

**THE OFFICIAL PROCEEDINGS OF THE REGULAR MEETING OF THE GERING CITY COUNCIL, July 13, 2015**

A regular meeting of the City Council of Gering, Nebraska was held in open session on July 13, 2015 at 6:00 p.m. at Gering City Hall at 1025 P Street, Gering, NE. Present were Mayor Kaufman, and Councilmembers Christensen, Gibbs, Holliday, Allred, O'Neal, Morrison, and Cowan. Absent was Councilmember Smith. Also present were City Administrator Lane Danielzuk, City Clerk Kathy Welfl and City Attorney Jim Ellison. Notice of the meeting was given in advance by publication in the Gering Citizen, the designated method of giving notice. All proceedings hereafter were taken while the meeting was open to the attendance of the public except as otherwise indicated.

**CALL TO ORDER**

Mayor Kaufman called the meeting to order at 6:00 p.m. The Mayor noted that there was a quorum of the Council and City business could be conducted.

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

**Motion by Councilmember Morrison to excuse the absence of Councilmember Allred from the June 29, 2015 Special City Council meeting. Seconded by Councilmember O'Neal. There was no discussion. The Mayor called the vote. "AYES": Christensen, Gibbs, Holliday, Allred, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: Smith. Motion carried.**

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

Mayor Kaufman stated 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:**

1. Approve minutes of the June 22, 2015 Regular City Council Meeting and the June 29 Special Council Meeting
2. Approve Claims

**6-16-15 to 7-9-15**

ACTION COMMUNICATIONS \$325.69 INSTALL RADIO IN NEW PICKUP, AHLERS BAKING INC \$10.99 BROWNSFIELD MEETING SUPPLIES, ALAMAR UNIFORMS \$294.52 4 PATCHES & 3 SHIRTS, ALLO COMMUNICATIONS \$1,239.91 TELEPHONE/INTERNET CHRG, AMAZON \$860.82 12 DVDS, APPLIED CONCEPTS INC \$100.80 ANTENNA CABLE FOR RADAR, ASCAP \$353.08 MUSIC RIGHTS, B & C STEEL \$4,889.35 SIDING INSTALLATION FOR WELL, BENZEL PEST CONTROL \$132.90 PEST CONTROL, BLUFFS SANITARY SUPPLY \$2,104.31 POOL CHEMICALS, BOUND TO STAY BOUND BOOKS \$48.78 3 BOOKS, BROADWAY OFFICE CENTRE \$377.27 FILING CABINET FOR JASON, BROWN/NELSON ELECTRIC \$15.00 RPR, CALLAWAY GOLF CO \$114.53 24 GOLF BALLS, CASEYS GENERAL STORE #27 \$71.50 FUEL: TRVL TO OFFICERS FUNERAL, CEN CON LLC \$6,020.00 BORING OF ELECTRICAL ON D STREET, CENTRAL STATES WIRE PRODUCT \$8,783.48 6 CARRIERS, CHARTER COMMUNICATIONS \$689.39 TV/INTERNET CHRG - RV, CITY INSURANCE FUND \$144,765.63 HEALTH PREM 125, CITY OF GERING \$32.50 REG. ECONOMIC DEV. MTG SUPPLIES, CITY OF GERING - GENERAL AC \$65,000.00 TRANSFER ACH PAYROLL, CITY PAYROLL TRUST \$6,524.98 FSA MECICAL 125, CONNECTING POINT \$366.00 1 TONER CARTRIDGE & COPIER SRV, CONTRACTORS MATERIALS \$2,476.90 2000 SANDBAGS FOR FLOODING, COUNTRY INN & SUITES \$178.00 LODGING: OFFICERS FUNERAL TRVL, CREDIT MANAGEMENT \$1,048.90 GARNISHMENT 2, CRESCENT ELECTRIC SUPPLY \$3,467.56 ELECTRIC WORK AT NEW SHOP, CULLIGAN WATER CONDITIONING \$145.00 SALT, D & H ELECTRONIC SUPPLY \$30.46 RPR, DALES TIRE & RETREADING \$478.47 RPR TO G6, LANE DANIELZUK \$59.00 MEAL EXP - NMPP RTRMNT RECPTN, DANKO EMERGENCY EQUIPMENT \$80.49 2 VALVE RPR KITS, DEMCO \$83.59 6 SECURE GARD FLEX LOCKS, DEX \$65.50 ADVERTISING, DISCOVER \$1,071.84 GFOA MEJIA HOTEL REIMBURSEMENT, RON DOGGETT \$59.00 FUEL EXP: NMPP RTRMNT RCPTION, DOLLAR GENERAL STORE #077 \$8.90 CLEANING SUPPLIES, DOUBLETREE HOTELS (\$69.57) CHRG ADJ LANE ICMA CONF LODGNG, DUTTON - LAINSON CO \$3,904.80 30 ELBOWS & 5 SOCKETS, ECOLAB \$71.42 PEST CONTROL, ESC ENGINEERING \$7,151.50 VOLTAGE CONVERSION, EMBASSY SUITES \$352.28 LODGING: MEJIA - GPGFOA CONF, ENERGY LABORATORIES INC \$456.00 WATER LABS, ENVIRO SRV INC \$2,146.00 WW LABS, FASTENAL CO \$2,670.86 1 KNOCKOUT TOOL, SCREWS, CABLE TIES, BITS, PAINT, ETC, FAT BOYS TIRE & AUTO \$538.08 4 NEW TIRES FOR UNIT #4 - KEN, FEDEX \$130.64 WATER LAB SHIPPING FEES, FIELD & STREAM \$19.97 1 YR MAGAZINE SUBSCRIPTION, FIRST STATE BANK \$362.28 IBEW UNION DUES, FIRST STATE BANK - SCOTTS \$761.40 393123 LOAN INTEREST PYMT, FLOYDS SALES & SRV \$2,390.25 RPR TO

