

MINUTE RECORD
GIBBON CITY COUNCIL
Monday, July 20, 2020

The Gibbon City Council, Buffalo County, Nebraska met in open public session at 7:00 p.m. at City Hall on Monday, July 20, 2020. Notice of the meeting was given in The Shelton Clipper on July 16, 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 time to speak on agenda items.

Presentations and Proclamations:

Buffalo County Sheriff Department— Captain Bob Anderson: Captain Anderson reported last month was a busy month which is typical for this time of year. They have noticed some effects of COVID-19 as there are lower numbers of people having gatherings and out in general. There has been an increase in check welfare calls. The department is down two deputies at this time but will be hiring one this week. They are anticipating a traditional school opening and are committed to helping the process be safe.

Mayor Report—Deb VanMatre: The Mayor reported on the Wood River and drainage planning. A meeting was held at the request of representatives of Union Pacific Rail Road. Those attending included UPRR representatives, Deb and Chris from the City, Jess from Olsson and Ivan Klein from the county. UPRR shared plans they have to secure the rail lines through Gibbon and discussed ideas on drainage ditches and culverts. Mr. Klein indicated they continue to work with landowners to clear areas to the east of Gibbon to assist in moving water through town to the river.

The Mayor gave an update on the Fire Hall/City Hall renovation. Contact has been made regarding the purchase of real estate, which was positive. The Mayor request the council to consider entering into closed session at the end of the meeting to discuss strategy with respect to the real estate purchase.

The Mayor reviewed the Memorandum of Understanding between the City of Gibbon and Two Rivers Public Health Department. At the beginning of the COVID-19 pandemic, we were asked to enter into an agreement with Two Rivers Public Health Department. Counties had agreements, but municipalities did not. In hindsight, it may appear it was a sudden decision, however, at the time we did not feel we had the expertise to make public health decisions and may not even now. This was added as an agenda item per the request of council members, so they have an opportunity to discuss the implications of the Memorandum of Understanding which we agreed to. In the event we want to cancel the agreement, 90 days' notice is required. The Mayor pointed out that there were misunderstandings on what the role of Two Rivers was, specifically in regard to the 4th of July parade. Two Rivers was not the guiding agency. The Nebraska Department of Health and Human Services was. Whether or not we had entered into the Memorandum of Understanding, the Directed Health Measure was in effect, which did not allow for parades. The Council discussed the authority and the enforcement Two Rivers Public Health Department has on the City of Gibbon. The Mayor assured that Two Rivers only enforces the current Directed Health Measures that are in effect by order of the Governor and the Nebraska Department of Health and Human Services.

The Mayor let the council know the Nebraska League of Municipalities 2020 Annual Conference will be held via a series of webinars rather than an in-person meeting in September. This will require changes to its articles of incorporation and bylaws, which will be presented at a future meeting for approval.

The Mayor discussed the upcoming sesquicentennial celebration of Gibbon beginning April 7, 2021. The Heritage Center board initially was to take charge of planning this event. However, we would like to involve the entire community in the celebration and would like to extend it to the July 4th celebration too. The Mayor asked for volunteers to serve on a committee to help plan this celebration. Anyone interested should contact the mayor.

Council planning sessions are scheduled for July 28 and 30. July 28th will include representative from our partners and will be somewhat of an orientation session for the council, followed by the strategic planning session on the 30th. A budget planning session will be scheduled sometime in August.

City Attorney—Barry Hemmerling: Mr. Hemmerling reported he continues to work with the company to get the code book finalized.

City Administrator—Chris Rector: Chris reported on city operations. Keno numbers were up for June with city revenue of \$3,425.04. Sales tax for June 2020 was \$19,408.85 compared to June 2019 at \$17,091.45. The parks department had normal activity for the month by preparing baseball fields and mowing and weed eating. There was vandalism last week in the restrooms and on the outside of the building at Davis Park. The parks department have cleaned it up and painted the outside of the building. The cemetery fence has been installed with the exception of a couple of posts and the entry way columns. He complimented Dustin, Miguel and Jacob on the work done on installing the fence on uneven ground. The golf course numbers are up and we are seeing an increase in rounds of play. This is good as last year we were down almost 20 percent on rounds of play. The budget is underway as he met with Susan and they have done the preliminary work. She will enter the information and see where we will be at the end of year. There should be no increase expenditures for next year as we did not make most of the purchases that we had discussed last year. The unsafe building of Rodriguez has been demolished. The Sommerfeld property will have to be cleaned out and then an asbestos inspection will have to be done before we can tear it down. We will keep moving forward on this property. There are a couple of vehicles on properties that the city will probably have to remove in the near future as they are not complying with city code.

