

MINUTE RECORD
GIBBON CITY COUNCIL
Tuesday, February 19, 2019

The Gibbon City Council, Buffalo County, Nebraska met in open public session at 7:00 p.m. at City Hall on Tuesday, February 19, 2019. Notice of the meeting was given in The Shelton Clipper on February 14, 2019 and by posting at Gibbon City Hall, Gibbon Post Office and the Gibbon Exchange Bank.

Mayor Deb VanMatre called the meeting to order at 7:01 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: Kevin Hynes: Present
Derrick Clevenger: Present
Jeff Burmod: Present
Leon Stall: Present

Present: 4; Absent: 0

Submittal of Requests for Future Items: None

Reserve Time to Speak on Agenda Items: No one

Presentations and Proclamations:

Buffalo County Sheriff Department--Contract Law Enforcement: Captain Anderson reported there was no unusual activity in the city. They will be getting the speed trailer out once the weather cooperates.

Mayor Report--Deb VanMatre: Talked with the council about proposing an ordinance to Prohibit Truck Traffic on River Street. After discussion she advised the City Attorney to write an ordinance for the next meeting.

The Mayor advised those present that the Council, Chris and herself would be at the LOMN Mid-Winter Conference in Lincoln next week. There will be no city business taking place in Lincoln and there was a notice posted of the council gathering on those days.

The Mayor and Council Planning Session is scheduled for Saturday, March 30, 2019 from 8:00 a.m. to 12:00 p.m. at the Gibbon Public Library. Gerald Claussen will facilitate.

There are openings on the Planning Commission Board and the Board of Adjustments if anyone is interested in serving there is a form on the website or can contact city hall.

City Administrator Report--Chris Rector: The city crews have been busy moving snow. The DEQ came out last week. We are still in need of replacing that blower. Spoke with the Village of Funk about their lights that are for sale however, don't believe they will work for our fields. Derrick Clevenger thought the Ball Associations estimate for the lights was \$120,000.00 per field. They would like to do 2 of the 4 fields.

City Treasurer Report--Tonniges & Associates: Due to the inclement weather they didn't attend the meeting.

KSO---Brooke Miller: The 2017-2018 Audit report indicates over all the City is in good shape. The assets of the City of Gibbon exceeded its liabilities at the close of the most recent fiscal year. The City's total debt decreased by \$785,000 during the year. The City of Gibbon maintains thirteen individual governmental funds. Six of the funds individually comprise the general governmental fund; six of the funds are special revenue funds; and one fund is a debt service fund. Information is presented separately in the governmental fund balance sheet and in the governmental fund statement of revenues, expenditures, and changes in fund balances for the general fund, street fund, pool fund, parks fund and bond and interest fund, all of which are considered major funds. In preparing the 2018-2019 fiscal year budget, the City intends to use a portion of its available fund balance to avoid the need to

substantially raise taxes. The levy remained the same from the prior year of \$0.510 per \$100 of assessed valuation.

Proposed Ordinance to Provide for RV Parking Regulations—Jeff Burmood: Discussion on RV parking in front driveways. The city has an Ordinance on parking RVs, trailers, vehicles on the street for more than 48 hours. This proposed ordinance would require RVs, trailers, boats to be so many feet from the sidewalk. This would eliminate the obstruction to see oncoming traffic or people walking on sidewalks. The ordinance would also state side yard parking must have a designated parking area such as rocked or paved and must be connected to an established driveway. After discussion the City Attorney was advised to write an ordinance for the next meeting.

Lucky Duck Addition & Keno—Trevor Reeder: Trevor informed the Mayor and Council he is expanding his facility. The addition will be for larger events such as live music, karaoke, comedians and would also be available for groups to use for their events. He would also like to begin the process of putting Keno on the ballot for public vote. Mr. Reeder explained the benefits Keno brings to the City. The City would receive 10% of the revenue that must be used for community improvement project only. Captain Anderson reported there hasn't been negative issues in the communities that currently have Keno as far as law enforcement side. City Attorney will bring information to the next meeting on the process and how Keno moneys must be used.

Public Hearing:

A motion was made by Derrick Clevenger to open the Public Hearing on Blighted and Substandard Redevelopment Area #2, seconded by Jeff Burmood.

Jeff Burmood: Yea; Derrick Clevenger: Yea; Kevin Hynes: Yea; Leon Stall: Yea
Yea: 4; Nay: 0 Motion Carried.

