

THE OFFICIAL PROCEEDINGS OF THE REGULAR MEETING (BY VIDEO/TELECONFERENCE) OF THE GERING CITY COUNCIL, April 27, 2020

A regular meeting of the City Council of Gering, Nebraska was held on April 27, 2020 at 6:00 p.m. Due to on-going COVID19 precautions and pursuant to a Limited Waiver Executive Order by Governor Ricketts, the Gering City Council held this meeting by video/teleconference. Present were Mayor Kaufman and Councilmembers Smith, Gillen, Backus, Abel, Wiedeman, O'Neal, Morrison and Cowan. Also present were City Administrator Lane Danielzuk, City Clerk Kathy Welfl, City Finance Director Renae Jimenez, City Engineer Annie Folck and City Attorney Jim Ellison. Notice of the meeting was given in advance by publication in the Star-Herald, the designated method of giving notice. All proceedings hereafter were taken while the meeting was open via teleconference to the public and media.

CALL TO ORDER:

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

1. Roll Call
2. Excuse councilmember absence

Motion by Councilmember Gillen to excuse the absence of Councilmember Abel from the April 13, 2020 regular meeting. Second by Councilmember Cowan. There was no discussion. The Clerk called the roll. "AYES": Smith, Gillen, Backus, Abel, Wiedeman, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. 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, in this case available in the Council packet or online at nebraska.gov/open-meetings. 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, 2020 regular City Council meeting
2. Approve Claims and Financials
3. File for record Annual TIF report

Claims 4-8-2020 to 4-22-2020

21ST CENTURY EQUIPMENT \$56.66 911 CUSTOM \$420.00 A & A PORTA POTTIES \$135.00 ACCELERATED RECEIVABLES SOLUTI \$450.37 ACTION COMMUNICATIONS, INC. \$35.00 ACUSHNET COMPANY \$2,037.29 ADIDAS AMERICA, INC \$3,385.09 ALLO COMMUNICATIONS \$1,920.12 AMAZON CAPITAL SERVICES, INC \$84.86 AMAZON CAPITAL SERVICES, INC \$50.27 ATLAS \$451.90 AWARDS PLUS \$120.00 B & C STEEL \$3,155.91 B & H INVESTMENTS, INC \$93.50 BENZEL PEST CONTROL \$206.71 BETH GRAVES \$175.00 BH MEDIA GROUP HOLDING, INC. \$1,464.81 BIG MACK HEATING & COOLING \$205.92 BILL & THAIS KRAUSE \$32.00 BKD RENTALS LLC \$2,154.20 BLACK HILLS ENERGY \$285.03 BLUFFS FACILITY SOLUTIONS \$543.89 BORDER STATES INDUSTRIES, INC \$2,792.15 BRENNEN MARTINEZ \$718.36 CALLAWAY GOLF COMPANY \$2,033.64 CENTURYLINK \$2,833.17 CHARTER COMMUNICATIONS \$679.43 CITY OF SCOTTSBLUFF \$1,277.85 CITY PAYROLL TRUST \$2,890.19 CNA SURETY DIRECT BILL \$175.00 COLORADO ASPHALT SERVICES, INC \$4,232.92 CONNECTING POINT \$99.00 CONSOLIDATED MANAGEMENT COMPAN \$7.88 CONTRACTORS MATERIALS, INC. \$665.29 CRESCENT ELECTRIC SUPPLY CO. \$97.32 CROSSCOUNTRY COURIER INC \$311.57 CUTTER & BUCK \$33.75 DALE'S TIRE \$2,133.64 DANA F. COLE & COMPANY \$21,756.00 DANKO EMERGENCY EQUIPMENT CO \$793.19 DARREN DUNCAN \$215.25 DAVID RUPP \$559.25 DEARBORN LIFE INSURANCE COMPAN \$123.84 DESTINEE FLORES \$20.00 DOCU-SHRED LLC \$78.00 DUSTIN STANTON \$46.78 DUTTON-LAINSON COMPANY \$1,523.72 DYKES OIL INC. \$137.95 ECOLAB \$200.78 ELLISON, KOVARIK & TURMAN LAW \$6,435.00 EMORY DYE \$559.25 ENERGY LABORATORIES INC. \$464.00 EXPRESS TOLL \$4.65 FASTENAL COMPANY \$1,500.83 FIRST STATE BANK \$253.31 FLOYD'S TRUCK CENTER, INC. \$5,036.04 FRANK PARTS COMPANY \$830.76 FRESH FOODS INC. \$7.98 FYR-TEK, INC. \$1,116.94 GALL'S INC. \$908.85 GERING VOLUNTEER FIRE DEPT. \$47.46 GREATAMERICA FINANCIAL SERVICE \$100.00 GROUND UP CONSTRUCTION \$590.00 HAWKINS, INC. \$3,794.50 HEARTLAND BANK \$250.00 HENNING BROTHERS \$83.00 HENNING'S CONSTRUCTION \$830.00 HYDROTEX \$154.77 ICMA ELECTRONIC RETIREMENT \$496.81 IDEAL LAUNDRY AND CLEANERS, IN \$137.94 INDEPENDENT PLUMBING & HEATING \$1,260.98 INDOFF INCORPORATED \$446.77 INGRAM LIBRARY SERVICES \$170.80 INTER. CODE COUNCIL, INC. \$274.95 INTERNAL REVENUE SERVICE \$35,581.51 INTERSTATE BATTERIE/RAPID CITY \$109.95 INTRALINKS, INC. \$6,520.43 IRBY TOOL & SAFETY \$829.25 JOHN HANCOCK USA \$12,007.26 JOHN HANCOCK USA POLICE \$6,151.54 JOHNSON CASHWAY CO. \$4,365.06 KANSAS GOLF & TURF INC \$2,053.16 LEAGUE ASSOC./RISK MANAGEMENT \$702.00 LOGOZ LLC \$1,676.00 LOIS HOUSTON \$201.00 MARY SUHR \$175.00 MATHESON TRI-GAS INC \$1,829.60 MATRIX TRUST

