

MINUTE RECORD
GIBBON CITY COUNCIL
Tuesday, January 19, 2021

The Gibbon City Council, Buffalo County, Nebraska met in open public session at 7:00 p.m. at City Hall on Tuesday, January 19, 2021. Notice of the meeting was given in The Shelton Clipper on January 14, 2021 and by posting at Gibbon City Hall, Gibbon Post Office and Gibbon Exchange Bank.

Mayor Deb VanMatre called the meeting to order at 7:00 p.m. The Pledge of Allegiance was recited. The Open Meetings Notice is posted on the north wall of the Council Chambers. The City of Gibbon abides by the Open Meetings Act in conducting business.

Roll Call: Jeff Burmood: Present
 Bob Krier: Present
 Leon Stall: Present
 Derrick Clevenger: Absent
Present: 3: Absent: 1

Submittal of Requests for Future Items: None

Reserve Time to Speak on Agenda Items: A request was made to reserve time to speak on an item which was not on this month's agenda.

Presentations and Proclamations:

Buffalo County Sheriff Department— Captain Anderson: Captain Anderson reported on the monthly activities. The department welcomed Todd Oschner back into service as CSO after being gone for several months following an accident. The department is still down two officers and possibly looking at hiring another CSO. December historically is training month for the department and even with Covid-19 they were able to get all hours needed done. Captain Anderson complimented the city workers for the snow removal following a couple snow events.

Mayor Report—Deb VanMatre: Mayor Deb VanMatre went over the city operations report compiled by Stacey Jaeschke beginning with Keno. Keno began in mid-January of 2020 and despite the keno outlet business being closed due to Covid-19 for some of those months the year-to-date revenue for the city is approximately \$20,000. Sales tax revenue continues to increase, with December 2020 collections of \$25,598.13 compared to \$19,252.49 in December 2019. The various departments are servicing equipment, painting picnic tables and benches and other winter maintenance activities.

Mayor VanMatre went over the next steps on the Fire Hall/City Hall/Community Center project. In December the council adopted a design build policy and method of construction. Later in the meeting the council will hear Dana Peterson with Design Build Procure about the professional service he provides. The next steps will be to solicit letters of interest, then give notice to receive written proposals. These steps will take about three months. The property purchase will be completed in June and we should be ready to move forward on the project by July 1.

Mayor VanMatre along with Matt Smallcomb went over the recommendation on water and sewer rates. Randy Hellbusch with Nebraska Rural Water Association provided an evaluation of current water and sewer rates. It is recommended to do a three-year rate increase on water to prepare for new well field expense, and on sewer as the revenue is not covering the expense. The increase will be brought to the council for approval at the February meeting.

Mayor VanMatre gave an update on the open City Administrator position. There were several applications received, however there were very few that were qualified. Councilmen Leon Stall and Derrick Clevenger along with Mayor VanMatre held initial interviews and have identified potential candidates for follow-up. Mayor VanMatre requested to go into closed session at the end of the meeting for a strategy session with respect to contract negotiations.

Mayor VanMatre gave an update on Gibbon's 150th celebration activities. The committee has held several meetings and the first event is scheduled for April 7th at the Heritage Center, with other activities planned throughout the year into November.

Mayor VanMatre commended Matt Smallcomb, Stacey Jaeschke and Pam Rasmussen for picking up extra duties due to the open administrator position.

City Attorney –Barry Hemmerling: Mr. Hemmerling gave an update on the Tom Sommerfeld’s unsafe building. A letter was sent to Mr. Sommerfeld and filed and the property has been posted. Mr. Sommerfeld has not responded to the letter. The City will be moving forward at the February meeting on this unsafe building.

City Treasurer—Susan Tonniges: Susan reported on the financials and went over the fund report and how those totals transfer over to the overall reports.

Design Build Procure—Dana Peterson: Mr. Peterson went over the professional services he will provide for the design/build process. He explained his responsibilities and the steps taken and an approximate timeline to begin the project.

Refinancing of Series 2016 Bonds--Piper Sandler & Company—Scott Keene: Mr. Keene went over the benefits of calling the Series 2016 bonds and issuing Series 2021 bonds at a projected interest rate of 1.300%. By doing this the City can save approximately \$50,450 in interest and have them paid off a year earlier. Mr. Keene explained the process of calling the bonds by resolution then issuing the Series 2021 bonds by ordinance.

Resolutions:

A motion was made by Jeff Burmood to approve the Resolution No. 2021-01—Update the Gibbon Pack Sewer Rate for 2021, seconded by Leon Stall.

Jeff Burmood: Yea; Leon Stall: Yea; Bob Krier: Yea

Yea: 3; Nay: 0; Absent: 1 Motion carried.

RESOLUTION NO. 2021-01

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF GIBBON, BUFFALO COUNTY, NEBRASKA, to modify the amount and fixed cost of contaminates allowed from Gibbon Pack to the Waste Water Treatment Plant.