The hearing was held to hear any objection to the passage of the Resolution No. 2019-01—Blighted & Substandard Area #2. Joe Johnson with Olsson's went over the information on the Area #2 for Blighted and Substandard Redevelopment. The Mayor asked if there were any comments and no one responded.

A motion was made by Kevin Hynes to Close the Public Hearing on Blighted and Substandard Redevelopment Area #2, seconded by Derrick Clevenger.

Jeff Burmood; Yea; Derrick Clevenger: Yea; Kevin Hynes: Yea; Leon Stall: Yea
Yea: 4; Nay: 0 Motion Carried.

A motion was made by Leon Stall to open the Public Hearing for the 1-and 6-Year Street Plan, seconded by Kevin Hynes.

Jeff Burmood: Yea; Derrick Clevenger: Yea; Kevin Hynes: Yea; Leon Stall: Yea
Yea: 4; Nay: 0 Motion Carried.

The hearing was held to hear any objection to the passage of the Resolution No. 2019-02—One-and Six-Year Street Plan. Jess Hurlbert with Olsson's went over the One-Year Street Plan and the Six-Year Street Plan with those present. The Mayor asked if there were any comments and no one responded.

A motion was made by Leon Stall to close the Public Hearing on the One-and Six-Year Street Plan, seconded by Jeff Burmood.

Jeff Burmood: Yea; Derrick Clevenger: Yea; Kevin Hynes: Yea; Leon Stall: Yea
Yea: 4; Nay: 0 Motion Carried.

Consent Agenda: A motion was made by Kevin Hynes to approve the Consent Agenda, seconded by Leon Stall.

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

The items approved in the Consent Agenda are as follows:

Minutes of the January 22, 2019 Regular Council Meeting
Claims of the month of February
Buffalo County Sheriff Department Report
Treatment Plant Report & Water Report
Treasurers Report
GVFD Report
Planning Commission Reports

Building Permits: #2019-02—Eric Schade—912 West Avenue—Shed
#2019-03—Don & Catherine Chase—45680 67th Road—Patio Extension

Library Reports

Reappointment—Jennifer Samuelson—Board of Adjustments

Reappointment—Steven Ackley—Planning Commission Board

Heritage Center Report

2017-2018 Audit Report

Resolution and Motions:

A motion to approve Resolution No. 2019-01—Blighted & Substandard Area #2 was made by Derrick Clevenger, second by Kevin Hynes.

Jeff Burmood: Yea; Derrick Clevenger: Yea; Kevin Hynes: Yea; Leon Stall: Yea

Yea: 4; Nay: 0 Motion Carried

Resolution No. 2019-01: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF GIBBON, NEBRASKA DECLARING A CERTAIN AREA OF THE CITY TO BE BLIGHTED AND SUBSTANDARD AND IN NEED OF REDEVELOPMENT PURSUANT TO THE COMMUNITY DEVELOPMENT LAW, CHAPTER 18, ARTICLE 21, REISSUE REVISED STATUTES OF NEBRASKA, AS AMENDED

WHEREAS, it is necessary, desirable, advisable, and in the best interests of the City of Gibbon, Nebraska (the "City"), for the City to undertake and carry out redevelopment projects in certain areas of the City that are determined to be blighted and substandard and in need of redevelopment; and

WHEREAS, the Community Development Law, Chapter 18, Article 21, Reissue Revised Statutes of Nebraska, as amended (the "Act"), prescribes the requirements and procedures for the planning and implementation of redevelopment projects; and

WHEREAS, Section 18-2109 of the Act requires that, prior to the preparation by the Community Development Agency of the City of a redevelopment plan for a redevelopment project, the Mayor and Council shall, by resolution, declare the area to be blighted and substandard; and

WHEREAS, on February 19, 2019 the Mayor and Council for the City held a public hearing (the "Public Hearing") in the Council Room at the Gibbon City Hall, 715 Front Street in the City, to determine whether that certain area more fully described below (the "Redevelopment Area") should be declared blighted and substandard and in need of redevelopment as required by the Act; and

WHEREAS, notice of the Public Hearing was published in *The Shelton Clipper*, a legal newspaper of general circulation in the City on January 31, 2019 and February 7, 2019 which notice described the time, date, place and purpose of the Public Hearing and the legal description of the Redevelopment Area; the last publication of such notice being at least ten days prior to the time of the Public Hearing; and

WHEREAS, on or before February 8, 2019, such date being at least ten days prior to the time of the Public Hearing, the City mailed notice of the Public Hearing by United States Certified Mail, return receipt requested, sufficient postage affixed, to all registered neighborhood associations whose area of representation is located in whole or in part within a one-mile radius of the Redevelopment Area and to the president or chairperson of the governing body of each county, school district, community college, educational service unit, and natural resources district with real property in the Redevelopment Area, which notice included the time, date, place, and purpose of the Public Hearing and included a map of sufficient size to show the Redevelopment Area; and

