

**CITY OF GERING
CITY COUNCIL MEETING NOTICE AND AGENDA**

Regular meeting of the Gering City Council, April 27, 2015 at 6:00pm, in the Gering City Hall, 1025 "P" Street.

All agenda items are for discussion and action will be taken as deemed appropriate.

CALL TO ORDER.

1. Recital of the Pledge of Allegiance and Prayer
2. Roll Call
3. Excuse Council Member absence

OPEN MEETINGS ACT - NEB.REV.STAT. CHAPTER 84, ARTICLE 14

As required by State Law, public bodies shall make available at least one current copy of the Open Meetings Act posted in the meeting room. Agenda items may be moved up or down on the agenda at the discretion of the Mayor.

As required by State Law, additions may not be made to this agenda less than 24 hours before the beginning of the meeting unless they are considered under this section of the agenda and Council determines that the matter requires emergency action.

CONSENT AGENDA:

(Items under the Consent Agenda are proposed for adoption by one action for all items unless any member of Council requests that an item be considered separately.)

1. Approve minutes of the April 13, 2015 Regular City Council Meeting
2. Approve claims and financials
3. Twin Cities Development Director's Quarterly Report – January-March 2015
4. Engagement of Fraser Stryker PC LLO

PUBLIC HEARINGS:

1. Public hearing to consider adopting and approving Ordinance 1991 which will add language and additional definitions required by FEMA to meet the National Flood Insurance Program (NFIP) requirements by amending Ordinance 1370 which was adopted and approved July 27th, 1987 which created floodway and floodway fringe districts setting forth regulations and definitions. Ordinance 1370 repealed the existing flood damage prevention Ordinance 1112.

1a. Approve Ordinance 1991 which will add language and additional definitions required by FEMA to meet the National Flood Insurance Program (NFIP) requirements by amending Ordinance 1370 which was adopted and approved July 27th, 1987 which created floodway and floodway fringe districts setting forth regulations and definitions. Ordinance 1370 repealed the existing flood damage prevention Ordinance 1112.

Ordinance No. 1991 – AN ORDINANCE INTRODUCED BY THE GOVERNING BODY CREATING FLOODWAY AND FLOODWAY FRINGE DISTRICTS DEFINING THE SAME AND SETTING FORTH REGULATIONS THEREOF: REPEALING THE EXISTING FLOOD DAMAGE PREVENTION ORDINANCE 1370 AND PROVIDING FOR AN EFFECTIVE DATE THEREOF

2. Public Hearing to consider a vacation plat for the RUSURE Subdivision titled "Vacation of Lots 2, 3, and 4, Block 1 RUSURE Subdivision and Debra Drive", being a partial Replat of Treasure Valley Estates situated in the West Half of the Southwest Quarter of Section 6, Township 21 North, Range 54 West of the 6th PM, City of Gering, Scotts Bluff County, Nebraska recorded May 13, 2005.
 - 2a. Consider approving or denying a vacation plat for the RUSURE Subdivision titled "Vacation of Lots 2, 3, and 4, Block 1 RUSURE Subdivision and Debra Drive", being a partial Replat of Treasure Valley Estates situated in the West Half of the Southwest Quarter of Section 6, Township 21 North, Range 54 West of the 6th PM, City of Gering, Scotts Bluff County, Nebraska recorded May 13, 2005.

3. Public Hearing requested by the owners Tom and Donna Cozad to consider an amendment to change the RM Zoning to ML on lots 23 and 24, Block 3 of Thornton's First Addition (SE Corner of 7th and R Street).
 - 3a. Consider approving or denying an application to consider an amendment to change the RM Zoning to ML on lots 23 and 24, Block 3 of Thornton's First Addition (SE Corner of 7th and R Street).
 - 3b. Approve Zoning Ordinance No. 1992 AN ORDINANCE OF THE CITY OF GERING TO RECLASSIFY AND CHANGE ZONING FOR LOTS 23 AND 24, BLOCK 3, THORNTON'S FIRST ADDITION CITY OF GERING, SCOTTS BLUFF COUNTY, NEBRASKA, FROM RESIDENTIAL MEDIUM DENSITY DISTRICT (RM) TO LIGHT INDUSTRIAL AND MANUFACTURING DISTRICT (ML) AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

4. Public Hearing for Southfield Village located East of Pathfinder to consider an amendment to change the AGG Zoning to RM and amending Ordinance No.'s 1885, 1886, & 1887 to remove the overlay districts placed on the parent zones as approved April 13, 2009.
 - 4a. Consider approving or denying amendment to change the AGG Zoning to RM
 - 4b. Approve Ordinance No. 1993 - AN ORDINANCE OF THE CITY OF GERING TO AMEND ORDINANCES NO.s 1885, 1886, AND 1887 PASSED AND APPROVED ON APRIL 13, 2015 THEREBY RECLASSIFYING AND CHANGING ZONING AND REMOVING THE OVERLAYS FROM SAID ORDINANCE'S.

ORDINANCE 1885 - REMOVE THE SPECIAL PLANNED DEVELOPMENT DISTRICT (SPD) OVERLAY OF THE VACATED PLAT OF BLOCK 2, LOTS 1 THROUGH 8, PATHFINDER ADDITION FROM THE RESIDENTIAL MEDIUM DENSITY DISTRICT (RM) AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

5. Public hearing to consider an amendment to our zoning regulations Section 8.1 ML (Light Industrial and Manufacturing District) specifically Section 8.102 Permitted Principal Uses and Structures – with the addition of Subsection (6) "Auto Wrecking Yard when located inside a building or when wholly enclosed by a well maintained fence not less than eight (8) feet in height meeting the current City Zoning and Subdivision Regulations and a conditional Zoning Agreement is completed and agreed among all parties."