COMPANY \$533.16 MEAT SHOPPE \$3,711.92 MENARDS \$563.20 MIDWEST CONNECT \$46.00 MIZUNO USA, INC. \$526.02 MOBIUS COMMUNICATIONS COMPANY \$53.30 MONEY WISE OFFICE SUPPLY \$24.24 MOTOR FUELS DIVISION \$1,814.00 MUNICIPAL ENERGY AGENCY OF NE \$296,367.85 MUNICIPAL SUPPLY, INC. OF NE. \$2,028.42 NE CHILD SUPPORT PAYMENT CENTE \$647.09 NE PUBLIC HEALTH ENVIRO LAB \$105.00 NE. SAFETY/FIRE EQUIPMENT, INC \$250.00 NEBRASKA LAW ENFORCEMENT \$35.00 NEBRASKA PANHANDLE AHEC \$863.00 NEBRASKA PUBLIC POWER DISTRICT \$2,956.03 NEBRASKA RURAL RADIO ASSOC. \$576.00 NEOFUNDS BY NEOPOST \$800.00 ONE CALL CONCEPTS, INC \$76.11 PANHANDLE AREA DEVELOPMENT \$2,500.00 PANHANDLE CONCRETE PROD. INC. \$5,076.00 PANHANDLE COOP ASSOCIATION \$1,649.30 PANHANDLE ENVIRONMENTAL SERVIC \$1,681.00 PAYROLL CHECKS \$125,886.12 PETTY CASH \$25.25 POWERPLAN OIB \$3,882.17 PRINT BROKER \$2,056.90 RIVERSIDE DISCOVERY CENTER \$12,500.00 RUSSEL'S AUTOMOTIVE \$3,060.85 RYAN'S WELDING LLC \$1,400.00 S & S PLUMBING LLC \$31.50 SANDBERG IMPLEMENT, INC. \$214.43 SARGENT DRILLING CO. \$11,824.71 SCB. COUNTY REGISTER OF DEEDS \$32.00 SCB. COUNTY SHERIFF OFFICE \$62.08 SCOTTS BLUFF COUNTY COURT \$68.00 SCOTTSBLUFF-GERING UNITED WAY \$120.38 SHERWIN WILLIAMS \$322.00 SIMMONS OLSEN LAW FIRM, P.C. \$1,500.00 SIMON CONTRACTORS \$1,329.43 SOUTHWESTERN EQUIPMENT COMPANY \$281.35 SPEAK WRITE \$37.03 STAPLES CREDIT PLAN \$47.07 STATE FIRE MARSHAL TRAINING DI \$25.00 STEVE'S TRUCK & EQUIPMENT \$2.75 SUGAR VALLEY FEDERAL CREDIT \$678.37 SUN-STAR ELECTRIC, L.P. \$7,338.98 THE ROCK PILE \$178.24 UNANIMOUS, INC. \$260.00 UNITED CHAMBER OF COMMERCE \$565.00 VALLEY AUTO LOCATORS LLC \$15.00 VERIZON CONNECT \$40.00 VERIZON WIRELESS SERVICES, LLC \$1,826.71 W & R INC. \$185.64 WALMART \$65.91 WESTERN COOPERATIVE COMPANY \$2,192.13 WESTERN STATES BANK \$55,232.56 WESTERN STATES BANK - POLICE \$516.00 WYOMING BEARING & SUPPLY \$180.12

