

MINUTE RECORD
GIBBON CITY COUNCIL
NOVEMBER 21, 2016

The Gibbon City Council, Buffalo County, Nebraska met in an open public session at 7:00 p.m. at City Hall on Monday, November 21, 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 everyone of the Open Meetings Notice posted on the north wall of the Council Chambers. The City of Gibbon abides by the Open Meeting Act in conducting business.

Roll call was taken: Council Members present: Derrick Clevenger, Kevin Hynes, Albert Krueger, Leon Stall
Absent: No one

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

Yea votes: Leon Stall, Albert Krueger, Kevin Hynes, 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 said it was noteworthy to mention a new deputy Nathan Howell on his last stages of his training. He has been in his own vehicle during the shadowing process, then he will be on his own. Caleb Wilson will be moving to Gibbon and departing for the law enforcement center for training. We will be advertising to hire two more certified officers for the BCSD. We are getting busier with more calls for service, more reports of poor driving and criminal activity. The weather has been great this fall and as a result more activity has taken place. We plan to have the speed trailer down here for more speed control. Council Member Stall asked about the snow routes and towing of vehicles. Did we ever decide where to tow the vehicles and the process? Captain Anderson discussed several options. They talked about a mass calling about parking on snow routes, Dennis putting article in newspaper, and adding a note to the utility bill this month.

WWTP Report and Water Report—Matt Smallcomb: We are currently running in triple basin mode. Mid-America Liner is finishing the installment of the new cover on the west lagoon. The work on the diffusers is complete. We are back in compliance after our ammonia limits were in violation. We need to shut down SBR #3 to work on the sludge discharge pipe. We installed 3 new water meters and installed 5 radio read boxes. The 7th Street lift station pumps were serviced. We continue to add chlorine to the water system as the water tower project continues. The unit is still running in pressure mode. The water tower is still not finished.

Mayor Report—Deb VanMatre: We will be acting on the dental office lease of the Health Center tonight. I have been working with an entity for the west side of the Health Center. The

Ordinances for the park and pool board will be amended tonight during the meeting. We will act on the Comprehensive Plan at the December Meeting.

City Administrator Report—Chris Rector: The logo on the water tower is not finished yet. They have not done a good job with the lettering. The letters were supposed to be 12 foot letters. This will be their last application of paint for the letters, if it is not right this time they will be required to strip the paint off and begin again. The paint job will be guaranteed. We will be changing the format of our utility bill from post card to full sheet bills which will be stuffed in envelopes. This will allow us to add more messages and add items to the envelopes for mailing. They are finishing the cover for the lagoon at the WWTP. We will be tarring streets next week. The City Employees are working on Christmas lights this week. If you happen to drive up to the Golf Course you will notice the clubhouse has been painted a chestnut color with white trim. It looks very nice. We are getting everything ready for the snow season.

City Attorney Report—Barry Hemmerling: Information from Miller & Associates. Barry requested to go into executive session at the end of the meeting.

City Treasurers Report—Tonniges & Associates: Ashley reviewed the September and October reports with the Mayor and Council Members. The total monthly transfers were almost \$80,000. There was also a one-time budgeted transfer from the Pool and Health Center to the General Fund, so the amounts are not comparable to FY15. The WWTP had \$58,000 worth of repairs.

Public Hearing:

Hearing For Proposed Subdivision Regulations: A motion was made by Albert Krueger to open the hearing at 7:35 p.m., seconded by Kevin Hynes.

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

Nay votes: None Motion carried.

The Planning Commission has approved the Subdivision Regulations at their meeting. No one asked any questions. A motion was made by Kevin Hynes to close the hearing at 7:36 p.m., seconded by Leon Stall.

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

Nay votes: None Motion carried.

Hearing For Resolution Of Necessity For Sewer Bonds: A motion was made by Derrick Clevenger to open the hearing at 7:37 p.m., seconded by Kevin Hynes.

Brad Slaughter reviewed the process of the Resolution of Necessity with the Mayor and the Council Members. No one had any objections during the hearing. A motion was made by Albert Krueger to close the hearing at 7:40 p.m., seconded by Leon Stall.

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

Nay votes: None Motion carried.

Ordinance #591--Sewer Bonds: Suspending rules to read and pass Ordinance in one meeting.

Adoption of Ordinance No. 591. Council Member Hynes Introduced Ordinance No. 591.

Entitled: **AN ORDINANCE PROVIDING FOR THE ISSUANCE OF SEWER IMPROVEMENT BOND ANTICIPATION NOTES, SERIES 2016, 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 Albert Krueger moved that statutory rule requiring reading on three different days be suspended. Second Derrick Clevenger.

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

Nay votes: None Motion carried.

The City Clerk declared motion adopted by majority vote of Council and Statutory Rule suspended for consideration of said Ordinance. Council Member Albert Krueger moved for final passage. Seconded by Kevin Hynes. Mayor asks, "Shall Ordinance No. 591 be passed and adopted?"

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

Nay votes: None Motion carried.

Mayor declared Ordinance No. 591 adopted and signed name in presence of Council and Clerk who attests same.

Ordinance #592—Park Board: Suspending rules to read and pass Ordinance in one meeting. Adoption of Ordinance No. 592. Council Member Derrick Clevenger introduced Ordinance No. 592. Entitled: **AN ORDINANCE OF THE CITY OF GIBBON, BUFFALO COUNTY, NEBRASKA, TO DEFINE THE DUTIES OF THE PARK BOARD.** Council Member Kevin Hynes moved that Statutory Rule requiring reading on three different days be suspended. Second Albert Krueger.

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

Nay votes: None Motion carried.

The City Clerk declared motion adopted by majority vote of Council and Statutory Rule suspended or consideration of said Ordinance. Council Member Derrick Clevenger moved for final passage. Second Kevin Hynes. Mayor asks, "Shall Ordinance No. 592 be passed and adopted?"

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

Nay votes: None Motion carried.

Mayor declared Ordinance No. 592 adopted and signs name in presence of Council and Clerk who attests same.

Ordinance #593—Pool Board: Suspending rules to read and pass Ordinance in one meeting. Adoption of Ordinance No. 593. Council Member Albert Krueger introduced Ordinance No. 593. Entitled: **AN ORDINANCE OF THE CITY OF GIBBON, BUFFALO COUNTY, NEBRASKA, TO DEFINE THE DUTIES OF THE POOL BOARD.** Council Member Leon Stall moved that Statutory Rule requiring reading on three different days be suspended. Second Derrick Clevenger.

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

Nay votes: None Motion carried.

The City Clerk declared motion adopted by majority vote of Council and Statutory Rule suspended for consideration of said Ordinance. Council Member Kevin Hynes moved for final passage. Seconded Albert Krueger.

Mayor asks, "Shall Ordinance No. 593 be passed and adopted?"

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

Nay votes: None Motion carried.

Mayor declared Ordinance No. 593 adopted and signed name in presence of Council and Clerk who attests same.

Ordinance #594—Water Rate Increase (1st Reading): Council Member Leon Stall introduced Ordinance No. 594 entitled: **AN ORDINANCE OF THE CITY OF GIBBON, BUFFALO COUNTY, NEBRASKA, INCREASING MUNICIPAL WATER RATES.** Ordinance No. 594 was read by title only. Motion was made by Albert Krueger and seconded by Derrick Clevenger to approve Ordinance No. 594 on its first reading. Upon roll call vote, the following members voted. Yea votes: Albert Krueger, Derrick Clevenger, Kevin Hynes, Leon Stall

Nay votes: None Motion carried. Whereupon the Mayor declared said Ordinance No. 594 approved on its first reading.

Ordinance #595—Garbage Rate Increase (1st Reading): Council Member Albert Krueger introduced Ordinance No. 595 entitled: **AN ORDINANCE OF THE CITY OF GIBBON, BUFFALO COUNTY, NEBRASKA, AMENDING SECTION 3-404 OF THE MUNICIPAL CODE TO CHANGE THE RESIDENTIAL RATE FOR COLLECTION OF GARBAGE.** Ordinance No. 595 was read by title only. Motion was made by Kevin Hynes and seconded by Leon Stall to approve Ordinance No. 595 on its first reading. Upon roll call vote, the following members voted.

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

Nay votes: None Motion carried.

Whereupon the Mayor declared said Ordinance No. 595 approved on its first reading.

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

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

Nay votes: None Motion carried.

The items approved in the Consent Agenda are as follows:

Minutes of the October 17, 2016 and Special Meeting November 1, 2016

Claims for the month of November

Buffalo County Sheriff Department Report

Treatment Plant Report & Water Report

Treasurers Report

GVFD Report

Planning Commission Report

Building Permits:#2016-47—MBW Daniels, LLC—Commercial Bldg—45880 HWY 30

#2016-48—Nicholas DeLong—Fence—1029 7th St.

#2016-49—Randy Schroeder—Storage Shed—403 Lawn Ave.

#2016-50—MBW Daniels, LLC—Accessory Bldg—45880 HWY 30

#2016-51—Chad Hartman—Fence—612 May Ave.

#2016-52—Brad and Jennifer Samuelson—Addition—1031 3rd Street

Gibbon Community Center Report

Library Report

Reappointment Lee Vohland—Cemetery Board

Kearney—Gibbon Housing Agency Annual Report

American Legion Manager Recommendation—Tara D. Griffin

Resolution and Motions:

Maintenance Agreement No. 34 Between NDR and City of Gibbon: The City of Gibbon agrees to perform the roadway snow removal and surface maintenance as per terms of the Maintenance Agreement between the Nebraska Department of Roads and the City of Gibbon.

A motion was made by Albert Krueger to approve Maintenance Agreement No. 34 between the NDR and the City of Gibbon. Seconded by Derrick Clevenger.

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

Nay votes: None Motion carried.

Lease Agreement Between Gibbon Family Dentistry & City Of Gibbon: A motion was made by Kevin Hynes to approve the Lease Agreement between the Gibbon Family Dentistry and the City of Gibbon. Seconded by Leon Stall.

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

Nay votes: None Motion carried.

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

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

Nay votes: None Motion carried.

Resolution #2016-15—Assign Paying Agent: Brad Slaughter explained the Resolution assigning a paying agent. A bank or other institution usually in a financial center acts as the agent for the governing authority in making bond interest and principal payments. A motion was made by Albert Krueger to approve Resolution #2016-15, Assigning a Paying Agent, seconded by Derrick Clevenger.

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 on Monday, December 19, 2016 at 6:30 p.m.

Executive Session: A motion was made by Albert Krueger to enter into Executive Session at 8:23 p.m., to discuss potential litigation, seconded by Leon Stall.

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

Nay votes: None Motion carried.

A motion was made by Leon Stall to retire from Executive Session at 8:55 p.m., seconded by Kevin Hynes.

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

Nay votes: None Motion carried.

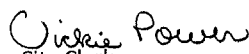
Adjourn: A motion was made by Leon Stall to adjourn the meeting, seconded by Derrick Clevenger.

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

Nay vote: None Motion carried.

Mayor VanMatre adjourned the meeting at 8:56 p.m.

Vickie Power


City Clerk

Chris Rector


City Administrator

Deb VanMatre


Mayor

SEAL: