

MINUTE RECORD
GIBBON CITY COUNCIL
Monday, April 15, 2019

The Gibbon City Council, Buffalo County, Nebraska met in open public session at 7:00 p.m. at City Hall on Monday, April 15, 2019. Notice of the meeting was given in The Shelton Clipper on April 11, 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 7:00 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: 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: Purposed Ordinance 607--Ron Robinson, Kelli Smith, LeeAnn Holl, Louis Bruckner and Joyce Giger.

Presentations and Proclamations:

Buffalo County Sheriff Department--Contract Law Enforcement: Captain Anderson reported on the flooding in March and that county roads are still in poor shape. They are continuing to deal with various ordinance violations. April is a heavy training month for the agency but assured the council there will be ample coverage during this time. They are also looking at having a possible active shooter training at the school.

Mayor Report—Deb VanMatre: Reported on the work session that was held on March 30th which was facilitated by Gerald Clausen. They discussed the positive things within the community and current and upcoming challenges they will be facing. They set goals for the next 1 – 5 years. They will be presented at the next council meeting. VanMatre said there are still openings on the Planning Commission Board and Board of Adjustments if there is any one wanting to serve their community in that way to contact City Hall or her.

City Attorney Report—Barry Hemmerling: Spoke about the procedure and time frame to set up a special election for keno. The council will review the cost to hold a special election over waiting until May 2020.

City Administrator Report—Chris Rector: The waste water treatment plant project will be starting in May or June. Departments have been hiring for summer help and getting geared up for spring and summer projects and care of parks, ball fields and pool. Mike Stalder will be retiring after 25 years. We will be running an ad for full time help to fill his position. Rasmussen Mechanical will begin construction on their facility at the west edge of town. A glass company will be opening on Front Street in the east end of the old Herter's building. He and Darrin Robinson with the Buffalo County Economic Development are working on getting a company to buy the Shinn building on Front Street. They would do some sort of processing. The water issue on Highway 30 is a state issue and he spoke to them about getting it resolved however they are attempting to work with the rail road to allow them to cut a ditch so water can drain. The state is also scheduled to rework the highway next year and we will revisit them about putting a storm drain in at that time.

Public Hearing—None

Resolutions and Motions:

Resolution No. 2019-04—Calling of General Obligation Swimming Pool Bonds

A motion was made by Kevin Hynes to approve Resolution No. 2019-04, seconded by Jeff Burmood.

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

Yea: 4; Nay: 0 Motion carried.

RESOLUTION No. 2019-04

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 on May 17, 2019, after which date interest on the bonds will cease.

General Obligation Swimming Pool Bonds, dated July 2, 2013, in the outstanding principal amount of \$1,340,000, 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>
\$ 100,000	July 1, 2022	374631 FH7
100,000	July 1, 2023	374631 FJ3
105,000	July 1, 2024	374631 FK0
105,000	July 1, 2025	374631 FL8
110,000	July 1, 2026	374631 FM6
110,000	July 1, 2027	374631 FN4
115,000	July 1, 2028	374631 FP9
595,000	July 1, 2033	374631 FQ7

The General Obligation Swimming Pool Bonds, dated July 2, 2013, and maturing on dates from July 1, 2019, through July 1, 2021 in the combined outstanding principal amount of \$285,000 are not being called for redemption and will be paid at their respective maturities.

Section 2. Said bonds are payable at the office of BOKF, N.A., in Lincoln, Nebraska, as Paying Agent and Registrar.

Section 3. A true copy of this resolution shall be filed by the City Clerk with BOKF, N.A., in Lincoln, Nebraska, as Paying Agent and Registrar at least thirty (30) days prior to call date and said Paying Agent and Registrar is hereby irrevocably instructed to take appropriate action to mail notice to the registered owners at least thirty (30) days prior to the call date.

PASSED AND APPROVED this 15 day of April, 2019.

Resolution No. 2019-05—Resolution Of Necessity Related To Sewer Improvement

A motion was made by Jeff Burmood to approve Resolution No. 2019-05, seconded by Kevin Hynes.

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

Yea: 4; Nay: 0 Motion carried.