Buffalo County Economic Development Council—Darren Robinson and Kelsie Knehans: Mr. Robinson went over the redevelopment contract and cost benefit analysis for Willis Construction, L.L.C. on the housing project. The proposed development will include ten individual single family lots ranging in size from 9,350 sq. ft. to 11,550 sq. ft. Each lot will include a single-story residence with a full basement with approximately 1,650 sq. ft. of living space per level and a three car garage.

Bill Kroll and Brian Kroll requested the council allow them to close 8th Street for irrigation of crops. The council discussed specific details on the time, barricades, day of week they would want to close and for how long.

Gibbon Keno—Mike Nevriy: Mr. Nevriy went over the application for Buffalo Chipz to begin keno. There were some concerns if Gibbon could support two keno outlets. Mr. Nevriy explained that if an outlet doesn't have a certain amount of sales then he pulls the contract.

Consent Agenda:

A motion was made by Bob Krier to approve the Consent Agenda, seconded by Leon Stall.

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

Yea: 4 Nay: 0 Motion carried.

The items approved in the Consent Agenda are as follows:

Minutes of the June 15, 2020 Regular Council Meeting

Claims for the Month of July

Buffalo County Sheriff Department Report

Treatment Plant Report & Water Report

Treasurers Report

Gibbon Volunteer Fire Department Report

Planning Commission Report

Building Permit # 2020-28—Michael Kenton—617 6th Street--Deck

Building Permit # 2020-29—Sam Walker—Shiers Estates—Single Family House

Building Permit # 2020-30—Tiffany Morales—323 Kelsey Avenue—Accessory Building

Building Permit # 2020-31—Lonnie Jurgens Company—615 3rd Street—Single Family House

Building Permit #2020-32—Mark & Chantel Stadler—617 3rd Street—Fence & Accessory Building
Building Permit # 2020-33—Gary & Cheryl Hughes—301 May Avenue--Carport
Building Permit # 2020-34—Gibbon Packing—218 East Hwy 30—Accessory Building
Building Permit # 2020-35—Phil & Renae Palazola—411 Lawn Avenue--Fence
Library Report
GVFD Membership Application—Jacinda Wilkie
Reappointment —Planning Commission—Curt Mayo
Reappointment—Heritage Center Board—Kevin McGregor

Resolutions and Motions:

A motion was made by Leon Stall to approve Resolution No. 2020-08—League Association of Risk Management 2020-2021 Insurance Renewal, seconded by Bob Krier.

RESOLUTION NO. 2020-08

WHEREAS, The City of Gibbon is a member of the League Association of Risk Management (LARM);

WHEREAS, section 8.10 of the Interlocal Agreement for the Establishment and Operation of the League Association of Risk Management provides that a member may voluntarily terminate its participation in LARM by written notice of termination given to LARM and the Nebraska Director of Insurance at least 90 days prior to the desired termination given to and that members may agree to extend the required termination notice beyond 90 days in order to realize reduced excess coverage costs, stability of contribution rates and efficiency in operation of LARM; and

WHEREAS, the Board of Directors of LARM has adopted a plan to provide contribution credits in consideration of certain agreements by members of LARM as provided in the attached letter.

BE IT RESOLVED that the governing body of The City of Gibbon, Nebraska, in consideration of the contribution credits provided under the LARM Board's plan, agrees to:

Provide written notice of termination at least 180 days prior to the desired termination date, which date shall be no sooner than September 30, 2023.

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

A motion was made by Derrick Clevenger to approve Resolution No. 2020-09 Authorizing the Execution, Delivery and Performance of a Redevelopment Contract, seconded by Jeff Burmood.