Motion by Councilmember Gillen to approve the consent agenda. Second by Councilmember Cowan. There was no discussion. The Clerk called the roll. "AYES": Smith, Gillen, Backus, Abel, Wiedeman, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.

BIDS: None

PUBLIC HEARINGS:

1. Public hearing concerning an amendment to the City of Gering's Community Development Block Grant (CDBG) Revolving Loan Fund (RLF). The RLF Program Guidelines and Re-Use Plan will be amended and the RLF will be discontinued, ceasing any business development funding activities

Mayor Kaufman opened a public hearing concerning an amendment to the City of Gering's Community Development Block Grant (CDBG) Revolving Loan Fund (RLF) at 6:05 p.m. Mayor Kaufman stated that in light of information the City received from the Department of Economic Development today, we do not have enough information to discuss this matter at this time. He then entertained a motion to continue this public hearing until a date and time certain which is the next regular City Council meeting on May 11, 2020 at 6:05 p.m.

Motion by Councilmember Wiedeman to continue the public hearing concerning an amendment to the City of Gering's Community Development Block Grant (CDBG) Revolving Loan Fund (RLF) until a date and time certain which is the next regular City Council meeting on May 11, 2020 at 6:00 p.m. Second by Councilmember O'Neal. There was no discussion. The Clerk called the roll. "AYES": Smith, Gillen, Backus, Abel, Wiedeman, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.

1a. Authorize the Mayor to sign Letter of Receipt Acknowledgement from the Nebraska Department of Economic Development regarding CDBG Program Income Account

Motion by Councilmember Morrison to table Agenda item 1a - authorizing the Mayor to sign a Letter of Receipt Acknowledgement from the Nebraska Department of Economic Development regarding CDBG Program Income Account. Second by Councilmember Gillen. There was no discussion. The Clerk called the roll. "AYES": Smith, Gillen, Backus, Abel, Wiedeman, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.

1b. Adopt Resolution 4-20-1 - A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF GERING, NEBRASKA, ACCEPTING THE AMENDMENT OF ITS COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ECONOMIC DEVELOPMENT (ED) REVOLVING LOAN FUND (RLF) PROGRAM. THE ED RLF WILL BE DISCONTINUED, CEASING ANY ECONOMIC DEVELOPMENT TYPE ACTIVITIES. THE RLF'S CURRENT PROGRAM GUIDELINES STILL APPLY TO EXISTING PROJECTS AND LOANS

Motion by Councilmember Wiedeman to table adopting Resolution 4-20-1. Second by Councilmember Gillen. There was no discussion. The Clerk called the roll. "AYES":

Smith, Gillen, Backus, Abel, Wiedeman, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.