RESOLUTION No. 2019-05

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

The Mayor and City Council hereby find and determine that the Resolution of Necessity related to sewer improvements in Sewer Improvement District No. 2018-1 has been previously proposed by the Mayor and City Council; that notice of hearing on such resolution has been published as required by law and a hearing held; that all actions of the City Clerk in scheduling such hearing and publishing such notice are hereby ratified, approved and confirmed; that it is necessary and advisable for the Mayor and City Council to adopt such resolution. Such Resolution of Necessity as previously proposed is hereby adopted in the following form:

Section 1. The Mayor and Council hereby find and determine that, under the provisions of Section 17-913, Reissue Revised Statutes of Nebraska, Reissue of 2012, upon determination by the Council deeming it advisable or necessary to build, reconstruct, purchase, or otherwise acquire a sanitary sewer system in whole or in part inside or outside such village, the City shall declare the advisability in a proposed resolution.

Section 2. The Mayor and Council further find and determine that it is necessary and advisable to construct certain improvements to the City's wastewater treatment system consisting of the following: Sewer Improvement District No. 2018-1.

Section 3. That for the purpose of the construction of the proposed improvements, there is hereby created in the City a sewer district to be known and designated as Sewer Improvement District No. 2018-1, the outer boundaries of which shall include all property located within the corporate limits of the City.

Section 4. A description of the project is as follows: (a) furnishing all materials, equipment, labor and appurtenances to complete the removal of approximately 8,500 square yards of existing 100 mil HDPE lagoon cover, ballast and gas piping; (b) Pumping all contents of the existing lagoon into the sludge lagoon; (c) cleaning all sludge from lagoon as well as sludge draw off pipes, spot repair of existing clay liner within lagoon; (d) 12' widening of the center dike of the lagoon; (e) installation of perimeter concrete anchor trench outside of existing anchor trench; (f) reinstallation of the 8,500 square yards of salvaged 100 mil HDPE cover in addition to approximately 1,400 square yards of new 100 mil HDPE cover along with all gas piping, ballast and stormwater pumping system; (g) widening (by 2') of the north and south lagoon dike roads to accommodate additional anchor trench width; and (h) construction of a new road (2" of crushed concrete with gravel overlay) on the east slope of the lagoon for access.

Section 5. Reference is hereby made to the plans and specifications for said project which have been prepared by the engineer for the City, which, together with said Engineer's estimate of total cost for said project have been filed with the City Clerk prior to the proposing of this Resolution.

Section 6. The Engineer's estimate of total cost for the project is \$500,000.00.

Section 7. It is hereby found and determined that the improvements described herein constitute improvements of general benefit to the City as a whole. To pay the cost of the improvements herein provided for, the Mayor and Council will, after such improvements have been completed and accepted by the City and to the extent such costs are not paid from other sources, cause to be issued Sewer Revenue Bonds or other bonds of the City.

PASSED AND APPROVED this 15 day of April, 2019.

Ordinances:

Ordinance No. 606: Prohibiting Truck Traffic On River Street: AN ORDINANCE OF THE CITY OF GIBBON, BUFFALO COUNTY, NEBRASKA TO PROHIBIT TRUCK TRAFFIC ON RIVER STREET FROM UNION STREET TO CENTER STREET

Motion to remove from the table Ordinance No. 606 by Derrick Clevenger, seconded by Leon Stall.

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

Yea: 4; Nay: 0 Motion carried.

Motion by Jeff Burmood to amend Ordinance No. 606 changing from 5 tons to 12 tons. Derrick Clevenger seconded the motion.

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

Yea: 4; Nay 0 Motion carried.

Council Member Leon Stall introduced revised Ordinance No. 606 entitled: AN ORDINANCE OF THE CITY OF GIBBON, BUFFALO COUNTY, NEBRASKA TO PROHIBIT TRUCK TRAFFIC ON RIVER STREET FROM UNION STREET TO CENTER STREET.

Ordinance No. 606 was read by title only. Motion was made by Leon Stall and seconded by Kevin Hynes to approve Ordinance No. 606 on its first reading.

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

Ordinance No. 607: Parking: Recreational Vehicles and Trailers In Driveways and Side Yards: Second reading

The Mayor opened the floor for public comments:

Ron Robinson—800 Hershey Street—stated his opposition on Ordinance No. 607 and asked his council representatives to vote against it.