RESOLUTION NO. 2020-09

A RESOLUTION OF THE CITY OF GIBBON, NEBRASKA, AUTHORIZING THE EXECUTION, DELIVERY AND PERFORMANCE OF A REDEVELOPMENT CONTRACT, THE INCURRENCE OF DEBT AND APPROVAL OF RELATED ACTIONS.

WHEREAS, the Nebraska Community Development Law, Chapter 18, Article 21, Nebraska Reissue Revised Statutes of 2012, as amended (the "Act"), prescribes the requirements and procedures for the planning and implementation of redevelopment projects; and

WHEREAS, the City of Gibbon, Nebraska, a municipal corporation (the "City"), has determined it to be desirable to undertake and carry out redevelopment projects in an area of the City which has been determined and declared to be substandard and blighted and in need of redevelopment (the "Redevelopment Area") pursuant to the Act; and

WHEREAS, the Community Development Agency of the City of Gibbon, Nebraska (the "Agency"), has prepared a Redevelopment Plan pursuant to Section 18-2111 of the Act ("Redevelopment Plan"), and recommended the Redevelopment Plan to the Planning Commission of the City; and

WHEREAS, the Planning Commission of the City reviewed the Redevelopment Plan pursuant to the Act and submitted its recommendations to the Agency, pursuant to Section 18- 2114 of the Act; and

WHEREAS, in accordance with Section 18-2114 of the Act, the Agency submitted its recommendation, along with the recommendation of the Planning Commission to the City Council; and

WHEREAS, following consideration of the recommendations of the Planning Commission and the Agency, and following the public hearing with respect to the Redevelopment Plan, the City approved the Plan; and

WHEREAS, there has been presented to the City by the Agency for approval, pursuant to and in accordance with Section 18-2119 of the Act, a specific Redevelopment Project within the Redevelopment Plan, along with a specific Project Redevelopment Contract ("Redevelopment Contract"); and

WHEREAS, the City Council has determined that the proposed Redevelopment Project would not be economically feasible without the use of tax increment financing; that the proposed Redevelopment Project would not occur in the community without the use of tax increment financing, and; that, having considered the Cost-Benefit Analysis prepared by the Agency in connection with this proposed Redevelopment Project, attached hereto as Exhibit "A", the costs and benefits of the proposed Redevelopment Project have been found to be in the long-term best interests of the community; and

WHEREAS, the City Council has determined that it is in the best interests of the City, as expressed in the Redevelopment Plan, to approve and authorize the Redevelopment Project and to enter into the Redevelopment Contract and to carry out the transactions contemplated thereby.

NOW, THEREFORE, be it resolved by the Mayor and City Council of the City of Gibbon, Nebraska, that:

1. The Redevelopment Plan of the City previously approved for the Redevelopment Area, an area located within the corporate limits of the City, is hereby determined to be feasible and in conformity with the general plan for the development of the City as a whole, and the Redevelopment Plan, including the Redevelopment Project, identified more specifically in the Redevelopment Contract attached hereto as Exhibit "B" and incorporated herein by this reference, is in conformity with the legislative declarations and determinations set forth in the Act.

2. The City Council hereby determines that the proposed Redevelopment Project would not be economically feasible without the use of tax increment financing; that the proposed Redevelopment Project would not occur in the community without the use of tax increment financing; and the costs and benefits of the proposed Redevelopment Project are found to be in the long-term interests of the community.

3. The Mayor and City Clerk are hereby authorized and directed to execute and deliver the Redevelopment Contract, in substantially the form presented at this meeting, but with such changes, additions or deletions as they deem reasonable or necessary, together with all documents, certificates or instruments contemplated thereby or necessary in connection therewith.

4. Pursuant to Section 18-2147 of the Act, ad valorem taxes levied upon real property in a Redevelopment Project for the benefit of any public body, included or authorized in the Redevelopment Plan, said real property here being more particularly described on Exhibit "A" of the Redevelopment Contract (the "Premises"), shall be divided, for a period not to exceed 15 years after the effective date identified in the Redevelopment Contract attached hereto as Exhibit "A", as follows:

a. That portion of the ad valorem tax which is produced by the levy at the rate fixed each year by or for each public body upon the Premises shall be paid into the funds of each such public body in the same proportion as are all other taxes collected by or for the body; and

b. That portion of the ad valorem tax which is produced by the levy at the rate fixed each year by or for each public body upon the Premises shall be paid into the funds of each such public body in the same proportion as are all other taxes collected by or for the body; and

c. That portion of the ad valorem tax on the Premises in excess of such amount, if any, shall be allocated to and, when collected, paid into a special fund of the Agency to be used solely to pay the principal of, the interest on, and any premiums due in connection with the bonds, of loans, notes or advances of money to, or indebtedness incurred by, whether funded, refunded, assumed, or otherwise, such Agency for financing or refinancing, in whole or in part, the Redevelopment Project. When such bonds, loans, notes, advances of money, or indebtedness, including interest and premiums due, have been paid, the Agency shall so notify the County Assessor and County Treasurer and all ad valorem taxes upon taxable real property in such a redevelopment project shall be paid into the funds of the respective public bodies.

d. Any interest and penalties due for delinquent taxes shall be paid into the funds of each public body in the same proportion as are all other taxes collected by or for the public body.

5. The Mayor and City Clerk are authorized and directed to execute and file with

the Treasurer and Assessor of Buffalo County, Nebraska, an Allocation Agreement and Notice of Pledge of Taxes with respect to the Redevelopment Project substantially in the form attached hereto as Exhibit "C" with appropriate insertions.

6. Recognizing that, after the date of this Resolution, circumstances may arise necessitating changes, additions or deletions to the specific legal description of the Redevelopment Project, the Mayor is hereby authorized to make such changes, additions or deletions to the legal description as the Mayor deems reasonable or necessary, together with the authority to execute all documents, certificates or instruments necessary in connection therewith, specifically including the execution of an Amended Redevelopment Contract or an Amended Allocation Agreement and Notice of Pledge of Taxes with respect to the Redevelopment Project.

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

A motion was made by Jeff Burmood to approve the Redevelopment Contract with Willis Construction, L.L.C., seconded by Derrick Clevenger.

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

A motion was made by Derrick Clevenger to approve Kroll's request for the Temporary Closing of Eighth Street to Permit Irrigation of Crops on Sunday and/or Thursday with proper signage and barricades on Eighth Street and Gibbon Road from 7:00 p.m. to 7:00 a.m. beginning July 26, 2020 through October 31, 2020, seconded by Bob Krier.

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

A motion was made by Leon Stall to approve Buffalo Chipz as a Keno Sales Outlet, 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 Waiver of Objection on the Notice, Affidavit and Waiver of Lot Split commonly known as 812 Court Street, seconded by Derrick Clevenger.

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

No action was taken in Regard to the Memorandum of Understanding between the City of Gibbon and Two Rivers Public Health Department.

Requests and Referrals: None

Other Items:

A Council Planning Session will be held on Tuesday, July 28, 2020 at 1:30 p.m.

A Council Planning Session will be held on Thursday, July 30, 2020 at 6:30 p.m.

The next regular Council Meeting will be on Monday, August 17, 2020 at 7:00 p.m.

A motion was made by Leon Stall to go into Executive Session for the purpose of discussion of land acquisition. The purpose of moving into Executive Session was for the protection of the public interest or for the prevention of needless injury to the reputation of an individual in compliance with state law. It was announced that no action would be taken upon return to open session.

Jeff Burmood seconded the motion.

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

The council moved into Executive Session at 7:58 p.m.

A motion was made by Leon Stall to return from Executive Session, seconded by Derrick Clevenger.

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

The council returned from Executive Session at 8:04 p.m.

Adjourn:

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

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

Yea: 4; Nay: 0. Motion carried.

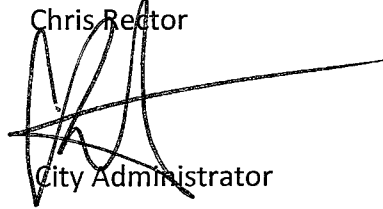
Mayor VanMatre adjourned the meeting at 8:05 p.m.

Pamela Rasmussen



City Clerk

Chris Rector



City Administrator

Deborah VanMatre



Mayor

SEAL