G5, FORT DEARBORN LIFE INS \$113.52 FIREFIGHTER LIFE INS, FOUNDATION CROSS - CONNECTION \$150.00 WATER PURVEYOR MEMBERSHIP DUES, GALE \$156.08 5 BOOKS, GERING CONVENTION & VISIT \$19,808.25 GERING TOURISM COMMITTEE QTRLY, GERING COURIER \$30.00 CONGRATS GHS BOYS STATE GOLF AD, GERING GARDEN CENTER \$615.50 FLAT ANNUALS, GERING MERCHANTS \$2,517.69 KENO FUNDS: SVR FINISH LINE 15', GERING VALLEY PLUMBING \$4,351.80 DISHWASHER RPR, GERING VOLUNTEER FIRE DEPT \$461.00 TRVL EXPNS: NAB - S-200 CLASS, GLAMOUR \$22.47 11 ISSUE, AG SUBSCRIPTION, GREASE N GO \$112.18 OIL CHANGE FOR FORD F150, HD SUPPLY WATERWORKS LTD \$5,026.55 32 METERS, HAWKINS INC \$3,564.61 WATER CHEMICALS, HEILBRUN \$2,153.07 12 NAPA HYDRAULIC FILTERS, HOME DEPOT \$119.50 FLOOR RPR SUPPLIES AT POOL, HONEY - WAGON EXPRESS \$140.00 CLEAN GREASE TRAPS, IDEAL LINEN SUPPLY INC \$753.83 TOWELS & TISSUE, INGRAM LIBRARY SRV \$1,842.34 51 BOOKS, INTERNAL REVENUE SRV \$47, 614.36 FED/FICA TAX, JC GOLF ACCESSORIES \$119.32 36 GOLF TEES, JACOBS AUTOGLASS \$165.00 WELL RPR, JOHNSON CASHWAY CO \$1,653.64 2 DRILL BITS & DRILL, LL JOHNSON DISTRIBUTING \$352.69 WETTING AGENT APPLCR GUN, KNEB \$345.50 ADVERTISING, KEEP SCOTTSBLUFF - GERING \$1,337.00 KENO FUNDS: PHARM. TAKE BACK, KEMBEL SAND & GRAVEL CO \$389.00 28.73 TONS OF SAND, KOVARIK, ELLISON, MATHIS \$5,898.75 SPECIAL PERSONNEL PROJECT, KRIZ - DAVIS CO \$9,353.46 16 LED LIGHTS, KWIK STOP #10 \$87.65 FUEL: TRVL TO OFFICERS FUNERAL, LOAF N JUG \$25.28 FUEL: LANE - MEAN MEETING TRVL, MB KEM ENTERPRISE \$86.85 3 DOOR OPENERS, MWC ENTERPRISES INC \$8,290.00 3YD SIDE LOAD SQ RPLCE BOT, MASEK GOLF CAR CO \$252.00 CART RENTAL, MEAT SHOPPE \$41,372.67 CATERING COSTS, JOHN MEJIA \$420.40 GFOA NAT'L CONF TRVL EXP, MIDWEST AUTO SUPPLY INC \$50.00 HEADLIGHT ASSEMBLY 05 TAURUS, MUNICIPAL ENERGY AGENCY \$353,024.80 POWER BILL, MUNICIPAL SUPPLY INC OF \$27,053.45 2000 18" PIPE, NE CHILD SUPPORT PYMT \$738.53 CHILD SUPPORT 1, NE DOL/BOILER INSPECTION \$63.00 POOL BOILER INSPECTION, NDOR - LODGING \$989.14 LODGING TAX - MAY, NE FIRE CHIEFS ASSOCIATION \$100.00 ASSOCIATION DUES, NEBRASKA GOLF ASSOCIATION \$3,846.00 HANDICAP FEES, NEBRASKA MACHINERY CO \$122.82 SCISSOR LIFT RENTAL, NE SAFETY/FIRE EQUIPMENT \$2,877.50 UPDATE HOOD SYSTEM, NE STATE VOLUNTEER FIRE \$680.00 STATE ASSOCIATION DUES, NORTHWEST PIPE FITTINGS \$2,536.61 8 WATER HYDRANTS, PANHANDLE COOP ASSOCIATION \$1,395.88 FUEL, DOUG PARKER \$171.00 MEAL EXP: CODY HOTLINE SCHOOL, PERFORMANCE AUTOMOTIVE CO \$563.31 GOLF CART RPR, PETRO OF YORK \$52.62 4 MEALS: OFFICERS FUNERAL TRVL, PETTY CASH \$5.72 REIMBURSE PETTY CASH LIB & PD, POSTMASTER \$13.35 MAILED LOST ITEM BACK TO OWNER, POWERPLAN OIB \$6,522.30 RPR TO 344 J, PRAISE WINDOWS INC \$210.00 WINDOW CLEANING, PRINT EXPRESS \$353.05 500 WARNING TICKET BOOKLETS, QUALITY INN & SUITES \$83.00 LODGING - LANE: MEAN MEETING, RECORDED BOOKS LLC \$136.79 5 AUDIOBOOKS, RESPOND FIRST AID SYSTEMS \$92.92 FIRST AID SUPPLIES, RICH'S LOCK SHOP \$147.36 CHANGED DOOR LOCK, ROBINSON ELECTRIC \$332.70 LAUNDROMAT LIGHTS RPR, ROOSEVELT PUBLIC POWER DISTRICT \$31.20 UTILITIES - SIGN, SCI DISTRIBUTION LLC \$202.00 2 FUEL PUMPS, SCS ENGINEERS \$17,270.74 PLANNING FOR NEW LANDFILL, SANDBERG IMPLEMENT INC \$1,823.78 RPR, SCOTTS BLUFF COUNTY COURT \$68.00 COUNTY COURT FEES, SCB COUNTY HOUSING AUTHORITY \$4.29 OVERPAID FINAL, SCB COUNTY WEED CONTROL \$578.75 WEED SPRAYING, SCOTTSBLUFF - GERING UNITED \$10.00 UNITED WAY CTRB, SCOTTSBLUFF TOWING SRV \$440.00 PD TOW FEE 1996 BUICK, SCOTTSBLUFF WINNELSON CO \$144.23 RR RPR, SHERWIN WILLIAMS \$15,184.71 WALK BEHIND PAINT MACHINE, SIMMONS OLSEN LAW FIRM \$1,500.00 CITY PROSECUTOR BILL, SIMON CONTRACTORS \$2,878.60 MAIN RPR, SINCLAIR MINI MART \$24.32 FUEL, SLAFTER OIL CO \$335.02 OIL, SNELL SRV INC \$400.80 RPR WATER LEAK @ CLUBHOUSE, SOLOMON CORP \$8,207.25 1 TRANSFORMER, SOLUTIONS EAP \$244.55 COUNSELING SRV, SOURCE GAS \$280.93 UTILITIES - 1255 11<sup>TH</sup> STREET, SOUTHWESTERN EQUIPMENT CO \$469.92 10 PINS FOR TRUCK, STAPLES CREDIT PLAN \$192.56 SUPPLIES, STAR HERALD \$1,111.97 TALK OF THE TOWN NEWSLETTER, SUGAR VALLEY RALLY \$3,500.00 KENO FUNDS: VINTAGE CAR RALLY, SWANA \$200.00 LICENSE RENEWAL - VANCE, TARGET \$149.98 2 PRIZES FOR SUMMER READING PROGRAM, TAYLOR MADE GOLF CO \$50.76 1 PR OF SHOES, ROBERT THOMASON \$17.70 SHIPPING FEE REIMBURSEMENT, TOMMY'S JOHNNY'S INC \$135.00 1 PORTABLE TOILET RENTAL, UPSTART \$25.20 SRP SUPPLIES, VALLEY BANK & TRUST CO \$21,370.77 SINKING FUND - MAY, WALMART COMMUNITY \$427.81 SUPPLIES FOR SUMMER READING PROGRAM, WATER ENVIRONMENT REDERAT \$124.00 MEMBERSHIP DUES - HEATH, WEATHERCRAFT CO INC \$268.00 CITY HALL ROOF RPR, WELLS FARGO FINANCIAL \$112.11 COPYSTAR COPIER LEASE PYMT, WESTCO \$17,009.68 GAS, WESTERN PLAINS BUSINESS \$83.17 COPIER MAINTENANCE, WESTERN TRAIL SPORTS POST \$712.18 22 LIFE GUARD BATHING SUITS, WINCHELL CLEANING SRV \$1,440.00 CLEANING SRV, YMCA \$585.84 WELLNESS YMCA, YEAGER TERRY \$31.00 CDL RENEWAL, MENARDS \$335.46 3 3/4 PLYWOOD BOARDS, CLAIR THOMPSON \$75.00 RV ROOM DEPOSIT REFUND, KARENS CLEANING \$425.00 JANITORIAL SRV, SCOTTS BLUFF CO ASSESSOR \$2,975.72 TIF #8672 CLOSEOUT ON MORRISON, BURGER KING \$37.67 MEAL EXP: OFFICERS FUNERAL TRVL, GERING CITIZEN \$663.55 ADVERTISING, FRONTIER AIRLINES \$398.00 AIRLINE TCKT: SERGIO - ESRI CONF, INTRALINKS TECHNICAL SOLUTIONS \$9,627.89 SECURITY CAMERAS FOR PROSHOP, FREMONT MOTOR SCOTTSBLUFF \$26,314.81 2014 FORD F150, C & M AIR COOLED ENGINE \$693.89 RPR, MUNICIPAL PIPE TOOL CO \$3,585.57 EQUIPMENT RPR, ACCUSTAR SURVEYING \$875.00 REPLAT LOTS 4-7, BLOCK 20, VERIZON WIRELESS \$1,639.49 IPAD FEES AND 2 NEW IPAD PURCHASES, UPS \$19.56 SENT BACK TRIAL CAMERA TO COMP, NE DEPT OF REV (PR) \$12,525.04 STATE TAX, JOHN HANCOCK USA \$13,941.15 JH RETIRE 6%, MG TRUST CO LLC \$5,901.20 MG T - POLICE, ICMA ELECTRONIC RETIREMENT \$546.42 ICMA CITY ADMIN, NE PUBLIC POWER DISTRICT \$2,012.41 UTILITIES - PHEASANT DRIVE, KUM & GO \$62.00 FUEL: TRVL TO OFFICERS FUNERAL, SCB CO DISTRICT COURT \$75.00 ALIMONY, OCLC INC \$133.25 CATALOGING & ILL SUBSCRIPTION, YEOMAN ELECTRONICS INC \$1,560.00 SATELLITE FOR CONF, MITCHELL REFRIGERATION \$314.31 CENTRAL STORES ICE MACHINE RPR, MATHESON TRI - GAS INC \$145.43 ACETYLENE, SUGAR VALLEY FEDERAL CREDIT \$1,268.08 CREDIT UNION, MONEY WISE OFFICE SUPPLY \$1,102.97 NEW DESK FOR KREASHA, MURDOCH'S RANCH & HOME \$31.48 2 GUN CLEANING KITS, VALLEY BANK & TRUST - GERING \$136,160.00 SOLID WASTE FAC REC BOND PYMT, JOHNS STEVEN \$100.00 TREE REBATE, DOOLEY OIL INC \$150.45 DEF FLUID FOR TRUCK, KATHLEEN A LAUGHLIN \$165.00 GARNISHMENT 2, GLENDALE INDUSTRIES \$26.55 3 HONOR GUARD UNIFORM SCARVES, DHHS DIVISION/PUBLIC HEALTH \$352.00 2 DUI BLOOD ALCOHOL TEST, THE ROCK PILE \$3,435.12 RIVER ROCK, GCSAA \$375.00 MEMBERSHIP DUES - WALSH, STEEL GRILL \$97.09 MEAL EXP: SCS PRESENTATION, FRESH FOODS \$54.42 MAYOR TO MAYOR BRKFST SUPPLIES, CIRCLE THE BLUFFS POWWOW \$2,500.00 KENO FUNDS: MC & CONTEST DRCTR, REAL SIMPLE \$34.95 12 ISSUE MAG SUBSCRIPTION, SHELL \$59.16 FUEL, VALLEY BANK - POLICE \$300.00 PO UNION DUES, ONE CALL CONCEPTS INC \$110.85 LOCATE FEES, US AUTO FORCE \$142.11 1 TIRE, PIPE WORKS PLUMBING LLC \$6,124.34 SET PLMBING FIXTURES & WTR HTR, SYSCO

DENVER INC \$132.97 MAINTENANCE SUPPLIES, NEBRASKA FOREST SRV \$110.00 TREE CARE WRKSH 2 EMPLOYEES, DEINES IRRIGATION \$179.00 WELL RPR, CADDIES \$30.00 REIMBURSEMENT FOR MEALS & POS, MONUMENT SHADOWS MENS ASSOC \$54.00 REIMBURSEMENT FOR POS DUES, JIRDON \$4,431.06 FERTILIZER, LEGACY OF THE PLAINS \$60.00 MEMBERSHIP RENEWAL, BIG MACK \$160.00 SRV CALL - CHECKED UNIT, UNITED WAY OF WESTERN NE \$500.00 5 ROCKS AMP DEPOSIT REFUND, RODRIGUEZ SERGIO \$426.95 2015 ESRI USER CONF EXPESES, CENTER POINT LARGE PRINT \$44.34 2 BOOKS, WM RECYCLE AMERICA \$1,638.62 RECYCLING DUES, CORNER STORE \$17.18 FUEL: ROGERS - TRVL TO TRAINING, TD AMERITRADE \$11,397.00 2014 LOSAP INCENTIVE PLAN, YOUNG MENS CHRISTIAN \$10.00 YOUNG MEN;S CHR, NATIONAL INSURANCE SRV \$1,053.52 VISION INSURANCE, AMERICAN CHAMBER OF COMM \$250.00 ANNUAL ONLINE SUB HR HANDBOOK, MURRAY JERRY \$75.00 RV ROOM DEPOSIT REFUND, STATE OF NE DEPT OF HHS \$901.39 REFUND UTILITY PYMT, MAILFINANCE \$864.95 POSTAGE MACHINE LEASE PYMT, NEOFUNDS BY NEOPOST \$800.00 POSTAGE, GENERAL PARTS \$205.31 OVEN PARTS, BUSHNELL \$145.29 2 GPS RANGE FINDERS, ARMADA MEDIA CORP \$500.00 RADIO ADVERTISING, PT HOSE AND BEARING \$3,721.31 PARTS FOR G6, BLACKSTONE AUDIO INC \$549.19 9 AUDIOBOOKS, ACUSHNET CO \$2,113.01 48 GOLF BALLS, HOBBY LOBBY \$89.09 CRAFT SUPPLIES FOR SRP, CENTERFIRE SYSTEMS \$278.07 2 AR15 FIREARMS, RAIN FOR RENT \$10,393.36 EQUIPMENT RENTAL, CAREY & ASSOCIATES \$990.00 TRAINING FOR BRUNZ & JACKSON, KISSLER KEVIN \$100.00 TREE REBATE, HESS MORGAN \$135.00 LEFT RV PARK EARLY, HERNANDEZ ALYSSA \$150.00 CANCELLED RV ROOM RESERVATION, CLEAREY ASHLEY \$75.00 RV ROOM DEPOSIT REFUND, MANKA APRIL \$75.00 RV ROOM DEPOSIT REFUND, NATIONSTAR MORTGAGE \$62.62 OVERPAID FINAL, OLD CHICAGO \$43.51 4 MEALS: OFFICERS FUNERAL TRAVEL, DRACO MECHANICAL SUPPLY \$262.72 WWTP RPR, PLATTE VALLEY VAC & SEW \$654.95 NEW VACCUM FOR ADMIN BLDG, PIPPA WHITE \$200.00 STORYTIME PERFORMANCE, LSPL FOUNDATION \$355.00 PARTNERING FOR SUMMER READING PROGRAM ENDING EVNT, ENNIS KIRSTEN \$80.00 PROVIDED CLASS FOR ADULT SUMMER READING PROGRAM, JL SPRINKLERS \$3,000.00 SPRINKLER SYSTEM INSTALLATION, LANDERS CRAIG \$125.00 TREE REBATE, BEAL MELISSA \$100.00 TREE REBATE, WILLS DR DARYL \$100.00 TREE REBATE, SCHLOUGH CHARLES \$22.00 LEFT RV PARK EARLY, SOULE KIM \$75.00 RV ROOM DEPOSIT REFUND, HERNANDEZ FELECIA \$75.00 RV ROOM DEPOSIT REFUND, MCCORMICK HUNTER \$171.00 MEAL EXP: CODY HOTLINE SCHOOL, LEMNA TECHNOLOGIES \$32,778.00 WWTP POND 3B COVER REPLCMNT, LEMNA TECH INC \$65,913.00 WWTP POND 3B COVER RPLCMNT, HAAS CHARLES \$30.00 REIMBURSEMENT FOR SUNGLASSES, ROSS TAYLOR \$278.14 REIMBURSEMENT FOR RETURNED ITEMS, NE DEPT OF ECONOMIC DEV \$100.00 REG FEE: CDBG RECTRFCTN WRKSH 2,

