

MINUTE RECORD
GIBBON CITY COUNCIL
Monday, November 16, 2020

The Gibbon City Council, Buffalo County, Nebraska met in open public session at 7:00 p.m. at City Hall on Monday, November 16, 2020. Notice of the meeting was given in The Shelton Clipper on November 12, 2020 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: Present
Present: 4: Absent: 0

Submittal of Requests for Future Items: None

Reserve Time to Speak on Agenda Items: Ron Robinson requested to speak on several agenda items.

Presentations and Proclamations:

Buffalo County Sheriff Department— Captain Anderson: Captain Anderson reported on the recent incident involving several stolen vehicles, a tractor and property damage which is still being investigated. An alert was sent out to the public regarding the incident. They are working with several agencies on the case. Captain Anderson let the mayor and council know the department is taking extra precautions due to COVID-19. They are not doing in person training out of the community at this time however they are doing some virtual training.

Mayor Report—Deb VanMatre: Mayor VanMatre let those present know that the website and city's Facebook page has had issues since last month and we were not able to post and communicate as we would like with the public. These issues will be fixed soon. The mayor gave an overview of the Municipal Code of Ordinances that is on the agenda. The Code of Ordinances will have updated language and all current ordinances and will be available to the public on the website once it is passed.

City Attorney —Barry Hemmerling: Mr. Hemmerling reported on the Tom Sommerfeld nuisance property and let the mayor and council know after receiving a letter from Mr. Sommerfeld's attorney they will need to take the same steps as before and begin the abatement process again and have a public hearing on the unsafe structure. He will start the process and have it prepared for the December meeting.

City Administrator—Chris Rector: Chris reported on city operations. Keno proceeds for the month of September was \$1,739.07 from Lucky Duck and \$258.88 from Buffalo Chipz. The proceeds for the month of October were \$1,815.31 from Lucky Duck and \$536.38 from Buffalo Chipz. The year to date total received is \$20,010.60 before the 2% tax paid to the state. Sales tax for October 2020 is up again at \$25,793.32 compared to October 2019 which was \$18,713.08. The parks department finished the fall spraying and over seeding. They are finishing the landscaping at the pool. Sprinkler install sounds like it will be in the spring at the pool unless we get a run of good weather to keep the ground from freezing. The street department will be cleaning storm sewer inlets this month. This is done every fall to remove the leaves and debris that have washed down in them. The cemetery has been sprayed and over seeded. The fence is complete and the last two columns on the west road have been installed. The golf course is closed for the season and is still replacing sprinklers as the weather allows. The library is planning on a walk around Christmas display with tables and hot chocolate and giving books out to children. It is still in the planning phase. On the agenda we have our annual agreement with Olsson's for engineering services and resolution for the street superintendent certification. This is for our 1- and 6-year street plan that we will do after the first of the year.

City Treasurer—Susan Tonniges: Susan reported on the September year end financials and on the month of October financials.

Update on TIF projects—Chris Rector—A letter was sent to Rasmussen Mechanical notifying them of items that need to be resolved to be in compliance with the TIF agreement. They were also given the option to rescind the contract. BC Estates is up to date on their TIF agreement and we are now working with the engineer on the infrastructure.

Strategic Action Plan Update—Deb VanMatre and Chris Rector—City Administrator Rector reported on the passing of the Fire Hall/City Hall/ Community Room project and one of the half cent sales tax and use tax increase. We are able to proceed with the project even though the second half cent sales tax and use tax increase did not pass. The city will have the wastewater treatment plant paid for and could utilize that money in addition to the increased NPPD money. The next step moving forward on the project will be meeting with the Fire Department and Chief on final plans. The wastewater gas building will need some updates with some compressors. It's been twelve (12) years since anything has been done in that building. He reported that Pam will be checking on the next steps to get the cemetery directory. The Cemetery Board would like to move forward with the project early next year. We can possibly get the cement pad and some sort of gazebo or pavilion structure to put the directory in for some protection. The council was provided a sample job description for a code enforcement office and building inspector as they discussed having such position. Chris let the council know he and the mayor will be having a public meeting on flood and drainage control. There were no updates on the Emerald Ash Borer tree plan. Olsson's are moving forward on the new well field plans. Chris let the council know the estimate to rebrick the downtown streets is \$344,000.00 per city block.