Kelli Smith—1016 2nd Street—stated her opposition on Ordinance No. 607 and went over composed letter feeling the ordinance is more for personal preference and not a safety issue.

LeaAnn Holl—1018 2nd Street—commented that she doesn't have obstructions at her property and showed photos for examples. She stated to enforce the sidewalk obstruction issue. She is opposed of Ordinance No. 607.

Joyce Giger—1014 7th Street—didn't feel camper parking is an issue in her yard as its not in anyone's way.

Louise Bruckner—1418 7th Street—Has 2 motor homes in driveway and are on graveled parking. He doesn't feel its an issue in his yard.

Mayor stated she received emails from Walter Labrie, 314 West Avenue, Clayton Waddle, 1407 7th Street and a phone call from Mike Holl, 1018 2nd Street opposing Ordinance No. 607.

The Mayor asked for a motion to approve Ordinance No. 607 with no response. The Mayor declared Ordinance No. 607 dead with lack of motion at the second reading.

Ordinance No. 608—Issuance of General Obligation Swimming Pool Refunding Bonds
Council member Leon Stall introduced Ordinance No. 608 entitled:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION SWIMMING POOL REFUNDING BONDS, SERIES 2019, OF THE CITY OF GIBBON, NEBRASKA, IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED ONE MILLION THREE HUNDRED SIXTY THOUSAND DOLLARS (\$1,360,000) 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. Derrick Clevenger seconded the motion.

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

Said ordinance was then read by title and thereafter Kevin Hynes moved for final passage of the ordinance, motion was seconded by Leon Stall. The Mayor then stated the question was "Shall Ordinance No. 608 be passed and adopted?" Upon roll call vote:

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

Ordinance No. 609—Issuance Of Sewer Utility Bond

Council member Kevin Hynes introduced Ordinance No. 609 entitled:

AN ORDINANCE PROVIDING FOR THE ISSUANCE OF SEWER UTILITY BOND ANTICIPATION NOTES, SERIES 2019, IN THE AMOUNT OF NOT TO

EXCEED FIVE HUNDRED THOUSAND DOLLARS (\$500,000) FOR THE PURPOSE OF PAYING THE COSTS OF CONSTRUCTING SEWER IMPROVEMENTS WITHIN THE CITY OF GIBBON, NEBRASKA; AGREEING TO ISSUE BONDS TO PAY THE NOTES AND ACCRUED INTEREST AT MATURITY; PRESCRIBING THE FORM OF THE NOTES; AUTHORIZING THE SALE AND DELIVERY OF THE NOTES TO THE PURCHASER AND ORDERING THE PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM

and moved that the statutory rule requiring reading on three different days be suspended. Leon Stall seconded the motion.

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

Said ordinance was then read by title and thereafter Jeff Burmood moved for final passage of the ordinance, motion was seconded by Leon Stall. The Mayor then stated the question was "Shall Ordinance No. 609 be passed and adopted?" Upon roll call vote:

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

Consent Agenda:

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

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 March 17, 2019 Emergency Council Meeting

Minutes of the March 18, 2019 Regular Council Meeting

Minutes of the March 30, 2019 Work Session

Claims of the month of April

Buffalo County Sheriff Department Report

Treatment Plant Report & Water Report

Treasurers Report

GVFD Report

Planning Commission Report

Building Permits: #2019-06—Ben & Sharyn Turek—602 4th Street--Fence

#2019-07—Lonnie Jurgens Company—617 3rd Street—Single family residence

#2017-08—Samuelson/Pickel—812 Court Street--Fence

Library Reports

Cemetery Report

Reappointment—Lee Power—Heritage Center Board

Requests and Referrals: None

Other Items:

The next Regular Council Meeting will be on Monday, May 20, 2019 at 7:00 p.m.

Adjourn: A motion was made by Leon Stall to adjourn the meeting, seconded by Kevin Hynes.

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

Yea: 4; Nay 0 Motion Carried

Mayor VanMatre adjourned the meeting at 7:52 p.m.

Pamela Rasmussen

Chris Rector

Deborah VanMatre

City Clerk

City Administrator

Mayor

SEAL: