

**THE OFFICIAL PROCEEDINGS OF THE REGULAR MEETING OF THE GERING CITY COUNCIL,
May 11, 2020 (BY VIDEO/TELECONFERENCE)**

A regular meeting of the City Council of Gering, Nebraska was held on May 11, 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 Gillen, Backus, Abel, Wiedeman, O'Neal, and Cowan. Also present were City Administrator Lane Danielzuk, City Clerk Kathy Welfl, Finance Director Renae Jimenez, City Engineer Annie Folck and City Attorney Jim Ellison. Absent were Councilmembers Smith and Morrison. 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 6:06 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 (None)

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 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 27, 2020 regular City Council meeting
2. Approve Claims

Claims 4-23-20 to 5-8-20

21ST CENTURY EQUIPMENT \$56.66: 24/7 FITNESS \$215.00: 911 CUSTOM \$420.00: A & A PORTA POTTIES \$135.00: ACCELERATED RECEIVABLES SOLUTI \$450.37: ACTION COMMUNICATIONS, INC. \$3,324.73: ACUSHNET COMPANY \$2,037.29: ADIDAS AMERICA, INC \$3,581.58: ALLO COMMUNICATIONS \$1,920.12: AMAZON CAPITAL SERVICES, INC \$135.13: AMERITAS LIFE INSURANCE COPR. \$1,106.28: ATLAS \$451.90: AWARDS PLUS \$120.00: B & C STEEL \$3,155.91: B & H INVESTMENTS, INC \$93.50: BAKER & ASSOCIATES, INC. \$8,233.75: BASSETTS ICE CREAM \$9.50: BENZEL PEST CONTROL \$206.71: BETH GRAVES \$175.00: BH MEDIA GROUP HOLDING, INC. \$1,464.81: BIG MACK HEATING & COOLING \$717.80: BILL & THAIS KRAUSE \$32.00: BKD RENTALS LLC \$2,154.20: BLACK HILLS ENERGY \$2,054.90: BLUFFS FACILITY SOLUTIONS \$543.89: BOMGAARS \$50.97: BORDER STATES INDUSTRIES, INC \$2,842.13: BOSSELMAN TRAVEL CENTER \$24.41: BOUND TREE MEDICAL \$228.71: BRENNEN MARTINEZ \$718.36: C & C MANUFACTURING LLC \$1,202.55: CALLAWAY GOLF COMPANY \$2,033.64: CENTURYLINK \$3,283.17: CHARTER COMMUNICATIONS \$679.43: CITY INSURANCE FUND \$183,816.43: CITY OF GERING \$219.08: CITY OF SCOTTSBLUFF \$1,277.85: CITY PAYROLL TRUST \$2,706.89: 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. \$715.89: COVERTRACK GROUP, INC. \$600.00: CRESCENT ELECTRIC SUPPLY CO. \$97.32: CRESCENT ELECTRIC SUPPLY CO. \$74.12: CROSSCOUNTRY COURIER INC \$311.57: CUTTER & BUCK \$33.75: D & H ELECTRONIC SUPPLY, INC. \$48.24: DALE'S TIRE \$2,174.89: DAN WITKO \$509.85: DANA F. COLE & COMPANY \$21,756.00: DANKO EMERGENCY EQUIPMENT CO \$793.19: DARREN DUNCAN \$215.25: DAVID RUPP \$599.25: DEARBORN LIFE INSURANCE COMPAN \$240.80: DESTINEE FLORES \$20.00: DEX \$23.00: DOCU-SHRED LLC \$130.00: DOOLEY OIL \$700.44: DOUG LEAFGREEN \$839.62: DUSTIN STANTON \$46.78: DUTTON-LAINSON COMPANY \$1,523.72: DYKES OIL INC. \$185.61: ECOLAB \$200.78: ELITE TOTAL FITNESS \$114.00: ELLIOTT EQUIPMENT CO. \$2,337.03: ELLISON, KOVARIK & TURMAN LAW \$9,323.75: EMBASSY SUITES \$402.22: EMORY DYE \$559.25: ENERGY LABORATORIES INC. \$464.00: EXPRESS TOLL \$4.65: FAMILY DOLLAR \$35.25: FASTENAL COMPANY \$1,776.18: FAT BOYS TIRE & AUTO \$619.20: FIRST STATE BANK \$325.37: FLOYD'S TRUCK CENTER, INC. \$12,371.51: FRANK FLACK \$492.36: FRANK PARTS COMPANY \$1,098.26: FREE CONFERENCE CALL.COM \$4.00: FREMONT MOTOR SCOTTSBLUFF, LLC \$68.80: FRESH FOODS INC. \$7.98: FYR-TEK, INC. \$1,116.94: GALL'S INC. \$977.82: GERING VOLUNTEER FIRE DEPT. \$47.46: GREATAMERICA FINANCIAL SERVICE \$200.00: GROUND UP CONSTRUCTION \$590.00: HANDCUFF WAREHOUSE \$75.00: HAWKINS, INC. \$3,794.50: HEARTLAND BANK \$250.00: HENNING BROTHERS \$83.00: HENNINGS CONSTRUCTION \$1,330.00: HOBBY LOBBY \$15.89: HYATT REGENCY HOTEL \$288.00: HYDROTEX \$154.77: ICMA ELECTRONIC RETIREMENT \$709.74: IDEAL LAUNDRY AND CLEANERS, IN \$429.41: INDEPENDENT PLUMBING & HEATING \$1,260.98: INDOFF INCORPORATED \$808.71: INGRAM LIBRARY SERVICES \$170.80: INTER. CODE COUNCIL, INC. \$274.95: INTERNAL REVENUE SERVICE \$45,788.73: INTERNATIONAL INST OF MUNICIPAL \$110.00: INTERSTATE BATTERIE/RAPID CITY \$109.95: INTRALINKS, INC. \$7,372.80: IRBY TOOL & SAFETY \$829.25: JOE APPLGATE \$1,861.03: JOHN HANCOCK USA \$15,888.22: JOHN HANCOCK USA POLICE \$7,351.52: JOHN MAXWELL COMPANY LLC \$199.00:

JOHNSON CASHWAY CO. \$4,905.64: JORDAN KNAUB \$1,321.10: KANSAS GOLF & TURF INC \$2,053.16: KAPCO \$634.74: KAREN SUE BRUNTZ \$425.00: LEAGUE ASSOC./RISK MANAGEMENT \$1,207.04: 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 \$3,933.04: MENARDS \$1,009.20: MIDWEST CONNECT \$336.00: MIZUNO USA, INC. \$526.02: MOBIUS COMMUNICATIONS COMPANY \$183.30: MONEY WISE OFFICE SUPPLY \$187.15: MSC 410526/DOLLAR GENERAL CORP \$73.85: MUNICIPAL ENERGY AGENCY OF NE \$296,367.85: MUNICIPAL SUPPLY, INC. OF NE. \$2,254.83: MURPHY TRACTOR & EQUIPMENT CO. \$334.36: NATHAN HERNANDEZ \$110.67: NE CHILD SUPPORT PAYMENT CENTE \$647.09: NE DEPARTMENT OF REV (PR) \$14,181.83: NE DEPT OF REVENUE \$293.70: NE PUBLIC HEALTH ENVIRO LAB \$143.00: NE STATE PATROL CRIMINAL ID \$46.38: NE. MUNICIPAL FIRE CHIEFS \$525.00: NE. SAFETY/FIRE EQUIPMENT, INC \$250.00: NEBRASKA LAW ENFORCEMENT \$135.00: NEBRASKA MUNICIPAL POWER POOL \$3,895.00: NEBRASKA PANHANDLE AHEC \$863.00: NEBRASKA PUBLIC POWER DISTRICT \$2,992.59: NEBRASKA RURAL RADIO ASSOC. \$576.00: NEBRASKA SECRETARY OF STATE \$50.00: NEOFUNDS BY NEOPOST \$800.00: NKC TIRE \$64.33: NMC EXCHANGE LLC \$810.23: NORTHWEST PIPE FITTINGS, INC \$463.93: ONE CALL CONCEPTS, INC \$76.11: O'REILLY AUTOMOTIVE STORE \$239.92: PANHANDLE AREA DEVELOPMENT \$5,000.00: PANHANDLE CONCRETE PROD. INC. \$5,076.00: PANHANDLE COOP ASSOCIATION \$3,888.00: PANHANDLE ENVIRONMENTAL SERVIC \$2,789.00: PANHANDLE HUMANE SOCIETY \$3,168.50: PATTLEN ENTERPRISES, INC \$611.31: PAYROLL CHECKS \$260,742.30: PETTY CASH \$25.25: PFISTERER NORTH AMERICA \$134.78: POSTMASTER \$836.05: POWERPLAN OIB \$3,882.17: PRINT BROKER \$2,056.90: PT HOSE AND BEARING \$31.00: READING EQUIPMENT&DISTRIBUTION \$591.21: REIMAN MEDIA GROUP, LLC \$18.17: RIVERSIDE DISCOVERY CENTER \$12,500.00: ROB JOHNSON \$568.52: RON JOHNS \$577.29: RON KELLER \$242.73: RON'S TOWING \$115.00: RR DONNELLEY RECEIVABLES, INC. \$96.82: RUS-W.I INC: RYAN'S WELDING LLC \$1,400.00: S & S PLUMBING LLC \$31.50: SANDBERG IMPLEMENT, INC. \$1,367.43: SANDRY FIRE SUPPLY \$99.55: SARGENT DRILLING CO. \$11,824.71: SCB. CO. DISTRICT COURT \$17.00: SCB. COUNTY AMBULANCE SERVICE \$316.23: SCB. COUNTY REGISTER OF DEEDS \$42.00: SCB. COUNTY SHERIFF OFFICE \$62.08: SCOTTS BLUFF COUNTY COURT \$68.00: SCOTTSBLUFF-GERING UNITED WAY \$124.00: SENIOR CITIZENS CENTER \$525.00: SHERWIN WILLIAMS \$322.00: SIMMONS OLSEN LAW FIRM, P.C. \$1,500.00: SIMON CONTRACTORS \$1,329.43: SONNY'S TOWING \$150.00: SOUTHWESTERN EQUIPMENT COMPANY \$281.35: SPEAK WRITE \$2,533.64: STAPLES CREDIT PLAN \$84.06: STATE FIRE MARSHAL TRAINING DI \$25.00: STERLING WEST \$810.00: STEVE LARSEN \$482.91: STEVE'S TRUCK & EQUIPMENT \$2.75: SUGAR VALLEY FEDERAL CREDIT \$678.37: SUN-STAR ELECTRIC, L.P. \$7,338.98: SYLVIA DEBUS \$584.69: TALLMAN EQUIPMENT CO, INC \$174.35: TEAM CHEVROLET \$375.00: TERRY CARPENTER, INC. \$650.00: THE ROCK PILE \$178.24: THE TORO COMPANY \$155.00: THERMO FISHER SCIENTIFIC \$815.87: TIM PROPP \$568.52: TWIN CITY ROOFING/SHEET METAL \$1,002.35: ULINE, INC \$590.53: UNANIMOUS, INC. \$260.00: UNITED CHAMBER OF COMMERCE \$565.00: VALLEY AUTO LOCATORS LLC \$174.60: VERIZON CONNECT \$40.00: VERIZON WIRELESS SERVICES, LLC \$2,583.83: VERN EBERHARDT \$254.93: VISTA PRINT \$22.99: VOICE NEWS \$22.50: W & R INC. \$185.64: WALMART \$65.91: WAREHOUSE FITNESS CENTER \$126.00: WESTERN COOPERATIVE COMPANY \$2,564.99: WESTERN STATES BANK \$56,183.18: WESTERN STATES BANK - POLICE \$516.00: WYOMING BEARING & SUPPLY \$320.12: ZOOM VIDEO COMMUNICATIONS \$176.42

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

BIDS:

1. Wastewater Treatment Plant Diffuser Project Bid – Public Works Department

Public Works Director, Pat Heath, stated that this is a project required by the Department of Environmental Quality (now Department of Environment and Energy) to lower ammonia limits at the Wastewater Treatment Plant when our permit renewed two years ago. In order to comply with this, the City had the choice of upgrading the plant a little more or putting in a diffuser to maintain our current limits that we have and have had since 2013. We received two bids from two contractors. Meyer Construction of Broken Bow submitted a bid of \$649,435.21. KL Wood & Company from Alliance submitted a bid of \$401,685.00. Staff has done some research; both companies have good experience in dewatering and experience with pipeline construction. Neither company has experience with installing a diffuser in a river. Staff have talked with KL Wood on the type of work involved and staff believe they have a good plan; they are a good dewater company and staff are comfortable awarding to KL Wood.

Council asked about the difference in the bids. Mr. Heath replied that Meyer submitted a bid without an onsite review or a call to find out information on the project and mobilization from Broken Bow would add to their cost. When the City was negotiating with the State on the permit, McLaughlin Water Engineers, who designed our last upgrade, worked with the State on a diffuser location and design and their project estimate was \$440,000; Baker's estimate was spot on with McLaughlin's.

Motion by Councilmember Wiedeman to award the Wastewater Treatment Plant Diffuser Project Bid to KL Wood & Company in the amount of \$401,685.00. Second by Councilmember Gillen. There was no discussion. The Clerk called the roll. "AYES": Gillen, Backus, Abel, Wiedeman, O'Neal, and Cowan. "NAYS": None. Abstaining: None. Absent: Smith, Morrison. Motion Carried.

PUBLIC HEARINGS:

1. Public hearing to consider a Preliminary Plat on Blocks 1 through 4, Pioneer Trails Industrial Park in the City of Gering, Scotts Bluff County, Nebraska situated in the East half of the Southeast Quarter Section 36, Township 22 North, Range 55 West, of the 6th P.M. Scotts Bluff County, Nebraska AND Blocks 5 through 8, Pioneer Trails Industrial Park, in the City of Gering, Scotts Bluff County, Nebraska situated in part of Government Lots 1 and 2, in the Northeast Quarter of Section 1, 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 on Blocks 1 through 4, Pioneer Trails Industrial Park in the City of Gering, Scotts Bluff County, Nebraska situated in the East half of the Southeast Quarter Section 36, Township 22 North, Range 55 West, of the 6th P.M. Scotts Bluff County, Nebraska AND Blocks 5 through 8, Pioneer Trails Industrial Park, in the City of Gering, Scotts Bluff County, Nebraska situated in part of Government Lots 1 and 2, in the Northeast Quarter of Section 1, Township 21 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska at 6:17 p.m. City Engineer, Annie Folck, presented the administrative record.

CITY OF GERING CITY COUNCIL RECOMMENDATION AND REPORT

To:	City Council	Date:	May 11, 2020
From:	Planning & Community Development	Zoning:	MH
Subject:	Recommendation & Report – Preliminary Plat	Property Size:	189 acres
Location:	E ½ of the SE ¼ Section 36, T22N, R55 and Gov. Lots 1-2 in NE ¼ of Section 1, T21N, R55	#Lots/Parcels:	Blocks 1 through 4 and Blocks 5 through 8
Owner:	City of Gering	City Council Public Hearing:	May 11, 2020

Public Notice: Public notice of this public hearing was publicized appropriately and meets City Zoning and Subdivision Regulations.

Public Hearing

This is a recommendation and report to consider an application for a Preliminary Plat on Blocks 1 through 4, Pioneer Trails Industrial Park in the City of Gering, Scotts Bluff County, Nebraska situated in the East half of the Southeast Quarter Section 36, Township 22 North, Range 55 West, of the 6th P.M. Scotts Bluff County, Nebraska AND Blocks 5 through 8, Pioneer Trails Industrial Park, in the City of Gering, Scotts Bluff County, Nebraska situated in part of Government Lots 1 and 2, in the Northeast Quarter of Section 1, Township 21 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska and Blocks 5 and 8, Pioneer Trails Industrial Park in the City of Gering, Scotts Bluff County, Nebraska situated in part of Government Lots 1 and 2, in the Northeast Quarter of Section 1, Township 21 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska.

This property is owned by the City of Gering and was purchased with the intent to develop it into an industrial park. The preliminary plat has been completed so that subdivision of the property can be completed relatively quickly as potential buyers are identified. This also ensures that the overall layout of the industrial park is considered so that as parcels are subdivided off, the City retains all necessary access and utility easements to ensure that no portion of the property is left with access to streets or utilities.

For the time being, the preliminary plat shows the property divided up into relatively large blocks. Depending on the future uses of the property, those blocks could be subdivided even further into smaller lots. One smaller block was created (Block 5) because that is the site of an existing City electrical substation.

There is a rail easement through Block 6 of the industrial park that will be retained by the City. This will ensure that Blocks 7 and 8 have the option to access the Union Pacific mainline through the rail spur that is to be constructed there.

Ms. Folck reviewed the plat with the Council and discussed how the retention area would work and where it would be located. Measures were taken to help minimize the cost to develop other areas/lots of the industrial park.

The preliminary plat conforms to all City codes; the Planning Commission and staff recommends approval.

Recommendation: *Approve, Deny, Table*

Councilmember Backus asked about the retention area. He stated that in the Comprehensive Plan, preserving river front was brought up, for natural habitat. Ms. Folck stated that their intention and vision for these retention ponds are not big rock areas like a lot of the ones you see around town. It would be very naturalized, something we would want for wildlife and potentially for recreation too. It would remain in City ownership as well so whether we change the zoning or not, we should be able to manage it in a responsible way. There are ways, for example with the Stormwater Plan, to help ensure future Councils understand the purposes of these and what the intentions are.

Mayor Kaufman asked if anyone wished to speak in favor of the application. Seeing none, he asked if anyone wished to speak in opposition of the application. With no further comments Mayor Kaufman closed the administrative record and the public hearing closed at 6:27 p.m.

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

1a. Approve or deny a Preliminary Plat on Blocks 1 through 4, Pioneer Trails Industrial Park in the City of Gering, Scotts Bluff County, Nebraska situated in the East half of the Southeast Quarter Section 36, Township 22 North, Range 55 West, of the 6th P.M. Scotts Bluff County, Nebraska AND Blocks 5 through 8, Pioneer Trails Industrial Park, in the City of Gering, Scotts Bluff County, Nebraska situated in part of Government Lots 1 and 2, in the Northeast Quarter of Section 1, Township 21 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska

Motion by Councilmember Wiedeman to approve a Preliminary Plat on Blocks 1 through 4, Pioneer Trails Industrial Park in the City of Gering, Scotts Bluff County, Nebraska situated in the East half of the Southeast Quarter Section 36, Township 22 North, Range 55 West, of the 6th P.M. Scotts Bluff County, Nebraska AND Blocks 5 through 8, Pioneer Trails Industrial Park, in the City of Gering, Scotts Bluff County, Nebraska situated in part of Government Lots 1 and 2, in the Northeast Quarter of Section 1, 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”: Gillen, Backus, Abel, Wiedeman, O’Neal, Cowan. **“NAYS”:** None. **Abstaining:** None. **Absent:** Smith, Morrison. **Motion Carried.**

2. Public hearing to consider a Final Plat on Blocks 5 and 6, Pioneer Trails Industrial Park in the City of Gering, Scotts Bluff County, Nebraska situated in part of Government Lots 1 and 2, in the Northeast Quarter of Section 1, Township 21 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska

Mayor Kaufman opened a public hearing to consider a Final Plat on Blocks 5 and 6, Pioneer Trails Industrial Park in the City of Gering, Scotts Bluff County, Nebraska situated in part of Government Lots 1 and 2, in the Northeast Quarter of Section 1, Township 21 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska at 6:29 p.m. City Engineer, Annie Folck, presented the administrative record.

CITY OF GERING CITY COUNCIL RECOMMENDATION AND REPORT

To:	City Council	Date:	May 11, 2020
From:	Planning & Community Development	Zoning:	MH
Subject:	Recommendation & Report – Final Plat	Property Size:	51.07 acres
Location:	Gov. Lots 1-2 in NE ¼ of Section 1, T21N,	#Lots/Parcels:	Blocks 5 and 6

	R55		
Owner:	City of Gering	City Council Public Hearing:	May 11, 2020

Public Notice: Public notice of this public hearing was publicized appropriately and meets City Zoning and Subdivision Regulations.

Public Hearing

This is a recommendation and report to consider an application for the Final Plat on Blocks 5 and 6, Pioneer Trails Industrial Park in the City of Gering, Scotts Bluff County, Nebraska situated in part of Government Lots 1 and 2, in the Northeast Quarter of Section 1, 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. The property is currently owned by the City of Gering. The purchase of the property and the installation of water and sewer where required will be addressed in the purchase agreement and in a redevelopment agreement with the proposed buyer. The rail easement will be specified a little more in the purchase agreement.

Sewer is available on the west side of both lots, but will be extended to the east to ensure that the remainder of the property will also have access to sewer. None of the property is currently served by water, but water will be extended to the property as part of this project as well. The water line will run along U Street and will be extended to the east side of the canal so that both the lots being split off and the remainder of the property will have access to water.

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

Recommendation: *Approve, Deny, Table*

Mayor Kaufman asked if anyone wished to speak in favor of the application. Seeing none, he asked if anyone wished to speak in opposition of the application. With no further comments Mayor Kaufman closed the administrative record and the public hearing closed at 6:33 p.m.

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

2a. approve or deny a Final Plat on Blocks 5 and 6, Pioneer Trails Industrial Park in the City of Gering, Scotts Bluff County, Nebraska situated in part of Government Lots 1 and 2, in the Northeast Quarter of Section 1, Township 21 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska

Motion by Councilmember Wiedeman to approve a Final Plat on Blocks 5 and 6, Pioneer Trails Industrial Park in the City of Gering, Scotts Bluff County, Nebraska situated in part of Government Lots 1 and 2, in the Northeast Quarter of Section 1, 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": Gillen, Backus, Abel, Wiedeman, O'Neal, Cowan. "NAYS": None. Abstaining: None. Absent: Smith, Morrison. Motion Carried.

3. Public Hearing for the purpose of reviewing and obtaining comment on a Redevelopment Plan submitted by Crossroads Cooperative Association for the Crossroads Cooperative Expansion Project. The area to be redeveloped under this Redevelopment Plan is generally described as the property owned by Crossroads Cooperative Association with and near the address of 220435 E. U Street and adjacent property owned by the City of Gering generally described as part of the Pioneer Trails Industrial Park south of the Gering Drain. This Redevelopment Plan includes a request for tax increment financing. All interested parties shall be afforded a reasonable opportunity to express their views respecting the proposed redevelopment plan

Mayor Kaufman opened a public hearing for the purpose of reviewing and obtaining comment on a Redevelopment Plan submitted by Crossroads Cooperative Association for the Crossroads Cooperative Expansion Project. The area to be redeveloped under this Redevelopment Plan is generally described as the property owned by Crossroads Cooperative Association with and near the address of 220435 E. U Street and adjacent property owned by the City of Gering generally described as part of the Pioneer Trails

Industrial Park south of the Gering Drain. This Redevelopment Plan includes a request for tax increment financing. All interested parties shall be afforded a reasonable opportunity to express their views respecting the proposed redevelopment plan at 6:36 p.m. Annie Folck presented the administrative record.

CITY OF GERING CITY COUNCIL RECOMMENDATION AND REPORT

To:	City Council	Date:	May 11, 2020
From:	Planning & Community Development	Zoning:	MH
Subject:	Recommendation & Report – Redevelopment Plan, Crossroads Cooperative Association	Property Size:	Approximately 75 Acres
Location:	220435 E U Street and Block 6, Pioneer Trails Industrial Park (see map)	#Lots/Parcels:	7
Owner:	Crossroads Cooperative Association, City of Gering	City Council Public Hearing:	May 11, 2020

Public Notice: Public notice of this public hearing was publicized appropriately and meets City Zoning and Subdivision Regulations as well as Nebraska State Statutes.

Public Hearing

This is a recommendation and report to consider Redevelopment Plan for the Crossroads Cooperative Association Expansion Project.

The redevelopment plan outlines a project in which Crossroads Cooperative would expand and relocate their existing facility. The existing facility is currently adjacent to a residential neighborhood. The expansion project would move the bulk of the operation’s further east, with rail spurs for car storage to eventually be constructed adjacent to the neighborhood. As part of this project, Crossroads Cooperative will be purchasing Block 6, Pioneer Trails Industrial Park from the City. This will allow the facility to have access from both 21st Street and U Street (see proposed site plan in Attachment 5).

The Planning Commission considered whether or not the plan ,as proposed, conforms with the Comprehensive Plan. Section 4 of the redevelopment plan outlines how this project conforms to the City’s Comprehensive Plan. The project is located in the Gering Employment District. The goal of this district is to preserve land that has attributes crucial to future industrial development, such as highway and rail access. This project is well-suited to that goal, as a large grain handling facility will be constructed that will take advantage of both the highway access and the rail access at the site. In addition, Policy 2.1.B of the Comprehensive Plan is to “strategically promote industrial park development that leverages the strengths of the community.” This project will promote not only the portion of the industrial park that Crossroads will be developing, but will promote the development of the remainder of the park by extending water, sewer, and rail to that portion of the park.

Staff recommends approving the resolution stating that the Redevelopment Plan is in conformance.

Ms. Folck stated that the CDA met prior to the Council meeting this evening and considered a Cost-Benefit Analysis and reviewed the numbers for this project. Crossroads Cooperative is requesting \$1,635,344 in TIF funds; they are not asking for the entire amount that is available. This will go towards qualifying expenses including the property purchase, extension of water and sewer, some of the site preparation, some of the engineering and planning. There are \$7,150,000 in private funds going towards this project, \$512,000 in City funds that will be used for oversizing of water and sewer. The City will pay the difference between the 12-inch main and an eight-inch main. The water and sewer extensions will be coming up most likely in next year’s budget. The City of Gering LB840 Committee has recommended approving \$500,000 towards this project. The CDA made a positive recommendation after considering the cost-benefit analysis.

Shain Shimid, with Crossroads Cooperative, stated that he didn’t have anything to add; Annie did a great job explaining the project.

Recommendation: *Approve, Deny, Table*

Mayor Kaufman asked if anyone wished to speak in favor_of the application. Seeing none, he asked if anyone wished to speak in opposition to this application. Councilmember Backus stated that he understands it hits all the check boxes, he just doesn’t feel it meets the spirit of TIF and the original intent of TIF. Mayor Kaufman added that this project rose to the top quickly when we talk about economic

development projects. This is a great project that is a good example of a great private/public partnership to bring some added value to our community. TIF provides economic development tool opportunities as well as LB840.

With no further comments Mayor Kaufman closed the administrative record and the public hearing closed at 6:46 p.m.

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

3a. Review and take action on Resolution 5-20-4 to approve Redevelopment Plan for the Crossroads Cooperative Expansion Project

RESOLUTION NO. 5-20-4

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

Recitals:

a. Pursuant to the Community Development Law, NEB. REV. STAT. § 18-2101 *et seq.* (the "Act"), a redevelopment plan for the *Crossroads Cooperative Expansion Project* submitted by Crossroads Cooperative Association (the "Redevelopment Plan") has been submitted to the Gering Community Development Agency ("CDA"). The Redevelopment Plan proposes to redevelop an area of the City which the City Council has declared to be blighted and substandard and in need of redevelopment. The Redevelopment Plan includes the use of tax increment financing.

b. The Redevelopment Plan has been reviewed by the Planning Commission, which found that the Redevelopment Plan conforms to the City's Comprehensive Plan (the "Comprehensive Plan"). The Planning Commission recommended approval of the Redevelopment Plan to the CDA and City Council.

c. The Redevelopment Plan has been reviewed by the CDA, which found that the Redevelopment Plan conforms to the Comprehensive Plan, that the project as proposed in the Redevelopment Plan would not be economically feasible or occur in the project area without tax increment financing, and that the costs and benefits of the project, including costs and benefits to other affected political subdivisions, the economy of the community, and the demand for public and private services, having been analyzed by the CDA, are in the long term best interests of the community.

d. The CDA recommended approval of the Redevelopment Plan to the City Council.

e. On May 11, 2020, the City Council held a public hearing on the proposal to approve the Redevelopment Plan.

f. The City Council has reviewed and conducted a cost-benefit analysis of the Redevelopment Plan and makes the findings and recommendations as documented in writing in this Resolution.

Resolved:

1. The Redevelopment Plan is determined to be feasible and in conformity with the Comprehensive Plan and with the legislative declarations and determinations set forth in the Act.

2. The project as proposed in the Redevelopment Plan would not be economically feasible or occur in the project area without the use of tax increment financing and the costs and benefits of the project, including costs and benefits to other affected political subdivisions, the economy of the community, and the demand for public and private services, having been analyzed by the City Council, are in the long-term best interests of the community impacted by the project.

3. The City Council approves the Redevelopment Plan.

4. In accordance with NEB. REV. STAT. § 18-2147, and as proposed in the Redevelopment Plan, the City Council provides that any ad valorem tax on the Project Site as set forth in the Redevelopment Plan, for the benefit of any public body be divided for a period of 15 years after the effective date as provided in § 18-2147, which effective date shall be determined in a Redevelopment Contract entered into between the Redeveloper and the CDA. Said tax shall be divided as follows:

(a) That proportion of the ad valorem tax which is produced by levy at the rate fixed each year by or for each public body upon the redevelopment project valuation (as defined in the Act) shall be paid into the funds of each such public body in the same proportion as all other taxes collected by or for the bodies;

(b) That proportion of the ad valorem tax on real property in the redevelopment project in excess of such amount, if any, shall be allocated to and, when collected, paid into a special fund of the CDA to be used solely to pay the principal of, the interest on, and any premiums due in connection with the bonds of, loans, notes or advances of money to, or indebtedness incurred by, whether funded, refunded, assumed, or otherwise, the CDA for

financing or refinancing, in whole or in part, the project set forth in the Redevelopment Plan. When such bonds, loans, notes, advances of money, or indebtedness, including interest and premiums due have been paid, the CDA shall so notify the County Assessor and County Treasurer and all ad valorem taxes upon taxable real property in the redevelopment project shall be paid into the funds of the respective public bodies; and

(c) Any interest and penalties due for delinquent taxes shall be paid in the funds of each public body in the same proportion as are all other taxes collected by or for the public body.

5. 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 and the Redevelopment Plan.

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

PASSED and APPROVED on May 11, 2020

Mayor

ATTEST:

City Clerk (Seal)

Motion by Councilmember Wiedeman to adopt Resolution 5-20-4 to approve Redevelopment Plan for the Crossroads Cooperative Expansion Project. Second by Councilmember Abel. There was no discussion. The Clerk called the roll. "AYES": Gillen, Abel, Wiedeman, O'Neal, Cowan. "NAYS": Backus. Abstaining: None. Absent: Smith, Morrison. Motion Carried.

4. Continue Public Hearing concerning an amendment to the City of Gering's Community Development Block Grant (CDBG) Revolving Loan Fund (RLF)

Mayor Kaufman stated that this public hearing was opened at the last meeting. Staff, legal and the CDBG are still working through some details pertaining to this public hearing.

Motion by Councilmember Gillen to continue a public hearing concerning an amendment to the City of Gering's Community Development Block Grant (CDBG) Revolving Loan Fund (RLF) to the next regular Council meeting on May 26, 2020. Second by Councilmember O'Neal. There was no discussion. The Clerk called the roll. "AYES": Gillen, Backus, Abel, Wiedeman, O'Neal, Cowan. "NAYS": None. Abstaining: None. Absent: Smith, Morrison. Motion Carried.

CURRENT BUSINESS:

1. Approve moving the second meeting in May of 2020 to Tuesday, May 26 instead of Monday, May 25 due to Memorial Day holiday


Motion by Councilmember Gillen to move the second meeting in May of 2020 to Tuesday, May 26 instead of Monday, May 25 due to Memorial Day holiday. Second by Councilmember Cowan. There was no discussion. The Clerk called the roll. "AYES": Gillen, Backus, Abel, Wiedeman, O'Neal, Cowan. "NAYS": None. Abstaining: None. Absent: Smith, Morrison. Motion Carried.

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

ADJOURN:

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

Meeting adjourned at 6:51 p.m.



Mark A. Kaufman, Mayor

ATTEST:



Kathleen J. Welfl, City Clerk