The Mayor noted that Scribner errors in the June 22, 2015 minutes regarding the absence of Councilmember Allred instead of Councilmember O'Neal in various motions was corrected.

**Motion by Councilmember Gibbs to approve the Consent Agenda with noted corrections to the minutes, second by Councilmember Cowan. There was no discussion. The Mayor called the vote. "AYES": Christensen, Gibbs, Holliday, Allred, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: Smith. Motion carried.**

#### **PUBLIC HEARINGS:**

**1. Public Hearing for a Re-Development Agreement using Tax Increment Financing (TIF) from real property including Lots 19A and 20A, Block 5, Midtown Development Addition being a Re-Plat of Midtown Development Addition Recorded under Instrument No. 2012 482 on 1/31/2012, Lot 4C-1, Block 5, Midtown Development Addition, being a Re-Plat of Midtown Development Addition Recorded under Instrument No. 2012 4947 on 9/7/2012, and Lots A, B, & C, Block 5 Midtown Development Second Addition, Recorded under Instrument No. 2012 6795 on 12/12/2012, lying within the City of Gering, Scotts Bluff County Nebraska Situated in Section 26, Township 22 North, Range 55 West of the 6<sup>th</sup> Principal Meridian for Reed and Nelson, LLC Midtown Development Addition and will include future commercial buildings, right-of-way improvements, consisting of street construction of North Twin City Drive, alley construction, utility extensions, intersection improvements, paving, and landscaping. (Published 6-11, 6-25, and 7-2-2015)**

Mayor Kaufman opened the Public Hearing for a Re-Development Agreement using Tax Increment Financing (TIF) from real property including Lots 19A and 20A, Block 5, Midtown Development Addition at 6:03 p.m. Paul Snarr, City Engineer, presented the Administrative Record.

#### **Administrative Record:**

Mr. Mayor and City Council Members,

This is a Public Hearing to consider an amended Re-Development Agreement using Tax Increment Financing (TIF) for **Reed and Nelson, LLC**, Midtown Development Addition and will include future commercial buildings, right-of-way improvements, consisting of street construction

of North Twin City Drive, alley construction, utility extensions, intersection improvements, paving and landscaping.

A Re-Development Plan, Agreement, Tax Increment Development Revenue Bond, and Resolution 7-15-1 have been prepared for this Tax Increment Financing (TIF) Project. The TIF financing would come from real property including improvements being made on Lots 19A and 20A, Block 5, Midtown Development Addition being a Re-Plat of Midtown Development Addition Recorded under Instrument No. 2012 482 on 1/31/2012, Lot 4C-1, Block 5, Midtown Development Addition, being a Re-Plat of Midtown Development Addition Recorded under Instrument No. 2012 4947 on 9/7/2012, and Lots A, B, & C, Block 5 Midtown Development Second Addition, Recorded under Instrument No. 2012 6795 on 12/12/2012, lying within the City of Gering, Scotts Bluff County Nebraska Situated in Section 26, Township 22 North, Range 55 West of the 6<sup>th</sup> Principal Meridian.

This project will not be financed by the City of Gering; rather Reed and Nelson will obtain financing with the bond through a bank or investor. The City will manage/receive the TIF proceeds from the County on this project as they come in yearly and then forward said TIF proceeds (only to the extent they are received) to the holder of the bond at that time (whether it be the redeveloper, bank, or other investor).

The Public Hearing Notice was published in the paper June 11, 2015, June 25, 2015, and July 2, 2015 and notice was sent per State Statute 18-2115 to Scotts Bluff County, Gering School District, Community College(s), Educational Service Unit, and Natural Resource District. The site was also signed per State Statute.

Mr. Mayor and City Council Members, I have completed my entry regarding the Public Hearing for this Redevelopment Plan, Agreement, Tax Increment Development Revenue Bond, and Resolution 7-15-1 using Tax Increment Financing (TIF) for **Reed and Nelson, LLC** and ask that you please keep this hearing open until all entries are put into this record.

Mayor Kaufman asked if any Council Member wished to have the Administrative Record read aloud. Seeing none he asked if anyone in the Council Chambers wished to speak in favor or opposition of this application. With no further comments the Mayor closed the Administrative Record and the Public Hearing closed at 6:08 pm.

**Motion by Councilmember Morrison, second by Councilmember Christensen to enter the Administrative Record including the Redevelopment Plan into the public record.**

**Discussion:** Councilmember Morrison asked when we do a TIF and they've opted to split different ones out, is that not done in one project or is this different projects. She clarified and said they were going to use TIF on some parts but not on other parts or certain lots. Mr. Snarr said the evaluation was done on certain lots. This amends TIF number 18 which includes the south two lots north of South Twin City Drive; it's the Arrowhead Distributing and the lot directly north. This amends those in that it includes lots to the north and the TIF comes into play to develop part of north Twin City Drive and the alley on the east side of the subdivision. Mayor Kaufman stated we're amending an old TIF to add some additional lots to be included in that.

**The Mayor called the vote. "AYES": Christensen, Gibbs, Holliday, Allred, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: Smith. Motion carried.**

**1a. Approve or deny Re-Development Agreement using Tax Increment Financing (TIF) from real property including Lots 19A and 20A, Block 5, Midtown Development Addition being a Re-Plat of Midtown Development Addition Recorded under Instrument No. 2012 482 on 1/31/2012, Lot 4C-1, Block 5, Midtown Development Addition, being a Re-Plat of Midtown Development Addition Recorded under Instrument No. 2012 4947 on 9/7/2012, and Lots A, B, & C, Block 5 Midtown Development Second Addition, Recorded under Instrument No. 2012 6795 on 12/12/2012, lying within the City of Gering, Scotts Bluff County Nebraska Situated in Section 26, Township 22 North, Range 55 West of the 6<sup>th</sup> Principal Meridian for Reed and Nelson, LLC Midtown Development**

**Addition and will include future commercial buildings, right-of-way improvements, consisting of street construction of North Twin City Drive, alley construction, utility extensions, intersection improvements, paving, and landscaping. (Published 6-11, 6-25, and 7-2-2015)**

**Motion by Councilmember Gibbs, second by Councilmember Cowan to approve Re-Development Agreement and Plan, using Tax Increment Financing (TIF) from real property including Lots 19A and 20A, Block 5, Midtown Development Addition being a Re-Plat of Midtown Development Addition Recorded under Instrument No. 2012 482 on 1/31/2012, Lot 4C-1, Block 5, Midtown Development Addition, being a Re-Plat of Midtown Development Addition Recorded under Instrument No. 2012 4947 on 9/7/2012, and Lots A, B, & C, Block 5 Midtown Development Second Addition, Recorded under Instrument No. 2012 6795 on 12/12/2012, lying within the City of Gering, Scotts Bluff County Nebraska Situated in Section 26, Township 22 North, Range 55 West of the 6<sup>th</sup> Principal Meridian for Reed and Nelson, LLC Midtown Development Addition and will include future commercial buildings, right-of-way improvements, consisting of street construction of North Twin City Drive, alley construction, utility extensions, intersection improvements, paving, and landscaping. (Published 6-11, 6-25, and 7-2-2015).**

**Discussion:** Councilmember Christensen asked to hear from the applicants on more specific information on what they intend to do with this property. Paul Reed, 3404 Deer Haven Drive, said on the vacant lot next to the Coors building they are going to put a building that would be available for multiple uses similar to what they've done in the Red Barn District. This building would have the ability to be subdivided if the leaser or buyer would want that. It also has the ability not to be subdivided if they choose to use the whole thing. The building size would be 100' in width and roughly 75' in length so it's a 7500 square foot building and would accommodate high overhead doors. The building would have a value of approximately \$300,000.

**The Mayor called the vote. "AYES": Christensen, Gibbs, Holliday, Allred, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: Smith. Motion carried.**

**1b. Approve and authorize the Mayor to sign Re-Development Agreement using Tax Increment Financing (TIF) from real property including Lots 19A and 20A, Block 5, Midtown Development Addition being a Re-Plat of Midtown Development Addition.**

**Motion by Councilmember Morrison to approve and authorize the Mayor to sign Re-Development Agreement using Tax Increment Financing (TIF) from real property including Lots 19A and 20A, Block 5, Midtown Development Addition being a Re-Plat of Midtown Development Addition, second by Councilmember O'Neal. There was no discussion. The Mayor called the vote. "AYES": Christensen, Gibbs, Holliday, Allred, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: Smith. Motion carried.**

**1c. Approve and authorize the Mayor to sign Tax Increment Development Revenue Bond.**

**Motion by Councilmember Gibbs to approve and authorize the Mayor to sign Tax Increment Development Revenue Bond, second by Councilmember Christensen. There was no discussion. The Mayor called the vote. "AYES": Christensen, Gibbs, Holliday, Allred, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: Smith. Motion carried.**

**1d. Approve Resolution 7-15-1**

**RESOLUTION NO. 7-15-1**

**BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF GERING, NEBRASKA:**

**Recitals:**

a. The City of Gering, Nebraska, a municipal corporation and city of the first class (the "City"), has determined it to be desirable to undertake and carry out urban redevelopment projects in certain areas of the City that are determined to be blighted and substandard and in need of redevelopment;

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

c. The City has previously declared an area which includes an area legally described in Exhibit A (the "Redevelopment Area" or "Project Area") to be blighted and substandard and in need of redevelopment pursuant to the Act;

d. The City has received a Modified Redevelopment Plan ( the "Redevelopment Plan") prepared by Reed & Nelson, L.L.C. (the "Redeveloper") for the redevelopment of the Redevelopment Area;

e. The Planning Commission of the City has reviewed the Redevelopment Plan on June 23, 2015 and recommended its approval by the Mayor and Council of the City;

f. The City published and mailed notices of a public hearing regarding the consideration of the approval of the Redevelopment Plan pursuant to Section 18-2115 of the Act, and has on the date of this Resolution held a public hearing on the proposal to approve the Redevelopment Plan; and

**Resolved that:**

1. The Redevelopment Plan has been reviewed and approved in form as presented.  
2. The City has determined that the Redevelopment Plan is consistent with the general purpose of accomplishing a coordinated, adjusted, and harmonious development of the City and its environs which will, in accordance with present and future needs, promote health, safety, morals, order, convenience, prosperity and the general welfare, as well as efficiency in economy in the process of development.

3. In compliance with section 18-2114 of the Act, the City finds and determines as follows: (a) the Redevelopment Area constituting the redevelopment project will not be acquired by the City and the City will receive no proceeds from disposal to the Redeveloper; (b) the Redeveloper and successors have already acquired the Project Area through private transactions, and not by condemnation; (c) the estimated cost of preparing the project site and related costs are \$387,247.86 for public improvements, which the Redeveloper has and will incur to the extent tax increment revenues are available and \$300,000.00 for new private improvements (d) the method of financing the Redevelopment Project shall be by (i) private funds from the Redeveloper for the private improvements and (ii) tax increment financing for the public improvements; and (e) no families or businesses will be displaced as a result of the project.

4. The Redevelopment Plan is determined to be feasible and in conformity with the general plan for the development of the City as a whole, the Redevelopment Plan is in conformity with the legislative declarations and determinations set forth in the Act, the redevelopment project described in the Redevelopment Plan would not be economically feasible and would not have occurred within the Project Area without the use of tax-increment financing, and the costs and benefits of the redevelopment project, including costs and benefits to other affected political subdivisions, the economy of the City, and the demand for public and private services have been analyzed by the City and have been found to be in the long-term best interest of the community impacted by the redevelopment project.

5. The Redevelopment Contract between the City acting by and through its authority as the City of Gering Community Development Agency and the Redeveloper in the form negotiated between City staff and Redeveloper, as presented is approved and incorporated herein. This Resolution shall be construed consistently with the Redevelopment Contract.

