

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

Regular meeting of the Gering City Council, October 24, 2016 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 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 October 10, 2016 Regular City Council meeting
2. Approve Claims and financials
3. File for record Amendment to Purchase and Sale Agreement between the City of Gering and the Gering Hospitality Group LLC
4. File for record TCD Quarterly report
5. File for record addendum to Property Exchange Agreement between the City of Gering and Kelley Bean Co.

BIDS:

1. Northeast Detention Pond Stormwater Release Outlet Storm Sewer Bid

CURRENT BUSINESS:

1. Consider approving Keno application requests
 - Riverside Discovery Center
 - Gering Merchants
 - Veterans & Military Emergency Relief Organization (Warrior Run)

PUBLIC HEARINGS:

1. Public hearing to consider a Proposed Ordinance for electrical service continuity and 30 day service reconnection with mandatory inspection.

1a. Consider approval of Ordinance No. 2039 - AN ORDINANCE OF THE CITY OF GERING, NEBRASKA AMENDING TITLE V, PUBLIC WORKS, CHAPTER 54: ELECTRIC, SECTION 54.11: CITY NOT GUARANTOR OF DELIVERY WITH THE ADDITION OF SUBSECTION (C) ADDRESSING ELECTRICAL SERVICE CONTINUITY AND DISCONNECTION AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

2. Public hearing to consider a Proposed Ordinance to establish storm water mitigation regulations including policy, procedures, and pipe sizing requirements.

2a. Consider approval of Ordinance No. 2040 - AN ORDINANCE OF THE CITY OF GERING TO RECLASSIFY AND AMEND THE ZONING AND SUBDIVISION REGULATIONS ESTABLISHING STORM WATER MITIGATION REGULATIONS, POLICY, AND PROCEDURES AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

3. Public hearing to consider amending Ordinance No. 1851 which is located in the Gering Code of Ordinances Title VII, Traffic Code, Chapter 72, Parking Regulations, Subsection 72.01 eliminating cul-de-sacs as an exception when parking in front of properties allowing additional area for turning movements of vehicles including emergency vehicles.

3a. Consider approval of Ordinance No. 2041 - AN ORDINANCE OF THE CITY OF GERING, NEBRASKA REPEALING ORDINANCE NO. 1851 AND AMENDING THE GERING CODE OF ORDINANCES TITLE VII, TRAFFIC CODE, CHAPTER 72: PARKING REGULATIONS, SUBSECTION 72.01 AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

4. Public Hearing to consider a petition to annex property as requested by the applicant(s), William and Charlotte Rexus.

4a. Approve or deny a petition to annex property as requested by the applicant(s), William and Charlotte Rexus

4b. Approve Ordinance 2042 – FIRST READING - AN ORDINANCE OF THE CITY OF GERING, NEBRASKA FINDING THAT CERTAIN LANDS, LOTS, TRACTS, STREETS AND HIGHWAYS SITUATED IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 21 NORTH, RANGE 55 WEST OF THE 6TH PRINCIPAL MERIDIAN, SCOTTS BLUFF COUNTY, NEBRASKA, ARE SUBJECT TO ANNEXATION TO AND INCLUSION WITHIN THE CORPORATE LIMITS OF THE CITY; ANNEXING TO AND INCLUDING WITHIN THE CORPORATE LIMITS OF THE CITY SUCH LANDS, LOTS, TRACTS, STREETS, AND HIGHWAYS; PROVIDING THAT THE INHABITANTS THEREOF SHALL BE ENTITLED TO THE RIGHTS AND PRIVILEGES AND SUBJECT TO THE LAWS, ORDINANCES, RULES AND REGULATIONS OF THE CITY, AND RECEIVE SUBSTANTIALLY THE BENEFITS OF OTHER INHABITANTS THEREOF; REPEALING CONFLICTING ORDINANCES AND PARTS OF ORDINANCES; AND, PROVIDING FOR RECORDING AND PUBLICATION OF THE ORDINANCE AND FOR ITS EFFECTIVE DATE.

5. Public Hearing to consider an application for a change in zoning from AGG (General Agricultural District) to RML (Multi Family Residential Low Density District) as requested by the applicant(s), William and Charlotte Rexus

5a. Approve or deny an application for a change in zoning from AGG (General Agricultural District) to RML (Multi Family Residential Low Density District) as requested by the applicant(s), William and Charlotte Rexus

5b. Approve Ordinance 2043 – AN ORDINANCE OF THE CITY OF GERING TO RECLASSIFY AND CHANGE ZONING FROM GENERAL AGRICULTURAL DISTRICT (AGG – ANNEXATION ORDINANCE NO. 2042) TO MULTI-FAMILY RESIDENTIAL MEDIUM DENSITY DISTRICT (RML) FOR LOTS 1 AND 2, BLOCK 1, BLOCK 2 AND BLOCK 3, AND OUTLOT B, FOX HILL SUBDIVISION, A REPLAT OF BLOCKS 1 AND 2, AND OUTLOT A, REXUS SUBDIVISION SITUATED IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 21 NORTH, RANGE 55 WEST OF THE 6TH PRINCIPAL MERIDIAN, SCOTTS BLUFF COUNTY, NEBRASKA, RECORDED UNDER INSTRUMENT

