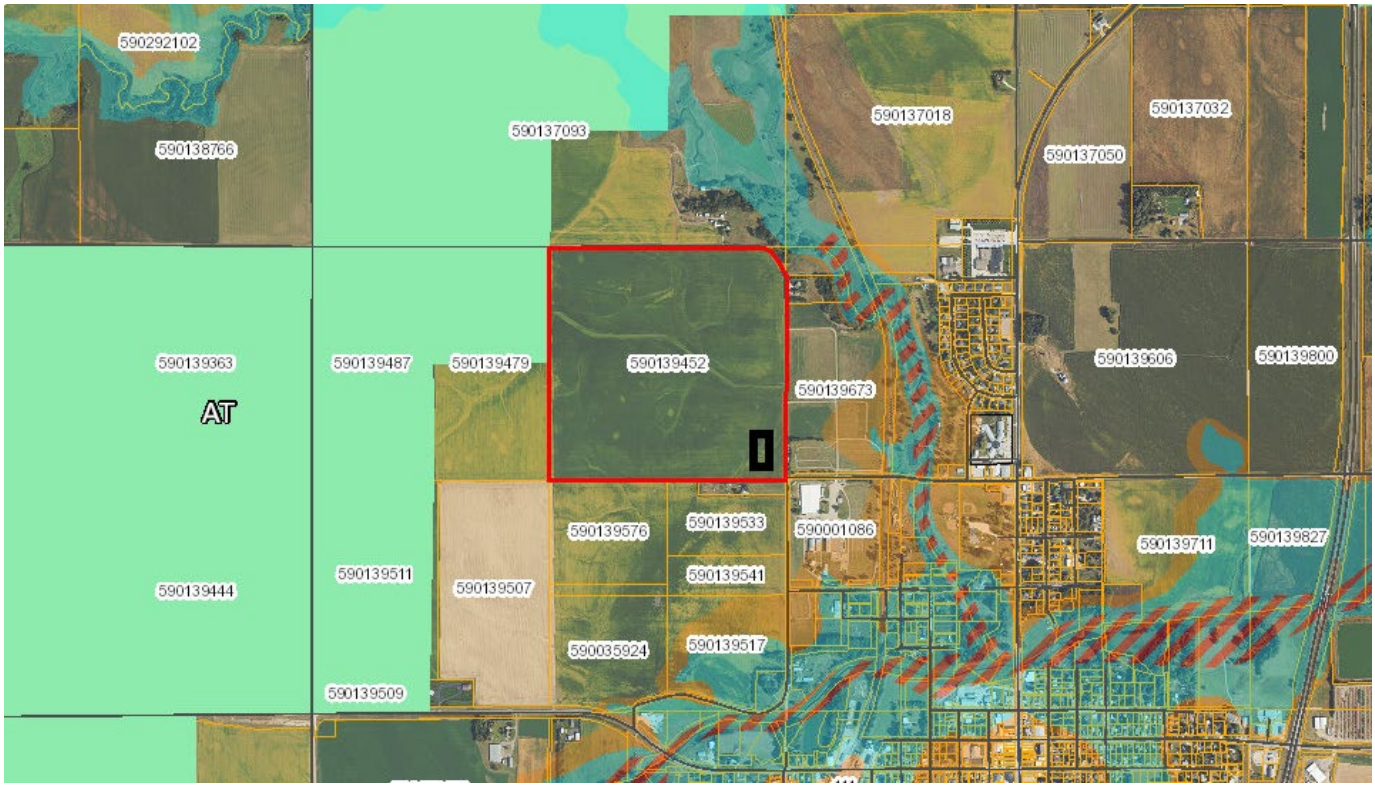
July 2, 2026

To: Madison County Planning Commission and Madison County Board
From: Heather McWhorter, Zoning Administrator
Subj: June 25, 2026 @ 6:00 pm

The purpose of this hearing is to consider the application of Vertical Bridge (The Towers) for a Tower Development Permit to construct a Verizon telecommunications tower on property described as a Part in the NE ¼ of Section 31, Township 22 North, Range 1 west of the 6th P.M., Madison County, Nebraska. The approximate location of property is Northwest of the intersection of Fairgrounds Road and W 6th St, Madison, Nebraska. (Parcel Id# 590139452)

The Towers, LLC proposes constructing a 150.5-foot (160.5-foot overall) self-support telecommunication tower within a 100-foot by 100-foot lease area. Associated equipment will be installed within a 75-foot by 75-foot fenced-in compound within the lease area. A 30-foot-wide access/utility easement will extend east from the compound to connect to 553rd Avenue. The site is currently an agricultural field.