6. A tax increment revenue bond in the aggregate principal amount of up to \$183,490.00 is ordered issued in accordance with Neb. Rev. Stat. § 18-2125 by the City and shall be designated as its "Tax Increment Development Revenue Bond (Amended Midtown Development Addition), Series 2015" (the "Bond"). The Bond shall be in substantially the form of the attached "Exhibit B" and shall be subject to the terms and conditions as set forth in the Redevelopment Contract.

7. The Mayor and Clerk are authorized and directed to execute such documents and take such further actions as are necessary to carry out the purposes and intent of this Resolution, Redevelopment Plan, and Redevelopment Contract on behalf of the City of Gering acting by and through its authority as the Community Development Agency.

8. This Resolution shall become effective immediately upon its adoption.

**PASSED and APPROVED** on July 13, 2015.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk (Seal)

Note: Exhibit A, B and the Provision for Registration are made part of this official record by reference.

Motion by Councilmember Morrison to approve Resolution 7-15-1, second by Councilmember Cowan. There was no discussion. The Mayor called the vote. "AYES": Christensen, Gibbs, Holliday, Allred, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: Smith. Motion carried.

2. Public Hearing to consider amending Ordinance No. 1744 Section 10.2(4), Ordinance 1628, 3/99, and City Zoning and Subdivision Regulations Section 10.2(4) Fences, Walls, and Hedges to change the maximum height of fence, wall, and hedge from 42" to 48". Fencing including wood, chain link, picket, etc... come in 48 inch heights whereas 42 inch is not available unless special ordered or requires to be cut. The City has a requirement for the site triangle for corner lots and this would not affect this height and setback.

Mayor Kaufman opened the public hearing for amending Ordinance No. 1744 Section 10.2(4), Ordinance 1628, 3/99, and City Zoning and Subdivision Regulations Section 10.2(4) Fences, Walls, and Hedges at 6:15 p.m.

City Building Inspector Rod Sterkel stated:

**Mr. Mayor and City Council Members,**

This is a Public Hearing to consider amending Ordinance No. 1744 Section 10.2(4), Ordinance 1628, 3/99, and City Zoning and Subdivision Regulations Section 10.2(4) Fences, Walls, and Hedges to change the maximum height of fence, wall, and hedge from 42" to 48". Fencing including wood, chain link, picket, etc... come in 48 inch heights whereas 42 inch is not available unless special ordered or requires to be cut. The City has a requirement for the site triangle for corner lots and this would not affect this height and setback.

Numerous fence permits are applied for and the topic of 42" fence height comes up fairly regularly whereas the fence installer or home owner would purchase a 48" fence from a supplier and would be required to cut 6" off or special order the correct height. In general if really looked at within the City most fences in the location requiring the 42" are 48".

Staff would recommend the following amendment:

- (4) The maximum height for any fence, wall or hedge or any part of a fence, wall or hedge, within the required front yard setback or within the primary or secondary front yard of a corner lot in all residential zones shall be **forty-eight (48)** inches measured from the average grade of the ground, measured within eighteen (18) inches on either side of the fence, wall, or hedge; provided the corner triangular site distance is maintained per Ordinance No. 1628 with the maximum height of the fence being thirty (30) inches measured from the front corner property line P.I. (Ordinance 1744, 10/03 and Ordinance 1628, 3/99).

**Administrative Record:**

**Mr. Mayor and City Council Members – you have been provided with the administrative record in your packets and I would ask for this Commission's approval that I not read through the record unless you would like this read and that it be made a part of the official proceedings of this Public Hearing.**

- City of Gering Zoning and Subdivision Regulations dated 1984.
- Publication Notice and written notice was completed and sent per the requirements of the current City Zoning and Subdivision Regulations Section 21.2 and are incorporated by reference in this Administrative Record.
- Ordinance No. 1744 Section 10.2(4), Ordinance 1628, 3/99, and the 1984 City Zoning and Subdivision Regulations Section 10.2(4) Fences, Walls, and Hedges.
- City Engineer/Director of Engineering & Community Planning Administrative Record as shown herein.

Mayor Kaufman asked if any Council Member wished to have the Administrative Record read aloud. Seeing none he asked if anyone in the Council Chambers wished to speak in favor or opposition of this application. No one spoke in favor or opposition of the application.

Mr. Sterkel stated: Mr. Mayor and City Council Members, I have completed my entry regarding this Public Hearing to consider amending Ordinance No. 1744 Section 10.2(4), Ordinance 1628, 3/99, and City Zoning and Subdivision Regulations Section 10.2(4) Fences, Walls, and Hedges to change the maximum height of fence, wall, and hedge from 42" to 48" and ask that you please keep this hearing open until all entries are put into this record.

With no further comments the Mayor closed the Administrative Record and the Public Hearing closed at 6:19 pm.

**Motion by Councilmember Cowan, second by Councilmember Holliday to enter the Administrative Record into the public record. The Mayor called the vote. "AYES": Christensen, Gibbs, Holliday, Allred, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: Smith. Motion carried.**

**2a. Approve Ordinance 2002 - AN ORDINANCE OF THE CITY OF GERING TO AMEND ORDINANCE NO. 1628, ORDINANCE NO. 1744 SECTION 10.2(4), AND CITY ZONING AND SUBDIVISION REGULATIONS SECTION 10.2(4) FENCES, WALLS, AND HEDGES AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.**

**Councilmember Allred made a motion to introduce Ordinance No. 2002: AN ORDINANCE OF THE CITY OF GERING TO AMEND ORDINANCE NO. 1628, ORDINANCE NO. 1744 SECTION 10.2(4), AND CITY ZONING AND SUBDIVISION REGULATIONS SECTION 10.2(4) FENCES, WALLS, AND HEDGES AND PROVIDING FOR AN EFFECTIVE DATE THEREOF. Seconded by Council member O'Neal. There was no discussion. The Mayor called the vote. "AYES": Christensen, Gibbs, Holliday, Allred, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: Smith. Motion carried.**

**Councilmember Morrison moved that the Ordinance be designated as Ordinance No. 2002 and the title thereof approved, and that the Statutory Rule requiring Ordinances to be fully and distinctly read on three different days be dispensed with, which motion was seconded by Councilmember Cowan. There was no discussion. The Clerk called the roll. "AYES": Christensen, Gibbs, Holliday, Allred, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: Smith. Motion carried.**

The motion to suspend the statutory rule having been concurred in by three-fourths of all members elected to the Council, was, by the Mayor declared to have carried.

**Whereupon Ordinance No. 2002 was read by title only, Councilmember Christensen moved that the Ordinance be passed as read, which motion was seconded by Councilmember Gibbs. "The question is shall Ordinance No. 2002 be passed?" There was no discussion. The Clerk called the roll. "AYES": Christensen, Gibbs, Holliday, Allred, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: Smith. Motion carried.**

The passage and adoption of the Ordinance having been concurred in by a majority of all members elected to the Council was by the Mayor declared passed.

**BIDS: None**

**CURRENT BUSINESS:**

**1. Planning Commission appointment – Paul Marrietta**

**Motion by Councilmember Morrison to approve the appointment of Paul Marrietta to the Planning Commission. Second by Councilmember O'Neal. There was no discussion. The Clerk called the roll. "AYES": Christensen, Gibbs, Holliday, Allred, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: Smith. Motion carried.**

**2. Third reading/approval of ordinance 1998 - AN ORDINANCE OF THE CITY OF GERING, NEBRASKA, VACATING DEBRA DRIVE OF RUSURE SUBDIVISION LOTS 1, 2, 3, & 4, BLOCK 1, FINAL PLAT RECORDED UNDER INSTRUMENT NO. 2005-3423 SITUATED IN A PORTION OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 21 NORTH, RANGE 54 WEST OF THE 6<sup>TH</sup> P.M., CITY OF GERING, SCOTTS BLUFF COUNTY, NEBRASKA.**

Mayor Kaufman stated that the first reading of Ordinance 1998 took place on June 22 and the second reading took place on June 29. This will be the third reading and approval of this ordinance. He then entertained a motion to designate the ordinance as Ordinance No. 1998 for the third reading.

**Councilmember Christensen moved that the Ordinance be designated as Ordinance No. 1998 and the title thereof approved as the third reading, which motion was seconded by Councilmember Gibbs.**

**Discussion:** Jerry Higle, 131015 Lockwood Road, addressed Council. Mayor Kaufman interjected that this is the business portion of this meeting and State Statute 14-8412 notes that our business meetings are meetings in the public but are not public meetings. He said we've heard a lot of comments pertaining to this particular property and issue. He added if Mr. Higle has anything new to add to the discussion he is welcome to add that to the record. If we're merely recapping information that has already been provided then we need to move on. Mr. Higle stated that he has a question on clarification of something. He said that he was told by the City Engineer that if this ordinance passed that they would have some rules attached to it that would stipulate what the land owner was supposed to do. If that is the case he would like to have an ordinance that would pertain to the noise level and also no standing water; he asked if that can be done. Mr. Snarr said we do have a redevelopment agreement ready for the owner to sign and the owner has agreed to sign it. We do have an ordinance on the noise threshold that noise can't exceed the peak hour traffic. There are numerous things we have in the redevelopment agreement that are all based on questions and concerns that were pointed out throughout the meetings we've had on this; he said he thinks we have everything down. Mr. Higle said he knows most of them but is there one that specifically talks about the noise. Mr. Snarr said he's not sure it's in the redevelopment agreement but we do have an ordinance on the noise that covers that. The agreement won't be signed until the plat is signed.

Mayor Kaufman stated that he understands the redevelopment agreement has been worked and reworked at the request of Mr. Higle and the Greckel family. Through this process the existing land owner has met, through the redevelopment agreement and compromised to meet, most of Mr. Higle's concerns. Mr. Higle agreed; he said he didn't know if those two issues were in there or not. Mr. Snarr said if it's not in there we do have a noise ordinance and we addressed the standing water. Most of the property will drain to the east to drainage structures and will be piped from there. Mr. Higle said so you have taken care of that; Mr. Snarr replied yes. Once the redevelopment agreement is recorded it's a public document. Mr. Higle asked if there's a time limit on that; Mr. Snarr replied yes.

Councilmember Cowan stated that when he drove by there he saw a ditch that goes across the property of Greckels. He asked if that was included in the 20 foot starting at the property line or is it past that ditch? Mr. Snarr said actually the Greckels have a fence on the north side of their shop or garage. There is a fence attached there that runs to the north 15 feet or so. He thinks that fence is two or three feet into West Plains property so that's where the 20 foot starts. You probably have five feet and then you have the ditch but the 20 foot starts on the property line. Councilmember Cowan asked if they can't get in through there and make that turn at 20 foot and that ditch sits in the way, would it be advised to pipe that ditch and who would do that? Mayor Kaufman noted that they do have street access off the front. Mr. Snarr stated that the ditch could be moved. He doesn't think that West Plains has a lot of water running to the ditch; that's where the old Debra Drive was going to be drained into and that has been vacated,

however the gravel will stay there. He said about all that's running into that ditch is a portion of what Debra Drive was and it is gravel. He thinks there's probably more of Greckel's roof draining down into that drain than anything so that ditch could be filled in by the property owners if it needed to be. Most of the drainage for the new building of West Plains is draining flowing to the east; there is a fairly large ditch currently that runs north to south toward the Gering drain. However the owner is looking at piping that ditch and he will have some structures to bring the storm water into the pipe and it will flow down to the ditch; it has to be clean water that runs into the Gering drain. There will have to be some kind of overflow at the end. He clarified that this is not the same ditch by Greckels; this ditch is totally on West Plains property.

**The Clerk called the roll: "AYES": Christensen, Gibbs, Holliday, Allred, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: Smith. Motion carried.**

The motion to designate the Ordinance as No. 1998 and the title thereof approved having been concurred in by a majority of all members elected to the Council, was, by the Mayor declared to have carried.

**Whereupon Ordinance No. 1998 was read by title only, Councilmember Holliday moved that the Ordinance be passed as read, which motion was seconded by Councilmember Allred. The question is shall Ordinance No. 1998 be passed? There was no discussion. The Mayor called the vote. "AYES": Christensen, Gibbs, Holliday, Allred, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: Smith. Motion carried.**

The passage and adoption of the Ordinance having been concurred in by a majority of all members elected to the Council was by the Mayor declared passed.

### **3. Discussion of letter submitted by the Gering Public Schools regarding meeting dates**

Councilmember Morrison asked Mr. Hastings, Superintendent of Gering Public Schools, what prompted the letter. Mr. Hastings stated that they are statutorily required to have their meeting by the third Monday of the month. Earlier this year there was a bad snow storm and they were obligated to hold the meeting because of the statutory requirement. Most school districts across Nebraska have their meetings on the second Monday of the month. He said they are required to submit their budget to the state by September 20; the third Monday of the month falls on September 21 this year; for them it pushes them back. They cannot pass their budget in August because they don't have their assessed valuation from the County yet. They have to do it in September and it requires them to do some jockeying in order to make that happen. He said the other piece is not having options to move their meetings around; he doesn't like that. These are the reasons they brought it forward. Mr. Hastings added we'll be friends one way or another no matter how this works out; he just thought they'd ask.

Councilmember Allred asked if they can meet on the first Monday of the month. Mr. Hastings replied they could but it is difficult for them to have everything ready by the first Monday of the month but it wouldn't be impossible. Councilmember O'Neal stated that when she served on the School Board they tried to move the meeting but it was felt they couldn't have everything ready; the claims and having everything ready was an issue. She added that the decision was made to leave it at the third Monday knowing that every September it would be an issue. She asked Mr. Hastings if that had changed. Mr. Hastings replied that Councilmember O'Neal has more institutional knowledge about those things but their business department had no concern about having everything ready by the second Monday, for their claims to be approved and paid. She asked if they could move the meeting in September. Mr. Hastings replied that yes they could and they may have to regardless; it is a plan B for them.