5a. Consider approving or denying an amendment to our zoning regulations Section 8.1 ML (Light Industrial and Manufacturing District) specifically Section 8.102 Permitted Principal Uses and Structures – with the addition of Subsection (6) "Auto Wrecking Yard when located inside a building or when wholly enclosed by a well maintained fence not less than eight (8) feet in height meeting the current City Zoning and Subdivision Regulations and a conditional Zoning Agreement is completed and agreed among all parties."

5b. Approve Ordinance 1994 - AN ORDINANCE OF THE CITY OF GERING, NEBRASKA, TO AMEND ARTICLE 8, SECTION 8.102, WITH THE ADDITION OF SUBSECTION SIX (6) TO THE ZONING REGULATIONS AS A PERMITTED PRINCIPAL USE - AUTO WRECKING YARD WHEN LOCATED INSIDE A BUILDING OR WHEN WHOLLY ENCLOSED BY A WELL-MAINTAINED FENCE NOT LESS THAN EIGHT (8) FEET IN HEIGHT MEETING THE CURRENT CITY ZONING AND SUBDIVISION REGULATIONS IN ADDITION TO A CONDITIONAL ZONING AGREEMENT COMPLETED BY ALL PARTIES; AND TO PROVIDE AN EFFECTIVE DATE HEREOF.

6. Public Hearing to consider amending zoning by adding a BHC overlay for the purpose of bringing non-conforming businesses into compliance and to better meet the City's Comprehensive Plan on the following properties located in Section 1, Township 21 North, Range 55 West of the 6th Principal Meridian and would include:

- 210 M Street (Zoned ML – Consider BHC Overlay) – Owner: Rich's Wrecking and Used Cars Inc.
- 220594 East Highway 92 (Zoned ML–Consider BHC Overlay) – Owner: SC Blanton Enterprise, LLC
- 220810 East Highway 92 (Zoned ML–Consider BHC Overlay) – Owner: TDM LLC UPRR property.

6a. Discussion of protest received by the City related to public hearing #6

6b. Consider approving or denying amending zoning by adding a BHC overlay for the purpose of bringing non-conforming businesses into compliance and to better meet the City's Comprehensive Plan on the following properties located in Section 1, Township 21 North, Range 55 West of the 6th Principal Meridian and would include:

- 210 M Street (Zoned ML – Consider BHC Overlay) – Owner: Rich's Wrecking and Used Cars Inc.
- 220594 East Highway 92 (Zoned ML–Consider BHC Overlay) – Owner: SC Blanton Enterprise, LLC
- 220810 East Highway 92 (Zoned ML–Consider BHC Overlay) – Owner: TDM LLC UPRR property.

6c. Approve Ordinance No. 1995 - AN ORDINANCE OF THE CITY OF GERING TO RECLASSIFY AND CHANGE ZONING OF UNPLATTED LAND LOCATED IN THE SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 21 NORTH, RANGE 55 WEST OF THE 6TH P.M. MORE PARTICULARLY DESCRIBED FROM THE NORTH CENTER SECTION LINE EAST TO LOCKWOOD ROAD AND FROM NORTH TO SOUTH FROM UPRR TO M STREET, CONTAINING APPROXIMATELY 37 ACRES FROM LIGHT INDUSTRIAL AND MANUFACTURING DISTRICT (ML) TO LIGHT INDUSTRIAL AND MANUFACTURING DISTRICT (ML) WITH A HIGHWAY COMMERCIAL DISTRICT (BHC) OVERLAY AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

7. Public Hearing for an Exception/Conditional Use Permit requested by Neal Smith to construct the final two mini-storage buildings on his property. This would complete his project he had started years ago located at 1475 M Street. The property is zoned BCB and generally located on lot 2, Block 1 Pioneer Plaza Addition.

7a. Consider approving or denying an Exception/Conditional Use Permit requested by Neal Smith to construct the final two mini-storage buildings on his property. This would complete his project he had started years ago located at 1475 M Street. The property is zoned BCB and generally located on lot 2, Block 1 Pioneer Plaza Addition.

BIDS:

1. City Wide Electrical Study RFQ/RFP – Notice of Award to ESC Engineering. Not to exceed \$83,000.00.
2. USEPA Brownfields Hazardous Substances Assessment Grant RFQ/RFP – Notice of Award to Terracon Consultants, Inc.
3. 2015 Water Main Improvement Project Bid Award. This project includes 10th Street Water Main Loop from the Central Canal to Red Barn Subdivision and M Street Water Main from 13th to 11th Street.

CURRENT BUSINESS:

1. Approve Resolution 4-15-1, City officials authorized to sign banking documents on behalf of the City of Gering
2. Consider approval of Keno Requests
 - Keep Scottsbluff/Gering Beautiful
 - High Plains Auto Club
 - Gering Merchants Arts Festival
 - Gering Merchants Sugar Valley Rally Finish Line lunch
 - Gering Convention & Visitors Bureau
 - WNCC Multi Cultural Youth Leadership Conference
 - Sugar Valley Rally
 - Old West Balloon Fest
 - Gering Senior Center
 - Circle of the Bluffs Powwow
3. Consider adjusting prices of the McKinley houses
4. Consider cancelling the May 25, 2015 City Council meeting due to the Memorial Day holiday

CLOSED SESSION:

(Council reserves the right to enter into closed session if deemed necessary.)

REPORTS:

OPEN COMMENT SECTION:

Discussion or action by Council regarding unscheduled business will not take place. This section is for citizen comment only.

ADJOURN