WHEREAS, the Public Hearing was conducted and all interested parties were afforded a reasonable opportunity to express their views respecting the declaration of the Redevelopment Area as blighted and substandard and in need of redevelopment, and the Mayor and Council reviewed and discussed a Redevelopment Area Substandard/Blight Survey (the "Blight Study"); and

WHEREAS, the Mayor and Council submitted the question of whether the Redevelopment Area was blighted and substandard and in need of redevelopment to the Planning Commission of the City for its review and recommendation on November 19, 2018; and

WHEREAS, the Planning Commission reviewed the Redevelopment Area and the Blight Study on January 14, 2019 and made its recommendation and the Mayor and Council reviewed and discussed the recommendation received from the Planning Commission; and

WHEREAS, the Mayor and Council desire to determine whether the Redevelopment Area is blighted and substandard and in need of redevelopment in accordance with the Act.

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

Section 1. The Redevelopment Area is hereby declared to be substandard and in need of redevelopment pursuant to the Act, in that conditions now exist in the Redevelopment Area meeting the criteria set forth in Section 18-2103(10) of the Act, as described and set forth in the Blight Study. The Redevelopment Area is more particularly described on Exhibit "A" attached hereto and incorporated herein by this reference.

Section 2. The Redevelopment Area is hereby further declared to be blighted and in need of redevelopment pursuant to the Act, in that conditions now exist in the Redevelopment Area meeting the criteria set forth in the Act, including, without limitation, (a) one or more of the factors set forth in Section 18-2103(11)(a) of the Act and (b) at least one of the factors set forth in (i) through (iv) of Section 18-2103(11)(b) of the Act, as described and set forth in the Blight Study.

Section 3. The blighted and substandard conditions existing in the Redevelopment Area are beyond remedy and control solely through the regulatory process and the exercise of police power and cannot be dealt with effectively by the ordinary operations of private enterprise without the aids provided by the Act, and the elimination of the blighted and substandard conditions under the authority of the Act is hereby found to be a public purpose and declared to be in the public interest.

Section 4. The Redevelopment Area is in need of redevelopment and is or will be an eligible site for a redevelopment project under the provisions of the Act at the time of the adoption of any requirement plan with respect thereto.

Section 5. This Resolution shall be published and shall take effect as provided by law.