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF GIBBON, BUFFALO COUNTY, NEBRASKA, AS FOLLOWS:

Section 1: The amount of contaminates that Gibbon Pack shall be allowed to discharge into the Gibbon Waste Water Treatment Plant on a monthly average shall be the following levels:

BOD	24,005 lbs./day
FOG	14,960 lbs./day
TKN	5,148 lbs./day
TSS	25,957 lbs./day
Chlorides	2,355 lbs./day

Section 2: The amount of fixed rate increase from \$72,431.00 per month to \$75,521 per month an increase of \$3,090.00 per month. Beginning with the January 2021 billing.

These levels and rates shall be based on a 30-day month.

Section 3: Maximum daily levels of contaminates may be unilaterally imposed at a later date.

A motion was made by Leon Stall to approve the Resolution No. 2021-02 Calling Series 2016 Bonds, seconded by Jeff Burmood.

Leon Stall: Yea; Jeff Burmood: Yea; Bob Krier: Yea

Yea: 3; Nay: 0; Absent: 1 Motion carried.

RESOLUTION NO. 2021-02

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GIBBON, NEBRASKA, AS FOLLOWS:

Section 1. That the following bonds issued by the City of Gibbon, Nebraska are hereby called for redemption at par plus accrued interest to the extent and on such date as set forth in the Designation of Call Date (as defined below):

General Obligation Various Purpose Bonds, Series 2016, dated April 28, 2016, in the outstanding principal amount of \$670,000, numbered as they are shown on the books and records of the Paying Agent and Registrar, maturing in the principal amount and bearing CUSIP numbers as follows:

<u>Principal Amount</u>	<u>Maturity Date</u>	<u>CUSIP No.</u>
\$65,000	May 1, 2022	374631 FX2

70,000	May 1, 2023	374631 FY0
70,000	May 1, 2024	374631 FZ7
75,000	May 1, 2025	374631 GA1
75,000	May 1, 2026	374631 GB9
75,000	May 1, 2027	374631 GC7
80,000	May 1, 2028	374631 GD5
80,000	May 1, 2029	374631 GE3
80,000	May 1, 2030	374631 GF0

The General Obligation Various Purpose Bonds, Series 2016, maturing on May 1, 2021, are not called for payment hereunder and will be paid at maturity.

Section 2. Said bonds are payable at the office of the Treasurer of the City of Gibbon, Nebraska, as Paying Agent and Registrar, in Gibbon, Nebraska.

Section 3. The Mayor or the City Clerk of the City (each, an "Authorized Officer") are hereby authorized at any time on or after the date of this resolution to determine the call date for said bonds on behalf of the City and to designate which maturities of said bonds will be called, and such determination, when made in writing (the "Designation of Call Date"), shall constitute the action of the City without further action of the Mayor and Council. The Call Date shall be set for any time on or after April 28, 2016, provided, however, that on and after December 31, 2021, the Authorized Officers shall have no authority to make any such determination hereunder without further action of the Mayor and Council of the City and this resolution shall be of no further force and effect.

Section 4. A copy of this resolution shall be filed with the Treasurer of the City of Gibbon, in Gibbon, Nebraska, as Paying Agent and Registrar and said Paying Agent and Registrar is hereby instructed to give notice of redemption in the manner provided for in the ordinance authorizing said bond and in accordance with the Designation of Call Date.

Ordinance:

Ordinance No. 619 with amendments to Chapter 114: Lottery Sections 114.01, 114.02 and 114.03 now came up for third and final reading. Ordinance No. 619 with Chapter 114 amendment entitled:

AN ORDINANCE OF THE CITY OF GIBBON, BUFFALO COUNTY, NEBRASKA ADOPTING THE GIBBON CITY CODE OF ORDINANCES IN SUBSTITUTION OF THE GIBBON MUNICIPAL CODE, 2000 AND REPEALING PRIOR ORDINANCES IN CONFLICT THEREWITH.

Council member Bob Krier moved for final passage of Ordinance No. 619 with Chapter 114 amendment, seconded by Jeff Burmood on its second reading.

The Mayor then stated the question: "Shall Ordinance No. 619 with amendments to Chapter 114: Lottery Sections be passed and adopted?"

Bob Krier: Yea; Jeff Burmood: Yea; Leon Stall: Yea
Yea: 3; Nay: 0; Absent: 1 Motion carried.

The passage and adoption of said ordinance having been concurred by a majority of all members of the Council, the Mayor declared Ordinance No. 619 with amendments to Chapter 114: Lottery Sections 114.01, 114.02 and 114.03, adopted and signed name in presence of council. Mayor declared said Ordinance No. 619 with Chapter 114 amendment approved on its third and final reading.