2. Public hearing to consider a Preliminary Plat in the RM zone (Medium Density Residential) for Lots 5 through 8, Block 6, Lot 14, Block 9 and Lots 12 and 13, Block 11 Westwood Estates, in the City of Gering, Scotts Bluff County, Nebraska. An addition to the City of Gering, situated in the Southwest Quarter of the Southwest Quarter of Section 2, Township 21 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska

Mayor Kaufman opened a public hearing to consider a Preliminary Plat in the RM zone (Medium Density Residential) for Lots 5 through 8, Block 6, Lot 14, Block 9 and Lots 12 and 13, Block 11 Westwood Estates, in the City of Gering, Scotts Bluff County, Nebraska. An addition to the City of Gering, situated in the Southwest Quarter of the Southwest Quarter of Section 2, Township 21 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska at 6:09 p.m. Annie Folck, City Engineer, presented the administrative record.

**CITY OF GERING
PLANNING COMMISSION RECOMMENDATION AND REPORT**

To:	City Council	Date:	4/27/2020
From:	Planning & Community Development	Zoning:	RM
Subject:	Recommendation & Report – Preliminary Plat	Property Size:	2.05 acres
Location:	SW ¼ SW ¼ Section 2, T21N, R55 W East of 5 Rocks Road, west of 19 th Street, and west of the end of Oregon Trail Boulevard	#Lots/Parcels:	Lots 5 through 8, Block 6, Lot 14, Block 9 and Lots 12 and 13, Block 11 Westwood Estates
Owner:	Westwood Development Co.	City Council Public Hearing:	4/27/2020

Public Notice: Notice of this public hearing was properly advertised meeting City Zoning and Subdivision Regulations.

Public Hearing

This is a recommendation and report to consider an application for the Preliminary Plat in the RM zone (Medium Density Residential) for Lots 5 through 8, Block 6, Lot 14, Block 9 and Lots 12 and 13, Block 11 Westwood Estates, in the City of Gering, Scotts Bluff County, Nebraska. An addition to the City of Gering, situated in the Southwest Quarter of the Southwest Quarter of Section 2, Township 21 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska.

The preliminary plat shows the extension of Oregon Trail Boulevard will be extended through to Five Rocks Road. This access point onto Five Rocks Road has been previously approved by NDOT. 20th Street will be stubbed out to the south for future development. The lots will be served with water by an eight-inch water main that will be located in Oregon Trail Boulevard. This water main will also be stubbed out to the south for future development. The lots in Block 9 and Block 6 are already served by sanitary sewer. The sanitary sewer will be extended from the alley on the north of the property to Oregon Trail Boulevard to serve the two lots in Block 11. Electric service will be provided in the alleyways and a short stretch will be underground under Oregon Trail Boulevard to serve Block 11.

Stormwater retention will be provided off site. The City is working with the developer to determine a location in Oregon Trail Park that will be able to accommodate the additional runoff. This will allow the City to address some existing stormwater issues at the same time, and will be a much better addition to the neighborhood in the long term as it can become a multi-purpose function in our park. The developer will pay for a portion of the cost of the retention pond, to be specified in the development agreement.

The preliminary plat conforms to all City codes, and staff recommends approval.

Mr. Mayor and Council Members, this completes my entry regarding this recommendation and report to consider this application for Preliminary Plat for Westwood Estates.