A TRACT OF LAND BOUNDED BY THE NORTH LINE OF THIRD STREET, THE WEST LINE OF GIBBON ROAD, THE EAST LINE OF TAX LOT 17, AND THE NORTH LINE OF LOT 3, KROLL'S FOURTH ADDITION TO THE CITY OF GIBBON, BUFFALO COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF THIRD STREET AND THE EAST LINE OF COURT STREET; THENCE SOUTHERLY 69.6' MORE OR LESS TO THE INTERSECTION OF THE SOUTH LINE OF THIRD STREET AND THE EAST LINE OF COURT STREET; THENCE SOUTHERLY ON THE EAST LINE OF COURT STREET, 430.9 FEET MORE OR LESS TO A BEND IN THE EAST LINE OF SAID COURT STREET; THENCE SOUTHWESTERLY ON THE EAST LINE OF COURT STREET, 44.7 FEET MORE OR LESS TO A BEND IN THE EAST LINE OF SAID COURT STREET; THENCE SOUTHERLY ON THE EAST LINE OF COURT STREET, 709.9 FEET MORE OR LESS TO THE INTERSECTION OF THE EAST LINE OF COURT STREET AND THE NORTH LINE OF SEVENTH STREET; THENCE EASTERLY ON THE NORTH LINE OF 7TH STREET, 797.0 FEET MORE OR LESS; THENCE SOUTHERLY ON THE EXTENSION OF THE EAST LINE OF OUT LOT 17, 1,024.0 FEET MORE OR LESS; THENCE WESTERLY ON THE SOUTH LINE OF TAX LOTS 17 AND 16, 150.6 FEET MORE OR LESS; THENCE SOUTHERLY ON THE EAST LINE OF LABARRE STREET, 136.8 FEET MORE OR LESS; THENCE WESTERLY ON THE NORTH LINE OF DREW LANE, 60.0' MORE OR LESS; THENCE NORTHERLY ON THE WEST LINE OF LABARRE STREET, 136.8 FEET MORE OR LESS; THENCE WESTERLY ON THE SOUTH LINE OF TAX LOT 16, 197.4 FEET MORE OR LESS; THENCE NORTHERLY ON THE EAST LINE OF TAX LOT 16, 605.0 FEET MORE OR LESS; THENCE WESTERLY ON THE NORTH LINE OF TAX LOT 2, 380.0 FEET; THENCE SOUTHERLY ON THE EAST LINE OF COURT STREET, 113.7 FEET MORE OR LESS; THENCE WESTERLY ON THE EXTENSION OF THE SOUTH LINE OF GIBBON COMMUNITY GOOD SAMARITAN HOME TO A POINT ON THE WEST LINE OF WEST AVENUE, 678.3 FEET MORE OR LESS; THENCE NORTHERLY THE WEST LINE OF WEST AVENUE 16.7 FEET MORE OR LESS; THENCE WESTERLY ON THE SOUTH LINE OF LOT 7, SPACE ACRES SUBDIVISION, 146.1 FEET MORE OR LESS; THENCE NORTHERLY ON THE EAST LINE OF TAX LOT 9, 252.5 FEET MORE OR LESS; THENCE WESTERLY TO THE WEST LINE OF TAX LOT 9, 207.8 FEET MORE OR LESS; THENCE NORTHERLY ON THE EAST LINE OF TAX LOT 10, 62.0 FEET MORE OR LESS; THENCE NORTHWESTERLY 29.6 FEET MORE OR LESS; THENCE WESTERLY, 85.0 FEET MORE OR LESS; THENCE NORTHERLY 40.0 FEET MORE OR LESS; THENCE WESTERLY TO THE WEST LINE OF TAX LOT 10, 89.2 FEET MORE OR LESS; THENCE SOUTHERLY ON THE WEST LINE OF TAX LOT 10, 997.1 FEET MORE OR LESS; THENCE WESTERLY ON THE NORTH LINE OF LOT 3, KROLL'S FOURTH ADDITION EXTENDED TO A POINT ON THE WEST LINE OF LAWN AVENUE, 175.0 FEET; THENCE NORTHERLY ON THE WEST LINE OF LAWN AVENUE, 428.0 FEET MORE OR LESS; THENCE WESTERLY ON THE SOUTH LINE OF LOT 1, KROLL'S THIRD ADDITION, 125.0 FEET MORE OR LESS; THENCE NORTHERLY ON THE WEST LINE OF SAID LOT 150.0 FEET MORE OR LESS; THENCE EASTERLY ON THE NORTH LINE OF SAID LOT 125.0 FEET MORE OR LESS; THENCE

NORTHERLY ON THE WEST LINE OF LAWN AVENUE, 119.7 FEET MORE OR LESS; THENCE ON A CURVE TO THE LEFT WITH A RADIUS OF 30.0 FEET AND A LENGTH OF 47.66 FEET MORE OR LESS; THENCE WESTERLY ON THE SOUTH LINE OF EIGHTH STREET. 344.7 FEET MORE OR LESS; THENCE SOUTHERLY ON THE WEST LINE OF LOT 4, KROLL'S THIRD ADDITION, 150.0 FEET MORE OR LESS; THENCE WESTERLY ON THE SOUTH LINE OF PART OF TAX LOT 12, 354.9 FEET MORE OR LESS; THENCE SOUTHERLY 50.0 FEET MORE OR LESS; THENCE WESTERLY TO A POINT ON THE WEST LINE OF GIBBON ROAD, 583.0 FEET MORE OR LESS; THENCE NORTHERLY ON THE WEST LINE OF GIBBON ROAD 550.0 FEET MORE OR LESS; THENCE EASTERLY TO THE EAST LINE OF GIBBON ROAD AND THE NORTHWEST CORNER OF LOT 6, KROLL'S ADDITION, 66.00 FEET MORE OR LESS; THENCE SOUTHERLY ON THE WEST LINE OF SAID LOT 6, 150.0 FEET MORE OR LESS; THENCE EASTERLY ON THE SOUTH LINE OF LOTS 6, 5, 4, 3, AND 2 OF KROLL'S ADDITION, 816.8 FEET MORE OR LESS; THENCE SOUTHERLY ON THE WEST LINE OF LOT 12, KROLL'S ADDITION, 150.0 FEET MORE OR LESS; THENCE EASTERLY ON THE NORTH LINE OF EIGHTH STREET. 290.4 FEET MORE OR LESS; THENCE NORTHERLY ON THE EAST LINE OF A TRACT IN PART OF LOT 12 IN THE NW 1/4 SECTION 24, T9N, R14W EXTENDED TO A POINT ON THE NORTH LINE OF 7TH STREET, 366.0 FEET MORE OR LESS; THENCE EASTERLY ON THE NORTH LINE OF 7TH STREET TO THE INTERSECTION OF THE NORTH LINE OF SEVENTH STREET AND THE WEST LINE OF COURT STREET, 709.3 FEET MORE OR LESS; THENCE NORTHERLY ON THE WEST LINE OF WEST AVENUE, 968.9 FEET MORE OR LESS TO A POINT THAT INTERSECTS WITH THE SOUTHWESTERLY EXTENSION OF THE NORTH R.O.W. LINE OF THIRD STREET; THENCE NORTHEASTERLY ON THE NORTH LINE OF THIRD STREET 762.2 FEET MORE OR LESS TO THE POINT OF BEGINNING, CONTAINING 56.65 ACRES MORE OR LESS.