Public Hearing: None

Ordinance:

Ordinance No. 619—City Code of Ordinances

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 Leon Stall introduced Ordinance No. 619 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.

Motion was made by Derrick Clevenger and seconded by Leon Stall to approve Ordinance No. 619 on its first reading.

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

Yea: 4 Nay: 0 Motion carried.

Mayor declared said Ordinance No. 619 approved on its first reading.

Ordinance No. 620—Increase Local Sales and Use Tax by One-Half Percent

AN ORDINANCE, PURSUANT TO THE NEBRASKA LOCAL OPTION REVENUE ACT, TO IMPOSE AN INCREASE OF THE LOCAL SALES AND USE TAX RATE BY AN ADDITIONAL ONE-HALF OF ONE PERCENT FROM ONE PERCENT (1.0%) TO ONE AND ONE-HALF PERCENT (1.50%), EFFECTIVE AS PROVIDED BY LAW, UPON THE SAME TRANSACTIONS THAT ARE SOURCED UNDER THE PROVISIONS OF NEB. REV. STAT. § 77-2703.01 TO 77-2703.04 WITHIN THE CORPORATE LIMITS OF THE CITY OF GIBBON, BUFFALO COUNTY, NEBRASKA, ON WHICH THE STATE OF NEBRASKA IS AUTHORIZED TO IMPOSE A TAX PURSUANT TO THE NEBRASKA REVENUE ACT OF 1967, AS AMENDED; TO REPEAL CONFLICTING ORDINANCES; AND TO PROVIDE FOR AN EFFECTIVE DATE THEREOF.

Council Member Leon Stall introduced Ordinance No. 620 entitled:

AN ORDINANCE, PURSUANT TO THE NEBRASKA LOCAL OPTION REVENUE ACT, TO IMPOSE AN INCREASE OF THE LOCAL SALES AND USE TAX RATE BY AN ADDITIONAL ONE-HALF OF ONE PERCENT FROM ONE PERCENT (1.0%) TO ONE AND ONE-HALF PERCENT (1.50%), EFFECTIVE AS PROVIDED BY LAW, UPON THE SAME TRANSACTIONS THAT ARE SOURCED UNDER THE PROVISIONS OF NEB. REV. STAT. § 77-2703.01 TO 77-2703.04 WITHIN THE CORPORATE LIMITS OF THE CITY OF GIBBON, BUFFALO COUNTY, NEBRASKA, ON WHICH THE STATE OF NEBRASKA IS AUTHORIZED TO IMPOSE A TAX PURSUANT TO THE NEBRASKA REVENUE ACT OF 1967, AS AMENDED; TO REPEAL CONFLICTING ORDINANCES; AND TO PROVIDE FOR AN EFFECTIVE DATE THEREOF and moved that the statutory rule requiring reading on three different days be suspended. Council Member Jeff Burmood seconded the motion to suspend the rule.

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

Yea: 4; Nay: 0 Motion carried.

Said Ordinance No. 620 was then read by title and thereafter Council Member Derrick Clevenger 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 620 be passed and adopted?"

Derrick Clevenger: Yea; Leon Stall: Yea; Bob Krier: Yea; Yea; Jeff Burmood: Yea;
Yea: 4; Nay: 0 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 the Mayor in the presence of the Council signed and approved the 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.

Consent Agenda:

A motion was made by Bob Krier to approve the Consent Agenda, seconded by Leon Stall.
Bob Krier: Yea; Leon Stall: Yea; Derrick Clevenger: Yea; Jeff Burmood: Yea;
Yea: 4 Nay: 0 Motion carried.