NO. 2013-3277 CONTAINING APPROXIMATELY 15 ACRES, AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

6. Public Hearing to consider a petition to annex property as requested by the Owners, Larry and Diane Soto of Westwood Development Corporation

6a. Approve or deny a petition to annex property as requested by the Owners, Larry and Diane Soto of Westwood Development Corporation

6b. Approve Ordinance No. 2044 – FIRST READING - AN ORDINANCE OF THE CITY OF GERING, NEBRASKA FINDING THAT CERTAIN LANDS, LOTS, TRACTS, STREETS AND HIGHWAYS SITUATED IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 21 NORTH, RANGE 55 WEST OF THE 6TH PRINCIPAL MERIDIAN, SCOTTS BLUFF COUNTY, NEBRASKA, ARE SUBJECT TO ANNEXATION TO AND INCLUSION WITHIN THE CORPORATE LIMITS OF THE CITY; ANNEXING TO AND INCLUDING WITHIN THE CORPORATE LIMITS OF THE CITY SUCH LANDS, LOTS, TRACTS, STREETS, AND HIGHWAYS; PROVIDING THAT THE INHABITANTS THEREOF SHALL BE ENTITLED TO THE RIGHTS AND PRIVILEGES AND SUBJECT TO THE LAWS, ORDINANCES, RULES AND REGULATIONS OF THE CITY, AND RECEIVE SUBSTANTIALLY THE BENEFITS OF OTHER INHABITANTS THEREOF; REPEALING CONFLICTING ORDINANCES AND PARTS OF ORDINANCES; AND, PROVIDING FOR RECORDING AND PUBLICATION OF THE ORDINANCE AND FOR ITS EFFECTIVE DATE.

7. Public Hearing to consider an application for a change in zoning from AGG (General Agricultural District) to RM (Residential Medium Density District) as requested by the Owners, Larry and Diane Soto of Westwood Development Corporation

7a. Approve or deny a change in zoning from AGG (General Agricultural District) to RM (Residential Medium Density District) as requested by the Owners, Larry and Diane Soto of Westwood Development Corporation

7b. Approve Ordinance No. 2045 - AN ORDINANCE OF THE CITY OF GERING TO RECLASSIFY AND CHANGE ZONING FROM GENERAL AGRICULTURAL DISTRICT (AGG – ANNEXATION ORDINANCE NO. 2044) TO RESIDENTIAL MEDIUM DENSITY DISTRICT (RM) FOR LOTS 2, 3, AND 4, BLOCK 6, LOT 7, BLOCK 7, AND LOT 13, BLOCK 9, WESTWOOD ESTATES AN ADDITION TO THE CITY OF GERING, SCOTTS BLUFF COUNTY, NEBRASKA, LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 21 NORTH, RANGE 55 WEST OF THE 6TH PRINCIPAL MERIDIAN, SCOTTS BLUFF COUNTY, NEBRASKA, RECORDED UNDER INSTRUMENT NO. 2009-1137, CONTAINING APPROXIMATELY 1.7 ACRES AND INCLUDING UN-PLATTED LAND WEST OF THE ABOVE DESCRIBED PLAT OF WESTWOOD ESTATES AND NORTH OF THE FINAL PLAT OF LOTS 20 THROUGH 26, BLOCK 9 AND LOTS 1 THROUGH 6, BLOCK 11, WESTWOOD ESTATES, RECORDED UNDER INSTRUMENT NO. 2003-09121, DATED SEPTEMBER 24, 2003, CONTAINING APPROXIMATELY 5.3 ACRES. THIS UN-PLATTED PROPERTY IS LOCATED IN PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 21 NORTH, RANGE 55 WEST OF THE 6TH PRINCIPAL MERIDIAN, SCOTTS BLUFF COUNTY, NEBRASKA, AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

8. Public Hearing to consider an application for a Special Exception/Conditional Use Permit requested by the owner, Terry Jessen to allow for a Church within BHC Zoning located on the South side of Highway 92 approximately 700 feet West of Lockwood Road and is a part of the North ½ of the Southwest Quarter of Section 6, Township 21 North, Range 54 West of the 6th Principal Meridian, Scotts Bluff County, Nebraska (Unplatted Land).

8a. Approve or deny an application for a Special Exception/Conditional Use Permit requested by the owner, Terry Jessen to allow for a Church within BHC Zoning located on the South side of Highway 92 approximately 700 feet West of Lockwood Road and is

a part of the North ½ of the Southwest Quarter of Section 6, Township 21 North, Range 54 West of the 6th Principal Meridian, Scotts Bluff County, Nebraska (Unplatted Land).

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

Amended Oct. 23, 2016 @ 1:45 p.m.

Consent Agenda:

Item 1. Approve minutes of the September 26, 2016 Regular City Council meeting

Changed to: 1. Approve minutes of the **October 10, 2016** Regular City Council meeting