Statement of Finding of Facts:

1. This application is consistent with the City of Madison Comprehensive Plan, Zoning and Subdivision Regulations and the Zoning Map.

2. Property is zoned Agriculture.

3. Applicant will lease a tract for location of tower from landowner.

Recommended Conditions:

1. This Conditional Use Permit shall be for a period of twenty-five years and will become effective with the adoption of this resolution. This permit is subject to all the City of Madison Zoning and Subdivision Regulations and the governing powers of the State of Nebraska.

2. The applicant must provide a lease, purchase agreement or easement to secure rights to the required setbacks of one foot for every foot of height of the tower.

3. All self-supporting lattice or guyed towers shall be enclosed within a security fence or other structure designed to preclude unauthorized access.

4. Applicant must conform to the regulations of the Federal Aeronautics Administration, which includes filing Form 7460-1. Documentation must be presented to the Zoning Administrator prior to beginning construction.

5. If the tower ceases to be used for a period of one (1) year, the City of Madison Zoning Administrator shall determine if the tower has been abandoned. Once the Zoning Administrator has determined the tower to be abandoned, the tower shall be removed 75 days after receiving notice from the Zoning Administrator.

6. This tower may co-locate up to four individual antennas. Prior to installation of collocated antennas on the tower, contact must be made with the City of Madison Zoning Administrator.

7. This conditional use permit shall become invalid if construction of the tower is not begun within one year of the date of approval of this application.

8. This conditional use permit may be transferred in any manner to an individual, or a partnership or corporation within the twenty-five-year time limit of this permit.

8. This conditional use permit shall become null and void if ownership or lease of the property is not secured, or if construction of the tower is not begun within one year of the date of approval of this application.

9. All requirements in Section 621 of the City of Madison Zoning Regulations must be followed regarding setbacks, lighting, etc.

I recommend approval based on the above facts and conditions.

RESOLUTION # 2026-_____

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT FOR CERTAIN LAND LOCATED WITHIN THE ZONING JURISDICTION OF THE CITY OF MADISON, NEBRASKA UNDER AUTHORITY GRANTED BY SECTION 18-1306 OF THE REVISED STATUTES OF THE STATE OF NEBRASKA.

WHEREAS, the Madison County Joint Planning Commission and the Madison City Council, having given proper notice and holding a public hearing as provided by law and under the authority of and subject to the provision the Madison Zoning Ordinance, and with a recommendation of approval by the Madison County Joint Planning Commission based on the facts listed below:

1. The application is consistent with the City of Madison Zoning and Subdivision Regulations.
2. Property is zoned Agriculture.
3. Applicant will lease a tract for location of tower from landowner.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of Madison, Nebraska, hereby grants a Tower Development Permit to Vertical Bridge (The Tower) to construct a telecommunications tower as required in Section 621 of the Madison City Zoning and Subdivision Ordinance, on the following described land:

Part in the NE ¼ of Section 31, Township 22 North, Range 1 west of the 6th P.M., Madison County, Nebraska.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the below-listed conditions be applied during the lifetime of this permit.

Recommended Conditions:

1. This Conditional Use Permit shall be for a period of twenty-five years and will become effective with the adoption of this resolution. This permit is subject to all the City of Madison Zoning and Subdivision Regulations and the governing powers of the State of Nebraska.

2. The applicant must provide a lease, purchase agreement or easement to secure rights to the required setbacks of one foot for every foot of height of the tower.

3. All self-supporting lattice or guyed towers shall be enclosed within a security fence or other structure designed to preclude unauthorized access.

4. Applicant must conform to the regulations of the Federal Aeronautics Administration, which includes filing Form 7460-1. Documentation must be presented to the Zoning Administrator prior to beginning construction.

5. If the tower ceases to be used for a period of one (1) year, the City of Madison Zoning Administrator shall determine if the tower has been abandoned. Once the Zoning Administrator has determined the tower to be abandoned, the tower shall be removed 75 days after receiving notice from the Zoning Administrator.

6. This tower may co-locate up to four individual antennas. Prior to installation of collocated antennas on the tower, contact must be made with the City of Madison Zoning Administrator.

7. This conditional use permit may be transferred in any manner to an individual, or a partnership or corporation within the twenty-five-year time limit of this permit.

8. This conditional use permit shall become null and void if ownership or lease of the property is not secured, or if construction of the tower is not begun within one year of the date of approval of this application.

9. All requirements in Section 621 of the City of Madison Zoning Regulations must be followed regarding setbacks, lighting, etc.

NOW, THEREFORE, BE FURTHER RESOLVED, that upon taking effect of this Resolution, the above Conditional Use Permit shall be entered and shown on the Official Zoning Map of Madison, Nebraska, previously adopted by reference, and said zoning map is hereby reincorporated as a part of the Madison, Nebraska Zoning and Subdivision Resolution as amended.

ADOPTED at Madison, Nebraska on this 8th day of July 2026.

_____
Mayor

Attest:

_____
City Clerk
Issued this 8th day of July 2026

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Madison City Council will hold a Public Hearing at a the City Council Meeting on Wednesday, July 8th, 2026 beginning at 5:30 p.m. at the Madison City Council Chambers, 211 S. Lincoln Street, Madison, Nebraska. The purpose of this hearing is to receive public comments concerning a Resolution for the City of Madison, Nebraska, a Class II Municipality, submitting to the November 3, 2026 Statewide General Election, the question of whether the City shall establish and conduct a lottery (keno) pursuant to the Nebraska County and City Lottery Act.

Ruth Yuman
City Clerk

City Council Agenda Memo

Date: July 8, 2026

To: Mayor and City Council

From: Andrew Colvin, Economic Development Director

Subject: Resolution Submitting to the November 3, 2026 Statewide General Election the Question of Whether the City Shall Establish and Conduct a Lottery (Keno)

Background: The purpose of this agenda item is to consider a resolution submitting to the registered voters of the City of Madison the question of whether the City should establish and conduct a lottery (keno) pursuant to the Nebraska County and City Lottery Act. The proposed ballot question would appear on the November 3, 2026 statewide general election ballot.

The resolution does not establish or implement keno operations. Rather, it allows Madison voters to determine whether the City should be authorized to conduct a keno lottery in accordance with state law.

Discussion: During the past several months, the City Council and public have received information regarding charitable gaming (keno), including an educational presentation regarding the regulatory framework, operational models, and community impacts associated with keno in Nebraska communities.

Nebraska law authorizes cities and villages to establish and conduct a lottery upon approval of local voters. The proposed resolution would submit the following question to the voters of Madison at the November 3, 2026 statewide general election:

- **FOR establishment of a lottery (keno)**
- **AGAINST establishment of a lottery (keno)**

If approved by a majority of those voting on the question, the City would be authorized to proceed with the licensing and implementation process required under the Nebraska County and City Lottery Act. Any operation of keno would remain subject to licensing by the Nebraska Department of Revenue and all applicable state regulations.

The resolution further directs the City Clerk to certify the ballot question to the Madison County Clerk on or before September 1, 2026, in order for the question to be included on the November 3, 2026 general election ballot.

Approval of this resolution does not commit the City to immediate operation of keno. Rather, it provides Madison voters the opportunity to determine whether the City should have the authority to establish and conduct a keno lottery. If approved by the voters, future operational and contractual matters would be brought before the City Council for consideration as required by law.

Financial Consideration: There is no significant immediate financial impact associated with approval of the resolution other than routine election-related administrative costs. Should voters approve the measure and the City subsequently implement a keno lottery, proceeds generated through the lottery must be used in accordance with Nebraska law for community betterment purposes, awarding of prizes, taxes, and operational expenses.