Recommendation

Approve

Make a POSITIVE RECOMMENDATION for City Council to approve the Preliminary Plat for Lots 5 through 8, Block 6, Lot 14, Block 9 and Lots 12 and 13, Block 11 Westwood Estates, with the following conditions:

Deny

FAIL TO RECOMMEND to City Council the Preliminary Plat for Lots 5 through 8, Block 6, Lot 14, Block 9 and Lots 12 and 13, Block 11 Westwood Estates, for the following reasons:

Table

Councilmember Backus asked how the drainage will get from point A to point B. Ms. Folck showed on the map that it will run down Oregon Trail Boulevard to 17th Street where it goes north a little bit. At the north end of the park is where 17th Street goes in both directions; that's a low spot. That's where it turns east and runs down an easement on the north side of the park to J Street. That's where they're looking at locating the retention area, right on the north end of Oregon Trail Park in an open area. Councilmember Backus asked where it goes currently; Ms. Folck replied that's where it goes currently but once this is developed there will be more run-off. The requirement of treating all stormwater will be completed as well.

Councilmember Wiedeman asked if staff have talked to the people that live in the gated community; are they okay with that? Ms. Folck replied that someone was planning on visiting with them about that. This will actually improve some of the issues with the stormwater drainage in that area (near 17th Street).

Mayor Kaufman asked, for future continued development of that subdivision, one would assume we'd use that same stormwater run-off area to continue to serve the rest of that subdivision; is that a large enough space to complete that project as the subdivision finishes out? Ms. Folck replied that the remainder that needs to be developed will actually go south on 20th Street rather than up to Oregon Trail Blvd., then it would hit the D Street stormsewer. Staff are working on that currently with the new stormwater plan – identifying where all these areas would go and where our municipal-owned treatment areas will be. By our permit, we're responsible for ensuring that these are maintained long-term; we want to locate them in places where we can easily maintain them.

Councilmember Gillen asked if having all that extra water where all those trees are would cause the City to lose trees in that section. Parks and Recreation Director, Amy Seiler, replied that she doesn't foresee that the City will lose trees. This will be a dug-out retention area so there will not be a lot of water sitting on the roots of the trees. Unlike Northfield Park, she doesn't think this area will be problematic for our trees.

Councilmember Cowan stated that he lives in that area and the water flow comes down 19th Street and around; he was concerned if the plan would accommodate all the water. Ms. Folck replied that MC Schaff has looked at the preliminary plat and they felt that most of the extra water from this subdivision would end up hitting 17th.

Mayor Kaufman touched on the access point onto Five Rocks Road, he asked if that's going to impact having access points onto Five Rocks Road, if and when we would have development on the property to the north. Ms. Folck replied that currently there is one already approved for the property to the north that will line up with Lodge Drive, so we know we have one potentially, if the DOT is okay with what we propose.

Mayor Kaufman asked if anyone wished to speak in favor of this application. Seeing none, he asked if anyone wished to speak in opposition of this application. With no further comments, the administrative record was closed and the public hearing closed at 6:26 p.m.

Motion by Councilmember Morrison to enter the administrative record for this public hearing into the public record. Second by Councilmember Gillen. There was no discussion. The Clerk called the roll. "AYES": Smith, Gillen, Backus, Abel, Wiedeman, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.

2a. Approve or deny a Preliminary Plat in the RM zone (Medium Density Residential) for Lots 5 through 8, Block 6, Lot 14, Block 9 and Lots 12 and 13, Block 11 Westwood Estates, in the City of Gering, Scotts Bluff County, Nebraska. An addition to the City of Gering, situated in the Southwest Quarter of the Southwest Quarter of Section 2, Township 21 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska

Motion by Councilmember Wiedeman to approve a Preliminary Plat in the RM zone (Medium Density Residential) for Lots 5 through 8, Block 6, Lot 14, Block 9 and Lots 12 and 13, Block 11 Westwood Estates, in the City of Gering, Scotts Bluff County, Nebraska. An addition to the City of Gering, situated in the Southwest Quarter of the Southwest Quarter of Section 2, Township 21 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska. Second by Councilmember O'Neal. There was no discussion. The Clerk called the roll. "AYES": Smith, Gillen, Backus, Abel, Wiedeman, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.

2b. Consider approving and authorizing the Mayor to sign Contract for Public Improvements, Westwood Estates

Agenda Summary Statement by City Engineer regarding a contract for public improvements, Westwood Estates: A preliminary and final plat for Lots 5 through 8, Block 6, Lot 14, Block 9, and Lots 12 and 13, Block 11, Westwood Estates have been submitted to the City. By City code, in order to subdivide property, all lots to be subdivided must have access to all City services or have an agreement in place by which the developer will provide for the installation of these services within a certain time period. The lots that are being platted do not currently have access to a street, water, or sewer. The agreement outlines that the developer will be responsible for the costs of the street, except for the intersections, which are the responsibility of the City as per City code. The developer will also be responsible for the extension of all water and sewer infrastructure within their property. The City will pay for the cost of extending the water from the water line on Five Rocks Road to the property line. These improvements are to be completed within two years. The locations of the improvements and a typical cross section of the street is shown on the preliminary plat.

City Engineer, Annie Folck, stated that she has spoken to the City's Public Works Director and Transportation Superintendent and they are comfortable with the proposed expenditure coming out of this year's budget, related to this contract.

Motion by Councilmember Morrison to approve and authorize the Mayor to sign Contract for Public Improvements, Westwood Estates. Second by Councilmember Smith. There was no discussion. The Clerk called the roll. "AYES": Smith, Gillen, Backus, Abel, Wiedeman, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.

3. Public hearing to consider a Final Plat in the RM zone (Medium Density Residential) for Lots 5 through 8, Block 6, Lot 14, Block 9 and Lots 12 and 13, Block 11 Westwood Estates, in the City of Gering, Scotts Bluff County, Nebraska. An addition to the City of Gering, situated in the Southwest Quarter of the Southwest Quarter of Section 2, Township 21 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska

Mayor Kaufman opened a public hearing to consider Final Plat in the RM zone (Medium Density Residential) for Lots 5 through 8, Block 6, Lot 14, Block 9 and Lots 12 and 13, Block 11 Westwood Estates, in the City of Gering, Scotts Bluff County, Nebraska. An addition to the City of Gering, situated in the Southwest Quarter of the Southwest Quarter of Section 2, Township 21 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska at 6:32 p.m. Annie Folck, City Engineer, presented the administrative record.

**CITY OF GERING
PLANNING COMMISSION RECOMMENDATION AND REPORT**

To:	City Council	Date:	4/27/2020
From:	Planning & Community Development	Zoning:	RM
Subject:	Recommendation & Report – Final Plat	Property Size:	2.05 acres
Location:	SW ¼ SW ¼ Section 2, T21N, R55 W East of 5 Rocks Road, west of 19 th Street, and west of the end of Oregon Trail Boulevard	#Lots/Parcels:	Lots 5 through 8, Block 6, Lot 14, Block 9 and Lots 12 and 13, Block 11 Westwood Estates
Owner:	Westwood Development Co.	City Council Public Hearing:	4/27//2020

Public Notice: This Public Hearing was noticed meeting City Zoning and Subdivision Regulations.

Public Hearing

This is a recommendation and report to consider an application for the Final Plat in the RM zone (Medium Density Residential) for Lots 5 through 8, Block 6, Lot 14, Block 9 and Lots 12 and 13, Block 11 Westwood Estates, in the City of Gering, Scotts Bluff County, Nebraska. An addition to the City of Gering, situated in the Southwest Quarter of the Southwest Quarter of Section 2, Township 21 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska.

This plat meets all of the City's subdivision requirements. A developer's agreement will be executed that will outline the responsibility of the developer to pave the streets and install water and sewer service in accordance with what was proposed in the preliminary plat.

The final plat conforms to all City code requirements, and staff recommends approval.