A motion to approve Resolution No. 2019-02—One-and Six-Year Street Plan was made by Leon Stall, seconded by Jeff Burmood.

Jeff Burmood: Yea; Derrick Clevenger: Yea; Kevin Hynes: Yea; Leon Stall: Yea

Yea: 4; Nay: 0 Motion Carried

Resolution No. 2019-02: A RESOLUTION OF THE CITY OF GIBBON, BUFFALO COUNTY, NEBRASKA, TO APPROVE THE ONE-AND SIX-YEAR PLANS FOR STREET IMPROVEMENTS.

WHEREAS, in accordance with the statutes of the State of Nebraska and as prescribed by the Board of Public Roads Classifications and Standards, Notice of Hearing has been given publication in the legal newspaper of Gibbon, Nebraska and by posting in three public places within the City, of hearing on the one-and Six-Year Plans of Street Improvements of Gibbon, to be held at the City Office on the 19th day of February, 2019 at 7:15 p.m. for the purpose of hearing comments and objections to said plans.

WHEREAS, upon said hearing, the City Council finds that the plans submitted are adequate for the purpose prescribed by law and that the same should be approved.

NOW, THEREFORE, BE IT RESOLVED by the Chairman and City Council of Gibbon, Nebraska that the One-and Six-Year Plans for street improvements during the current year are hereby approved and adopted.

A motion to approve Resolution No. 2019-03 to appoint Chris Rector to the ACE Board and Pamela Rasmussen as alternate was made by Kevin Hynes, seconded by Leon Stall.

Jeff Burmood: Yea; Derrick Clevenger: Yea; Kevin Hynes: Yea; Leon Stall: Yea

Yea: 4; Nay: 0 Motion Carried

Resolution No. 2019-03: A RESOLUTION OF THE CITY OF GIBBON, BUFFALO COUNTY, NEBRASKA, TO APPOINT A DIRECTOR AND ALTERNATE DIRECTOR TO PACE BOARD OF DIRECTORS.

WHEREAS, the City of Gibbon is a party to the Interlocal Agreement creating the PUBLIC ALLIANCE FOR COMMUNITY ENERGY and pursuant to the terms of said Agreement, it is the responsibility of the City to designate a representative of the City of Gibbon to the PUBLIC ALLIANCE FOR COMMUNITY ENERGY Board of Directors provided for under the terms of said Agreement.

Now, therefore, be it resolved BY THE Mayor and City Council of the City of Gibbon, Nebraska that:

1. The City Clerk is hereby directed to give written notice to the PUBLIC ALLIANCE FOR COMMUNITY ENERGY of the appointment of Christopher Rector as the City's representative to said Board of Directors.
2. The City Clerk is hereby directed to give written notice to the PUBLIC ALLIANCE FOR COMMUNITY ENERGY of the appointment of Pamela Rasmussen as the City's alternate representative to said Board of Directors.

Requests and Referrals: None

Other Items: The next Regular Council Meeting will be on Monday, March 18, 2019 at 7:00 p.m.

Adjourn: A motion was made by Jeff Burmood to adjourn the meeting, seconded by Leon Stall.
Jeff Burmood: Yea; Derrick Clevenger: Yea; Kevin Hynes: Yea; Leon Stall: Yea
Yea: 4; Nay 0 Motion Carried

Mayor VanMatre adjourned the meeting at 7:53 p.m.

Pamela Rasmussen
Pamela Rasmussen
City Clerk
SEAL:

[Signature]
Chris Rector
City Administrator

Deborah VanMatre
Deborah VanMatre
Mayor