Staff Recommendation: Staff recommends approval of the resolution submitting to the registered voters of the City of Madison the question of whether the City shall establish and conduct a lottery (keno) pursuant to the Nebraska County and City Lottery Act.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADISON, NEBRASKA, A CLASS II MUNICIPALITY, SUBMITTING TO THE NOVEMBER 3, 2026 STATEWIDE GENERAL ELECTION THE QUESTION OF WHETHER THE CITY SHALL ESTABLISH AND CONDUCT A LOTTERY (KENO) PURSUANT TO THE NEBRASKA COUNTY AND CITY LOTTERY ACT; DIRECTING THE CITY CLERK TO CERTIFY THE ISSUE BY SEPTEMBER 1, 2026; AND PROVIDING FOR RELATED MATTERS.

RECITALS

WHEREAS, the City of Madison, Nebraska (the "City") is a Class II municipality duly organized and existing under the laws of the State of Nebraska; and

WHEREAS, Neb. Rev. Stat. § 9-625 authorizes any county, city, or village to establish and conduct a lottery pursuant to the Nebraska County and City Lottery Act (Neb. Rev. Stat. §§ 9-601 et seq.) (the "Act") upon voter approval at a regular or special election called by the governing board for such purpose; and

WHEREAS, only one scheme or type of lottery may be conducted by a city at one time, and the City intends to conduct a keno lottery as authorized under the Act; and

WHEREAS, gross proceeds of any lottery conducted pursuant to the Act shall be used solely for community betterment purposes, awarding of prizes, taxes, and expenses, as defined under Neb. Rev. Stat. § 9-601; and

WHEREAS, the City Council has determined that it is in the best interests of the City and its residents to submit the question of establishing and conducting a keno lottery to the registered voters of the City for their determination; and

WHEREAS, the City Council desires to submit such question to the registered voters of the City at the November 3, 2026 statewide general election;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MADISON, NEBRASKA, AS FOLLOWS:

Section 1. Submission of Question to General Election. Pursuant to Neb. Rev. Stat. §§ 9-625 and 32-559, the question of whether the City shall establish and conduct a lottery (keno) pursuant to the Nebraska County and City Lottery Act is hereby submitted to the registered voters of the City of Madison, Nebraska, at the statewide general election to be held on November 3, 2026.

Section 2. Ballot Question. The question shall be submitted to the registered voters in substantially the following form:

> Shall the City of Madison, Nebraska, establish and conduct a keno lottery pursuant to the Nebraska County and City Lottery Act for the purpose of community betterment as defined in the Act, which includes tax relief?

_____ FOR establishment of a lottery (keno)

_____ AGAINST establishment of a lottery (keno)

Section 3. Majority Vote Required. A majority of the registered voters of the City voting on the issue at the November 3, 2026 general election shall be required to approve the establishment and conduct of a keno lottery. If a majority of voters voting on the issue approve, the City is authorized to proceed with licensing and operation of a keno lottery pursuant to the Act.

Section 4. Notice of Election. The City Clerk is hereby authorized and directed to certify the ballot question to the Madison County Clerk on or before September 1, 2026, as required by Neb. Rev. Stat. § 32-559, for inclusion on the November 3, 2026 general election ballot. The City Clerk shall provide any required notice of the submission of the issue as required by law.

Section 5. Election Officials. The Madison County Clerk is requested to include the ballot question on the November 3, 2026 general election ballot and conduct the election in accordance with the Nebraska Election Act and applicable law.

Section 6. Lottery Operation Conditions. If the question is approved by the registered voters, the City shall not conduct a lottery without first obtaining a license from the Nebraska Department of Revenue as required by the Act. All gross proceeds of the lottery shall be used solely for community betterment purposes, awarding of prizes, taxes, and expenses as required by Neb. Rev. Stat. § 9-629. Any contract relating to the conduct of a lottery shall include a provision permitting the City to terminate the contract by giving 30 days' notice if the lottery is discontinued by an election authorized under Neb. Rev. Stat. §§ 9-626 or 9-627, as required by the Act.

Section 7. Severability. If any section, paragraph, clause, or provision of this Resolution shall be held invalid, the invalidity of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Resolution.

Section 8. Effective Date. This Resolution shall take effect immediately upon its passage and approval.

PASSED AND ADOPTED by the City Council of the City of _____, Nebraska, at a duly called meeting thereof held on the 8th day of July, 2026.

CITY OF MADISON:

_____
Rob Fite, Mayor

ATTEST:

_____
Ruth Yuman, City Clerk

(SEAL)