

MINUTE RECORD
GIBBON CITY COUNCIL
AUGUST 15, 2016

The Gibbon City Council, Buffalo County, Nebraska met in an open public session at 7:00 p.m. at City Hall on Monday, August 15, 2016. The Mayor, Council Members and the public were advised of the notice. No additional items were added to the meeting during the twenty-four hours immediately preceding the meeting.

Mayor Deb VanMatre called the meeting to order at 7:00 p.m. The Pledge of Allegiance was recited. Mayor VanMatre advised every one of the Open Meetings Notice posted on the north wall of the Council Chambers. The City of Gibbon abides by the Open Meetings Act in conducting business.

Roll call was taken: Council Members present were: Derrick Clevenger, Kevin Hynes, Leon Stall, Albert Krueger.

Absent: No one.

A motion was made by Leon Stall to approve the order of the agenda as printed, seconded by Kevin Hynes.

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

Nay votes: None 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 Report: Captain Anderson reviewed the monthly activity report. July was a busier month, nothing out of the ordinary. The officers said this past week-end activities at the Festival on the Bricks went very well. We have a new deputy, Nathan Howe. He lives in Kearney and will be here at the next Council Meeting. We are in the process of hiring 2 more deputies. Margo will be leaving the force. We will miss her. We still want to incorporate the speed trailer in town. The department is mindful of all of the sporting events beginning with the start of school.

Treatment Plant and Water Report—Matt Smallcomb: Matt reviewed the WWTP and Water Reports. The west lagoon is now at operation level and ready for the cover. We are 30% complete with changing diffusers. HOA worked on the SBR #2 decant actuator and influent actuator. We installed new spark generator and regulators on the torch. We had to replace card for the effluent communications. The influent pump #3 had a seal leak. We pulled it and sent it to Des Moines for repair. The Brown Bear has been sent in for repairs.

Water Report: We had the reservoir inspected. We had to repair 4 water main leaks. They are working on pulling new wiring into well #2 in Davis Park. Well #4 was pulled to do a high amp reading, it was sent in for warranty work. We installed 2 new water services, and installed a new communication panel on the 7th Street lift station. We also installed 2 new VFD's on the service pumps at the water station.

City Administrator Report—Chris Rector: The proposed Subdivision Regulations have been approved by the Planning Commission. We would like the Council Members to review the proposed regulations so we can act on them at the next regular Council Meeting. The swimming pool is closed for the season. We are draining the pool this week, and will check the paint after it is empty. We will be spraying for mosquitos every other week from now on until we are finished. The golf course will be holding a big golf tournament this next week-end. Our budget work session is set for next Monday at 7:00 p.m. We continue to repair bad concrete areas around town.

City Attorney Report—Barry Hemmerling: We are in the process of assessing the 2012 and 2014 paving projects. We will be holding a Special Meeting on September 12, 2016 at 6:00 p.m. and act on the

Resolution setting the interest rate and installment plan concerning the special assessments. The notice is required to be published for 4 weeks. On Monday letters will be sent out to each property owner affected by the assessments, and a second reminder including the amounts will be sent later.

City Treasurers Report: Ashley reviewed the Treasurers Report with the Mayor and Council Members.

Public Hearing: None

Ordinance: None

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

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

Nay votes: None

The items included in the Consent Agenda were:

Minutes of the July 18, 2016 Council Meeting

Claims for the month of August

Treasurers Report

Treatment Plant Report & Water Report

Buffalo County Sheriff Department Report

GVFD Report

Planning Commission Report

Building Permits: #2016-40—Keith Wagnitz—Lean To & Fence—101 Gilmore Street

Gibbon Community Center Report

Library Report

Cemetery Report

GVFD Application—Shannon Mitchell

Reappointment—Melody Rockefeller—Cemetery Board

Reappointment—Matt Smallcomb—Golf Board

Resolutions and Motions:

Resolution #2016-12--League Association of Risk Management (LARM) 2016-2017 Renewal: A motion was made by Albert Krueger to approve Resolution #2016-12 League Association of Risk Management (LARM) 2016-2017 renewal with 180 day and 3 year commitment. Seconded by Derrick Clevenger.

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

Nay votes: None Motion carried.

RESOLUTION NO. 2016-12: 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 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, 2019. **(180 day and 3 year commitment; 5% discount)**

Adopted this 15th day of August, 2016.

Resolution #2016-13—Reimbursement Resolution For Financing: The Mayor and Council Members discussed the reimbursement resolution for the estimated amount of \$300,000 providing funding for the WWTP facility repairs if needed. A motion was made by Leon Stall to approve Resolution #2016-13, seconded by Derrick Clevenger.

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

Nay votes: None

Motion carried.

RESOLUTION NO. 2016-13:

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GIBBON, NEBRASKA, as follows:

Section 1. That the Mayor and Council of the City of Gibbon, Nebraska, do hereby declare this resolution to be the City's official declaration of Intent under Internal Revenue Code Regulation Section 1.150-2 to provide for the incurring of indebtedness which may include reimbursements of expenditures made by the City in connection with costs incurred in connection with the construction of wastewater treatment facility repairs within the City as shown on the attached. The preliminary estimate of debt contemplated to be issued for such project exceeds \$300,000.

Section 2. That up to the expenditure of the full amounts of such project described within this resolution, the City may advance funds as may be necessary for meeting the immediate costs of such project. It is the intent of the Mayor and Council and the City's reasonable expectation that the City shall reimburse such expenditures as may be made from general funds on hand from the proceeds of the issuance of its debt obligations.

Section 3. That the City Clerk shall make a copy of this resolution available for public inspection at the main office of the City at all times during normal business hours within ten days after the adoption hereof. Such copies shall remain available for public inspection at all such times until the bonds or such other tax-exempt obligations contemplated herein are issued.

Dated this 15th day of August, 2016.

Temporary Use Animal Permit—Sandeep & Kristen Pokharel—509 3rd Street—10 Chickens or Pigeons: A motion was made by Leon Stall to approve the Temporary Use Animal Permit for Sandeep & Kristen Pokharel for 509 3rd Street to have 10 chickens or pigeons, seconded by Kevin Hynes.

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

Nay votes: None

Motion carried.

Requests and Referrals: None

Other Items:

The next Regular Council Meeting will be Monday, September 19, 2016 at 7:00 p.m.

A Special Meeting for Assessment of Paving Costs for Streets will be held on September 12, 2016 at 6:00 p.m.

A Budget Work Session will be held August 22, 2016 at 7:00 p.m.

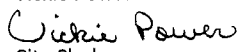
A motion was made by Leon Stall to adjourn the meeting, seconded by Kevin Hynes.

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

Nay votes: None Motion carried.

Mayor VanMatre adjourned the meeting at 7:41 p.m.

Vickie Power


City Clerk

Chris Rector


City Administrator

Deb VanMatre


Mayor

SEAL:

MINUTE RECORD
BUDGET WORK SESSION
AUGUST 29, 2016

The Gibbon City Council met for a Budget Work Session on August 29, 2016 at 7:00 p.m. in the Council Chambers. The Mayor, Council Members and the public were advised of the meeting by posting of the notice.

Mayor Deb VanMatre called the Work Session to order at 7:00 p.m. Mayor VanMatre advised every one of the Open Meetings Notice posted on the north wall of the Council Chambers. The City of Gibbon abides by the Open Meetings Act in conducting business.

Roll Call: Present Council Members were Kevin Hynes, Leon Stall, and Derrick Clevenger.
Absent Council Member was Albert Krueger.

Approval of Agenda: A motion was made by Kevin Hynes to approve the order of the agenda, seconded by Leon Stall.

Yea votes: Derrick Clevenger, Leon Stall, Kevin Hynes
Nay votes: None Motion carried.

Presentations and Proclamations: The City Treasurer, Tonniges & Associates had representatives Ashley and Susan review the budget for 2016-2017. They reviewed each fund with the Mayor and Council Members.

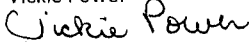
Other Items:

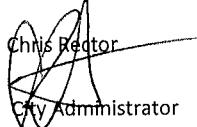
- a. A Special Council Meeting will be held on September 12, 2016 at 6:00 p.m. for Paving Assessments, Resolution, and Budget Hearing.
- b. The next Regular Council Meeting will be Monday, September 19, 2016 at 7:00 p.m.

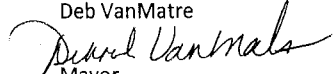
Adjourn: A motion was made by Derrick Clevenger to adjourn the meeting, seconded by Leon Stall.

Yea votes: Kevin Hynes, Derrick Clevenger, Leon Stall
Nay votes: None Motion carried.

Mayor VanMatre adjourned the Budget Work Session at 8:10 p.m.

Vickie Power

City Clerk

Chris Rector

City Administrator

Deb VanMatre

Mayor

SEAL:

MINUTE RECORD

SPECIAL COUNCIL MEETING & BUDGET HEARING

SEPTEMBER 12, 2016

The Gibbon City Council met for a Special Council Meeting and Budget Hearing on September 12, 2016 at 6:00 p.m. at City Hall. The Mayor, Council Members and the public were notified of the meeting by posting and publishing of the notices.

Mayor Deb VanMatre called the Special Meeting to order at 6:00 p.m.

The Pledge of Allegiance was recited. Mayor VanMatre advised every one of the Open Meetings Notice posted on the north wall of the Council Chambers. The City of Gibbon abides by the Open Meetings Act in conducting business.

Roll call was taken: The Council Members present were: Kevin Hynes, Derrick Clevenger, Albert Krueger, and Leon Stall.

Absent: No one.

A motion was made by Derrick Clevenger to approve the order of agenda, seconded by Kevin Hynes.

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

Nay votes: None Motion carried.

Mayor VanMatre asked if there was anyone requesting time to speak on any agenda items. Chad Dolan and Pam Rasmussen requested time to speak on the paving assessments.

Public Hearings:

Hearing to Amend 2015-2016 Budget: A motion was made by Albert Krueger to open the hearing to Amend the 2015-2016 Budget, seconded by Kevin Hynes.

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

Nay votes: None Motion carried.

Susan and Ashley from Tonniges & Associates were present to explain why the changes were needed to amend the 2015-2016 Budget. Due to unforeseen circumstances, actual expenditures for the current fiscal year will exceed budgeted expenditures unless the current fiscal year budget of expenditures is revised. The Street Fund construction costs exceeded projections by \$264,230 because of expense due to the pass through of paving costs.

A motion was made by Kevin Hynes to close the hearing to Amend the 2015-2016 Budget, seconded by Leon Stall.

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

Nay votes: None Motion carried.

Hearing for 2016-2017 Budget & Summary: A motion was made by Leon Stall to open the hearing for 2016-2017 Budget & Summary, seconded by Derrick Clevenger.

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

Nay votes: None Motion carried.

The purpose of the hearing is to hear support, opposition, criticism, suggestions or observations of taxpayers relating to the proposed 2016-2017 Budget. There were no changes from the Budget Work Session.

A motion was made by Derrick Clevenger to close the hearing for the 2016-2017 Budget & Summary, seconded by Kevin Hynes.

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

Nay votes: None Motion carried.

Special Hearing to Set Final Tax Request: A motion was made by Albert Krueger to open the Special Hearing to set the final tax request, seconded by Leon Stall.

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

Nay votes: None Motion carried.

The 2016-2017 proposed property tax request is \$435,188.80 (General \$298,658.80 & Bond \$136,530.00) for a proposed 2016 tax rate of 0.51.

A motion was made by Kevin Hynes to close the hearing to set the final tax request, seconded by Leon Stall.

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

Nay votes: None Motion carried.

RESOLUTIONS & MOTIONS:

Approve Amended 2015-2016 Budget: A motion was made by Albert Krueger to approve the amended 2015-2016 Budget, seconded Kevin Hynes.

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

Nay votes: None Motion carried.

Approve Allowable Growth Rate by an Additional 1%: A motion was made by Derrick Clevenger to approve the allowable growth rate by an additional 1%, seconded by Albert Krueger.

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

Nay votes: None Motion carried.

Adopt 2016-2017 Budget: A motion was made by Kevin Hynes to adopt the 2016-2017 Budget, seconded by Leon Stall.

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

Nay votes: None Motion carried.

Resolution 2016-14—Set 2016-2017 Property Tax Request: A motion was made by Albert Krueger to approve Resolution #2016-14 setting the 2016-2017 property tax request, seconded by Kevin Hynes.

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

Nay votes: None Motion carried.

Resolution 2016-15—Special Assessment of Cost for Street Improvements 2012-01 & 2012-02:

Mayor VanMatre asked Barry (City Attorney) to explain the Special Assessments. He discussed the process with the people in attendance. Barry said the cost of construction came in under projected cost. The engineering cost is 20 to 30% of the project. The 2012 improvements were in the east part of Gibbon and were bid as a whole project. The 2014 project bids were done in pieces. Front Street was the highest project because of the storm sewer. The interest rate and the number of installments would be set by the Council by Resolution. The first installment would be due within 50 days with no interest. The number of installments can be up to 15 yearly installments. Several people had questions about the costs. Pam Rasmussen asked the question how long did they have to pay since they sold their house. She had gotten an estimate for the cost of their assessments from the engineer in February before they sold their house. When they received the letter with the amount it was double the amount they were told. She also wanted to know why some people were able to get their amounts and pay before the rest of them got their assessments. How could all of the costs have been in for them? Barry told her Bill Kroll had paid a separate contract.

Chad Dolan wanted to know why an estimated amount wasn't sent to the residents with an itemized list of the expenses. Other residents which expressed their concerns were Ron Robinson, Jason Tracy, Marshall, Nelson, and Bill Kroll. After much discussion the Council decided to table the Resolution to allow more time for the residents. A motion was made by Derrick Clevenger to table Resolution 2016-15 for Special Assessment of Cost for Street Improvements 2012-01 & 2012-02, seconded by Leon Stall.

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

Nay votes: None Motion carried.

Resolution 2016-16—Special Assessment of Cost for Street Improvement 2014-14, 2014-15, and 2014-16: A motion was made by Leon Stall to table Resolution 2016-16 a Special Assessment of Cost for Street Improvement 2014-14, 2014-15, and 2014-16, seconded by Kevin Hynes.

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

Nay votes: None Motion carried.

Other Items:

The next Regular Council Meeting will be Monday, September 19, 2016 at 7:00 p.m.

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

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

Nay votes: None Motion carried.

Mayor VanMatre adjourned the meeting at 7:40 p.m.

Vickie Power

Vickie Power
City Clerk

Chris Rector

Chris Rector
City Administrator

Deb VanMatre

Deb VanMatre
Mayor