Mr. Mayor and Council Members, this completes my entry regarding this recommendation and report to consider this application for Final Plat for Westwood Estates. I would ask this Commission to recommend approval or denial of the Final Plat to the City Council.

Recommendation

Approve

Make a POSITIVE RECOMMENDATION for City Council to approve the Final Plat for Lots 5 through 8, Block 6, Lot 14, Block 9 and Lots 12 and 13, Block 11 Westwood Estates, with the following conditions:

Deny

FAIL TO RECOMMEND to City Council the Final Plat for Lots 5 through 8, Block 6, Lot 14, Block 9 and Lots 12 and 13, Block 11 Westwood Estates, for the following reasons:

Table

Mayor Kaufman asked about the lot sizes and if they were consistent with the rest of the development. Ms. Folck replied that in getting this development to make sense for the developer financially, they needed to get seven lots out of this instead of six. They determined by making some of those lots 7200 square feet that they could get an extra lot in there, but one lot ended up deeper. It does meet out zoning code for minimum lot size.

Councilmember Backus expressed concerns about making the southern lots deeper. Ms. Folck said she believes MC Schaff looked at this long-term and what they would do with the rest of it. Jody Miles addressed the meeting and stated that on the west side of the development it will run deeper, but they're all about 90-feet wide. On the east side they run about 104 feet; there's plenty of room for ten nice-sized lots.

Mayor Kaufman asked if anyone wished to speak in favor of this application. Seeing none, he asked if anyone wished to speak in opposition of this application. With no further comments, the administrative record was closed and the public hearing closed at 6:37 p.m.

Motion by Councilmember O'Neal to enter the administrative record for this public hearing into the public record. Second by Councilmember Morrison. There was no discussion. The Clerk called the roll. "AYES": Smith, Gillen, Backus, Abel, Wiedeman, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.

3a. Approve or deny a Final Plat in the RM zone (Medium Density Residential) for Lots 5 through 8, Block 6, Lot 14, Block 9 and Lots 12 and 13, Block 11 Westwood Estates, in the City of Gering, Scotts Bluff County, Nebraska. An addition to the City of Gering, situated in the Southwest Quarter of the Southwest Quarter of Section 2, Township 21 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska

Motion by Councilmember Gillen to approve a Final Plat in the RM zone (Medium Density Residential) for Lots 5 through 8, Block 6, Lot 14, Block 9 and Lots 12 and 13, Block 11 Westwood Estates, in the City of Gering, Scotts Bluff County, Nebraska. An addition to the City of Gering, situated in the Southwest Quarter of the Southwest Quarter of Section 2, Township 21 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska. Second by Councilmember Wiedeman. There was no discussion. The Clerk called the roll. "AYES": Smith, Gillen, Backus, Abel, Wiedeman, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.

CURRENT BUSINESS:

1. Annual Clerk's Report

City Clerk, Kathy Welfl, briefly reviewed the Annual Clerk's Report and thanked administrative staff, Carol Martin and Brenda Bruntz, for all their work and contributions to the report.

Motion by Councilmember Gillen to enter the Annual Clerk's Report into the public record. Second by Councilmember Morrison. There was no discussion. The Clerk called the roll. "AYES": Smith, Gillen, Backus, Abel, Wiedeman, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.

CLOSED SESSION: None (Council reserves the right to enter into closed session if deemed necessary.)

REPORTS: (Information only) None

OPEN COMMENT SECTION: Mayor Kaufman stated at this time an open comment period will be held. Discussion or action by Council regarding unscheduled business will not take place. This section is for citizen comment only. None

ADJOURN:

Motion by Councilmember Gillen to adjourn. Second by Councilmember Cowan. There was no discussion. The Clerk called the roll. "AYES": Smith, Gillen, Backus, Abel, Wiedeman, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.

Meeting adjourned at 6:45 p.m.



Mark A. Kaufman, Mayor

ATTEST:



Kathleen J. Welfl, City Clerk