Councilmember Gibbs asked if they are required to meet on a Monday. Mr. Hastings replied that they are not required to meet on Mondays but it is the least heavy activity night. It makes it more difficult for their Administration to have meetings on an off night but they can do that; it just limits some of their people from attending. Councilmember Gibbs asked if they could hold it on the second Tuesday. Mr. Hastings replied that would certainly be a possibility.

Councilmember Allred stated that Scottsbluff is opposite of us; Mayor Kaufman added so is the County. Councilmember Allred said it would make it tough for the media, but on those months that the third Monday is past your date some pre-planning could be done; if the School Board meeting is at 5:00, we could possibly move ours to 7:00. Some of those things can happen without an entire change so that we can still keep things in place here but then make room for the School's special meetings when that time comes along.

Mayor Kaufman noted that the City's budget deadline is the same. He echoed what Councilmember Allred stated about accommodating the media and public by having our meetings on the off Monday from Scottsbluff and the County; having all those meetings on the same night could be troublesome. We also have standing committees, planning commission meetings and other boards and commissions that support the City functions that really are all tied to the dates of the City Council meetings; there would be a lot of rescheduling requirements. He trusts that the School District can empathize with what the undertaking would be to change something that has been in motion for quite some time. Mr. Hastings said he appreciates the Council's consideration and added that we are good partners and we want to stay good partners.

#### **4. Discussion of changing Council meeting time**

Mayor Kaufman stated that a few months ago he took a poll from the Council about changing our regular meeting time to 6:00 p.m. instead of 7:00 p.m. The consensus was to move the time to 6:00 p.m. In the meantime our City Attorney noted that our ordinance states a specific meeting time. Mayor Kaufman said he thinks it would be wise to consider amending that ordinance and possibly leave the meeting time open to be set by future Mayors and Council to change that if they see fit. That way if this comes up again they have the flexibility to do that. Councilmember Gibbs stated that he has a preference of 7:00 p.m. Years ago the Council used to meet at 7:30 and that became a problem when some of their meetings didn't end until 10 or 10:30 in the evening. They moved the meetings to 7:00 to allow people to go home from work, eat their meal and then come to the meeting. It allows people to come and comment at the meetings and it also allows the Council Members to eat before the meeting. He said if you move it to 6:00 it will prevent a number of people from coming if they want to because a lot of people don't get off until after 5:00. Councilmember Gibbs added if we do change it to 6:00 he thinks we should change it in the ordinance; we shouldn't leave it as a flexible thing. Councilmember Cowan stated that he thinks 6:00 is great; he's done with all his jobs by 4:00 and he's here. He likes getting the meeting done and out of here at a decent hour for everybody. Mayor Kaufman echoed Councilmember Cowan being in that group that gets off at 5:00; he can make it to the meeting. Councilmember Morrison said she likes the 6:00 especially in the winter when it gets so cold and we get out so late. Councilmember Allred stated that he's neutral. Councilmember Gibbs stated that we do have to address the ordinance at some point. Mayor Kaufman replied that with this discussion we have another consensus that we can move forward with addressing the ordinance at a future meeting.

#### **5. Approve Resolution 7-15-2 – A Resolution of Participation in the All-Hazard Mitigation Plan**

##### **RESOLUTION NO. 7-15-2**

##### **A RESOLUTION OF PARTICIPATION IN THE ALL-HAZARD MITIGATION PLAN**

WHEREAS, **THE CITY OF GERING** recognizes that no community is immune from natural or manmade hazards whether it be severe weather, flooding, tornadoes, winter storms, wild fires, chemical spills, etc., and recognizes the importance to its citizens in enhancing its ability to protect against these hazards, and the importance of reducing the human suffering, property damage, interruption of public services and economic losses caused by those hazards; and,

WHEREAS, by participating in the All-Hazard Mitigation Plan Update, the **CITY OF GERING** will be eligible to apply for pre-disaster mitigation grants and funds; and,

WHEREAS, North Platte Natural Resources Districts are proposing to serve as the coordination agencies for the update of the multi-jurisdictional All-Hazards Mitigation Plan for their respective Districts and four-county area of Scotts Bluff, Banner, Morrill, and Garden counties and all associated local governmental entities, and

WHEREAS, **THE CITY OF GERING** desires to work towards becoming more disaster resilient; and,

NOW, THEREFORE BE IT RESOLVED THAT:

**THE CITY OF GERING** approves participation in the proposed All-Hazards Mitigation Plan Update process described above, and pledges to attend required meetings and participate in those activities necessary to complete an effective plan for the public we serve.

IN WITNESS THEREOF, this resolution was approved and executed this \_\_\_\_\_ day of \_\_\_\_\_ 2015.

\_\_\_\_\_  
Mark A. Kaufman, Mayor

ATTEST:

\_\_\_\_\_  
Kathy Welfl, City Clerk

Motion by Councilmember Morrison, second by Councilmember Cowan to approve Resolution 7-15-2 – A Resolution of Participation in the All-Hazard Mitigation Plan. The Mayor called the vote. "AYES": Christensen, Gibbs, Holliday, Allred, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: Smith. Motion carried.

**REPORTS:**

**Mayor's Report:**

- **Budget Workshop will be July 29 beginning at 8:00 a.m.**  
Mayor Kaufman reminded Council of the Budget Workshop on July 29 and stated that it's one of the most important functions of the Council.
- **Fall League of Municipalities Conference September 23-25**  
Mayor Kaufman encouraged Council to consider attending the Fall League Conference in Lincoln.
- **Comments about letter regarding Sugar Valley Rally**  
Mayor Kaufman stated he received a letter with positive feedback about Gering, our amenities and what City staff do to make this event successful.

**OPEN COMMENT SECTION:**

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

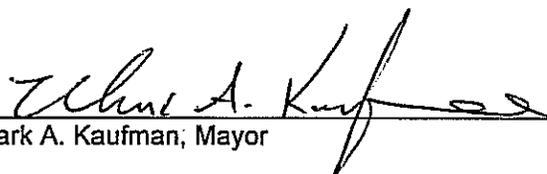
Ben Backus, 440 O Street in Gering, commented on the statutory requirements for TIF projects and how the process proceeds from the Planning Commission to the City Council.

Councilmember Allred commented on the importance of recycling, especially during big events like Oregon Trail Days, and encouraged everyone to recycle.

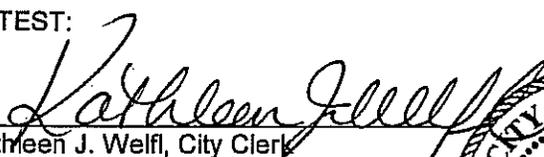
**ADJOURN**

Motion to adjourn by Councilmember Christensen, second by Councilmember Holliday. There was no discussion. The Mayor called the vote. "AYES": Christensen, Gibbs, Holliday, Allred, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: Smith. Motion carried.

Meeting adjourned at 6:50 p.m.

  
Mark A. Kaufman, Mayor

ATTEST:

  
Kathleen J. Welfl, City Clerk

