

MINUTE RECORD
GIBBON CITY COUNCIL
Monday, May 21, 2018

The Gibbon City Council, Buffalo County, Nebraska met in an open public session at 7:00 p.m. at City Hall on Monday, May 21, 2018. The Mayor, Council Members and the public were advised of the notice by publishing and posting. No additional items were added to the meeting during the twenty-four hours preceding the meeting.

Mayor Deb VanMatre called the meeting to order at 7:00 p.m. The Pledge of Allegiance was recited by everyone. The City of Gibbon abides by the Open Meetings Act in conducting business. A copy of the Open Meetings Act is displayed on the north wall of the Council Chambers as required by state law.

Roll Call: Leon Stall: Present
Derrick Clevenger: Present
Kevin Hynes: Present
Albert Krueger: Present

Present: 4

A motion was made by Derrick Clevenger to approve the order of the agenda with the omission of the WWTP Report, Matt was unable to attend. Seconded by Albert Krueger.

Derrick Clevenger: Yea, Kevin Hynes: Yea, Albert Krueger: Yea, Leon Stall: Yea
Yea: 4, Nay: 0 Motion carried.

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: Sergeant Gibbs reviewed the Monthly Activity Report with the Mayor and Council Members. The Department has hired a new CSO, and a new Deputy, Logan Miller.

Mayor Report—Deb VanMatre: We need to look at changes where trucks can park in the retail area on Front Street.

City Attorney Report—Barry Hemmerling: The People Service request is ready to go.

City Administrator Report—Chris Rector: The pool is ready to go. We plan on opening for the season on Saturday, May 26th. We will have to paint the pool this fall after the pool is closed. The street department is working on several areas around town that I marked for repair. The WWTP is running fine. Bids for the installation of the sampling station at the WWTP will be in next week. The CSO will start issuing citations concerning lawns that need to be mowed.

City Treasurer Report—Tonniges & Associates: Ashley reviewed the report with the Mayor and Council Members.

TIF for Redevelopment Project—Darren Robinson: Darren Robinson, former President of the Economic Development Council of Buffalo County, reviewed the proposed plans of Rasmussen Mechanical Services and their request for Tax Increment Financing. They employ a total of 195, wanted a site somewhere within the tri-city area. The project contemplates the purchase of approximately 3.5 acres for a new sales and service location. The building square footage would be approximately 14,400 sq. ft. The possible site would be on Gibbon Road. The increase in assessed value would be approximately \$900,000 which would produce \$280,000 in TIF funds. The CDA (Community Development Agency) approved the project be granted 80% of the annual increment in real estate taxes, which would give the business \$225,000. We need a Resolution approved tonight, and then the CDA would approve the TIF contract. They would like to start construction by July 15th.

Public Hearing: None

Ordinance #603—Sewer Bond Anticipation Notes: Suspending rules to read and pass Ordinance in one meeting. Adoption of Ordinance No. 603. Council Member Derrick Clevenger introduced Ordinance No. 603. Entitled: **AN ORDINANCE PROVIDING FOR THE ISSUANCE OF SEWER IMPROVEMENT BOND ANTICIPATION NOTES, SERIES 2018, IN THE PRINCIPAL AMOUNT OF TWO HUNDRED THOUSAND DOLLARS (\$200,000) FOR THE PURPOSE OF PAYING THE COST OF CONSTRUCTING SEWER IMPROVEMENTS IN THE CITY OF GIBBON, NEBRASKA; PROVIDING FOR A PAYING AGENT AND REGISTRAR OF THE NOTES; AGREEING TO ISSUE BONDS OR OTHER OBLIGATIONS TO PAY THE NOTES AND ACCRUED INTEREST AT MATURITY AND ORDERING THE PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM.** Council Member Kevin Hynes moved that statutory rule requiring reading on three different days be suspended. Seconded by Albert Krueger.

Albert Krueger: Yea, Leon Stall: Yea, Kevin Hynes: Yea, Derrick Clevenger: Yea

Yea: 4, Nay: 0

The City Clerk declared the motion adopted by a majority vote of the Council and statutory rule suspended for consideration of said Ordinance. The Ordinance was read by title. Council Member Albert Krueger moved for final passage. Seconded by Leon Stall. Mayor asks, "Shall Ordinance No. 603 be passed and adopted?"

Leon Stall: Yea, Derrick Clevenger: Yea, Albert Krueger: Yea, Kevin Hynes: Yea

Yea: 4, Nay: 0

Mayor declared Ordinance No. 603 adopted and signed name in presence of Council and Clerk who attests same.

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

Albert Krueger: Yea, Leon Stall: Yea, Derrick Clevenger: Yea, Kevin Hynes: Yea

Yea: 4, Nay: 0 Motion carried.

The items approved in the Consent Agenda are as follows:

Minutes of the April 16, 2018 Council Meeting and May 7, 2018 Council Meeting

Claims for the month of May

Buffalo County Sheriff Department Report

Treatment Plant Report and Water Report

Treasurers Report

GVFD Report

Planning Commission Report

Building Permits: #2018-04—Brandon & Betty Jacques—Garden Shed & Fence—617 4th Street

#2018-05—Dan Catlin—Steel Building—106 LaBarre Street

#2018-06—Mike & Lea Ann Holl—Fence—1018 2nd Street

#2018-07—Colin Miller—Fence—105 May Ave.

#2018-08—Dianna Frew—Storage Shed—9 Centennial Drive

#2018-09—Kevin & Kim Hynes—Deck—416 LaBarre Street

Library Report

Cemetery Report

GVFD Applications: Neal Petty Jr. and Tyler Cress

Resolutions and Motions:

Letter of Agreement—Scope of Services—Between City of Gibbon & Olsson Associates (Civic and Community Center Financing Fund Gibbon Fire Station Renovation Feasibility Study): The scope of services would include: Three committee meetings with the City of Gibbon, provide 2 building concepts with preliminary opinions for cost of construction, host 1 public open house, and provide final feasibility report with potential funding sources and fundraising opportunities identified.

A motion was made by Albert Krueger to approve the Letter of Agreement—Scope of Services, seconded by Leon Stall.

Kevin Hynes: Yea, Leon Stall: Yea, Albert Krueger: Yea, Derrick Clevenger: Yea

Yea: 4, Nay: 0 Motion carried.

Resolution #2018-03--(TIF) Tax Increment Financing for Redevelopment Project: A motion was made by Derrick Clevenger to approve Resolution #2018-03, seconded by Kevin Hynes.

Derrick Clevenger: Yea, Kevin Hynes: Yea, Albert Krueger: Yea, Leon Stall: Yea

Yea: 4, Nay: 0

RESOLUTION NO. 2018-03:

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 on the Premises in excess of such amount, if any, shall be allocated to and, when collected, paid into a special fund for 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.
 - c. 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.

IN WITNESS WHEREOF, the City Council of the City of Gibbon, has passed and adopted this Resolution on the 21st day of May, 2018.

Requests and Referrals: None
 Other Items:

1. 1st Regular Council Meeting will be on Monday, June 4, 2018 at 5:30 p.m.
2. 2nd Regular Council Meetings will be on Monday, June 18, 2018 at 7:00 p.m.

Adjourn: A motion was made by Kevin Hynes to adjourn the meeting, seconded by Leon Stall.
 Kevin Hynes: Yea, Leon Stall: Yea, Albert Krueger: Yea, Derrick Clevenger: Yea
 Yea: 4, Nay: 0 Motion carried
 Mayor VanMatre adjourned the meeting at 7:27 p.m.

Vickie Power
Vickie Power
 City Clerk

Chris Rector
 City Administrator

Deb VanMatre
Deborah VanMatre
 Mayor