The items approved in the Consent Agenda are as follows:

Minutes of the October 19, 2020 Regular Council Meeting
Claims for the Month of November
Buffalo County Sheriff Department Report
Waste Water Treatment Plant Report
Gibbon Volunteer Fire Department Report
Planning Commission Report
Building Permit # 2020-47—Timothy Vogt—1003 10th Street--Fence
Library Report

Resolutions and Motions:

A motion was made by Leon Stall to ratify all action of Deb VanMatre, our LARM representative, including the election of nominees to the LARM Board of Directors, taken at the LARM Annual Members' Meeting held virtually on October 22, 2020, seconded by Jeff Burmood.
Leon Stall: Yea; Jeff Burmood: Yea; Bob Krier: Yea; Derrick Clevenger: Yea
Yea: 4 Nay: 0 Motion carried.

A motion was made by Leon Stall to approve the Consulting Services Agreement with Olsson, seconded by Derrick Clevenger.
Leon Stall: Yea; Derrick Clevenger: Yea; Jeff Burmood: Yea; Bob Krier Yea
Yea: 4 Nay: 0 Motion carried.

A motion was made by Derrick Clevenger to approve Resolution No. 2020-16—Signing of the Year-End Certification of the City Street Superintendent 2020, seconded by Leon Stall.

Resolution No. 2020-16

Whereas: State of Nebraska Statutes, sections 39-2302, and 39-2511 through 39-2515 details the requirements that must be met in order for a municipality to qualify for an annual Incentive Payment; and

Whereas: The State of Nebraska Department of Transportation (NDOT) requires that each incorporated municipality must annually certify (by December 31st of each year) the appointment of the City Street Superintendent to the NDOT using the Year-End Certification of City Street Superintendent; and

Whereas: The NDOT requires that such certification shall also include a copy of the documentation of the city street superintendents appointment, i.e., meeting minutes; showing the appointment of the City Street Superintendent by their name as it appears on their License (if applicable), their License Number and Class of License (if applicable), and type of appointment, i.e., employed, contract (consultant, or interlocal agreement with another incorporated municipality and/or county), and the beginning date of the appointment; and

Whereas: The NDOT also requires that such Year-End Certification of City Street Superintendent shall be signed by the Mayor or Village Board Chairperson and shall include a copy a resolution of the governing body authorizing the signing of the Year-End Certification of City Street Superintendent by the Mayor or Village Board Chairperson.

Be it resolved that the Mayor of the City of Gibbon is hereby authorized to sign the attached Year-End Certification of City Street Superintendent.

Derrick Clevenger: Yea; Leon Stall: Yea; Jeff Burmood: Yea; Derrick Clevenger: Yea
Yea: 4 Nay: 0 Motion carried.

A motion was made by Derrick Clevenger to approve Jeff Palik with Olsson as Street Superintendent for the City of Gibbon, seconded by Leon Stall.

Derrick Clevenger: Yea; Leon Stall: Yea; Jeff Burmood: Yea; Bob Krier: Yea
Yea: 4 Nay: 0 Motion carried.

Requests and Referrals: None

Other Items:

The next regular Council Meeting will be on Monday, December 21, 2020 at 7:00 p.m.

Adjourn:

A motion was made by Jeff Burmood to adjourn the meeting, seconded by Derrick Clevenger.

Jeff Burmood: Yea; Derrick Clevenger: Yea; Bob Krier: Yea; Leon Stall: Yea
Yea: 4; Nay: 0. Motion carried.

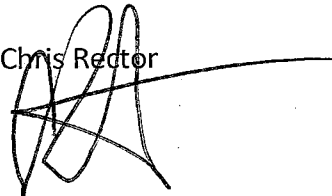
Mayor VanMatre adjourned the meeting at 8:36 p.m.

Pamela Rasmussen



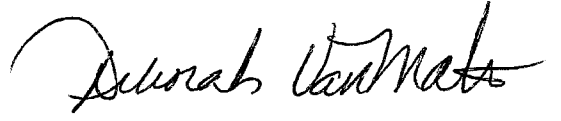
City Clerk

Chris Rector



City Administrator

Deborah VanMatre



Mayor

SEAL