Ordinance No. 621 Issuing General Obligation Various Purpose Refunding Bonds, Series 2021 in an amount not to exceed \$700,000

Council member Leon Stall introduced Ordinance No. 621 entitled:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION VARIOUS PURPOSE REFUNDING BONDS, SERIES 2021, OF THE CITY OF GIBBON, NEBRASKA, IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED SEVEN HUNDRED THOUSAND DOLLARS (\$700,000) TO REFUND CERTAIN OUTSTANDING BONDS OF THE CITY; PRESCRIBING THE FORM OF SAID BONDS; PROVIDING FOR A SINKING FUND AND FOR THE LEVY AND COLLECTION OF TAXES TO PAY SAID BONDS; PROVIDING FOR THE SALE OF THE BONDS AND AUTHORIZING THE CITY TO ENTER INTO A BOND PURCHASE AGREEMENT; AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER; PROVIDING FOR THE DISPOSITION OF THE BOND PROCEEDS AND ORDERING THE ORDINANCE PUBLISHED IN PAMPHLET FORM.

And moved that the statutory rule requiring reading on three different days be suspended.
Council member Bob Krier seconded the motion.

Leon Stall: Yea; Bob Krier: Yea; Jeff Burmood: Yea
Yea: 3; Nay: 0; Absent: 1 Motion carried.

The motion to suspend the rule was adopted by three-fourths of the council and the statutory rule was declared suspended for consideration of said Ordinance.

Said Ordinance No. 621 was then read by title and thereafter Council Member Jeff Burmood moved for final passage of the Ordinance, which motion was seconded by Council Member Leon Stall. The Mayor then stated the question "Shall Ordinance No 621 be passed and adopted?"

Jeff Burmood: Yea; Leon Stall: Yea; Bob Krier: Yea
Yea: 3; Nay: 0; Absent: 1 Motion carried.

The passage and adoption of said Ordinance having been concurred by a majority of all members of the Council, the Mayor declared the Ordinance adopted and signed name in presence of Council.

Consent Agenda:

A motion was made by Leon Stall to approve the Consent Agenda, seconded by Jeff Burmood.

Leon Stall: Yea; Jeff Burmood: Yea; Bob Krier: Yea
Yea: 3; Nay: 0; Absent: 1 Motion carried.

The items approved in the Consent Agenda are as follows:

Minutes of the December 21, 2020 Council Meeting
Claims for the month of January
Buffalo County Sheriff Department Report
Waste Water Treatment Plant Report
Treasures Report
Gibbon Volunteer Fire Department Report
Library Report
Cemetery Report and Directory Information
Reappointment of Karl Borden to Cemetery Board

Motions:

A motion was made by Leon Stall to approve the Professional Services Agreement with Frontwater engineering, LLC dba "Design Build Procure" for Employment as the Performance-Criteria Developer for the Fire Hall/City Hall/community Center Project, seconded by Jeff Burmood.

Leon Stall: Yea; Jeff Burmood: Yea; Bob Krier: Yea
Yea: 3; Nay: 0; Absent: 1 Motion carried.

A motion was made by Leon Stall to approve the Certificate of Compliance with the Nebraska Department of Roads 2020 Maintenance Services, seconded by Jeff Burmood.

Leon Stall: Yea; Jeff Burmood: Yea; Bob Krier: Yea
Yea: 3; Nay: 0; Absent: 1 Motion carried.

A motion was made by Leon Stall to approve the Maintenance Agreement No. 34 for 2021 with the Nebraska Department of Roads, seconded by Bob Krier.

Leon Stall: Yea; Bob Krier: Yea; Jeff Burmood: Yea.
Yea: 3; Nay: 0; Absent: 1 Motion carried.

Other Items:

The Mayor requested to go into closed session to discuss strategy with respect to contract negotiations.

A motion was made by Leon Stall to move into closed session to discuss strategy with respect to contract negotiations, seconded by Jeff Burmood.

Leon Stall: Yea; Jeff Burmood: Yea; Bob Krier: Yea
Yea: 3; Nay: 0; Absent: 1 Motion carried.

The Council moved into closed session at 8:28 p.m.

A motion was made by Leon Stall to move out of closed session, seconded by Bob Krier.

Leon Stall: Yea; Jeff Burmood: Yea; Bob Krier: Yea
Yea: 3; Nay: 0; Absent: 1 Motion carried.

The council moved out of closed session at 9:06 p.m.

Other:

The next regular Council Meeting will be on Tuesday, February 16, 2021 at 7:00 p.m. The City will be observing Presidents' Day on Monday.

Adjourn:

A motion was made by Leon Stall to adjourn the meeting, seconded by Bob Krier.

Leon Stall: Yea; Jeff Burmood: Yea; Bob Krier: Yea

Yea: 3; Nay: 0; Absent: 1 Motion carried.

Mayor VanMatre adjourned the meeting at 9:10 p.m.

Pamela Rasmussen

Deborah VanMatre

Pamela Rasmussen

Deborah VanMatre

City Clerk

City Administrator

Mayor

SEAL

